

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Book 1

9, 10 and 11 February 2016

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HANSARD¹⁵⁰



1866–2016

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

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

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

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

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

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

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

The Governor

The Honourable LINDA DESSAU, AM

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

Premier	The Hon. D. M. Andrews, MP
Deputy Premier and Minister for Education	The Hon. J. A. Merlino, MP
Treasurer	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Employment	The Hon. J. Allan, MP
Minister for Small Business, Innovation and Trade	The Hon. P. Dalidakis, MLC
Minister for Industry, and Minister for Energy and Resources	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 Emergency Services, and Minister for Consumer Affairs, Gaming and Liquor Regulation	The Hon. J. F. Garrett, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Training and Skills	The Hon. S. R. Herbert, MLC
Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Families and Children, and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Environment, Climate Change and Water	The Hon. L. M. Neville, MP
Minister for Police and Minister for Corrections	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms M. Kairouz, MP

**OFFICE-HOLDERS OF THE LEGISLATIVE ASSEMBLY
FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

Speaker:

The Hon. TELMO LANGUILLER

Deputy Speaker:

Mr D. A. NARDELLA

Acting Speakers:

Mr Angus, Mr Blackwood, Ms Blandthorn, Mr Carbines, Mr Crisp, Mr Dixon, Ms Edwards, Ms Halfpenny,
Ms Kilkenny, Mr McCurdy, Mr McGuire, Ms McLeish, Mr Pearson, Ms Ryall, Ms Thomas,
Mr Thompson, Ms Thomson, Ms Ward and Mr Watt.

Leader of the Parliamentary Labor Party and Premier:

The Hon. D. M. ANDREWS

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:

The Hon. J. A. MERLINO

Leader of the Parliamentary Liberal Party and Leader of the Opposition:

The Hon. M. J. GUY

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition:

The Hon. D. J. HODGETT

Leader of The Nationals:

The Hon. P. L. WALSH

Deputy Leader of The Nationals:

Ms S. RYAN

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	Morris, Mr David Charles	Mornington	LP
Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn ²	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Napthine, Dr Denis Vincent ³	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio	Melton	ALP
Blandthorn, Ms Elizabeth Anne	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Britnell, Ms Roma ¹	South-West Coast	LP	Noonan, Mr Wade Matthew	Williamstown	ALP
Brooks, Mr Colin William	Bundoora	ALP	Northe, Mr Russell John	Morwell	Nats
Bull, Mr Joshua Michael	Sunbury	ALP	O'Brien, Mr Daniel David ⁴	Gippsland South	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
Burgess, Mr Neale Ronald	Hastings	LP	Pakula, Mr Martin Philip	Keysborough	ALP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Pallas, Mr Timothy Hugh	Werribee	ALP
Carroll, Mr Benjamin Alan	Niddrie	ALP	Paynter, Mr Brian Francis	Bass	LP
Clark, Mr Robert William	Box Hill	LP	Pearson, Mr Daniel James	Essendon	ALP
Couzens, Ms Christine Anne	Geelong	ALP	Perera, Mr Jude	Cranbourne	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Pesutto, Mr John	Hawthorn	LP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Dimopoulos, Mr Stephen	Oakleigh	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Dixon, Mr Martin Francis	Nepean	LP	Riordan, Mr Richard ⁵	Polwarth	LP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian ⁶	Gippsland South	Nats
Edwards, Ms Janice Maree	Bendigo West	ALP	Ryan, Ms Stephanie Maureen	Euroa	Nats
Eren, Mr John Hamdi	Lara	ALP	Sandell, Ms Ellen	Melbourne	Greens
Foley, Mr Martin Peter	Albert Park	ALP	Scott, Mr Robin David	Preston	ALP
Fyffe, Mrs Christine Anne	Evelyn	LP	Sheed, Ms Suzanna	Shepparton	Ind
Garrett, Ms Jane Furneaux	Brunswick	ALP	Smith, Mr Ryan	Warrandyte	LP
Gidley, Mr Michael Xavier Charles	Mount Waverley	LP	Smith, Mr Timothy Colin	Kew	LP
Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
Green, Ms Danielle Louise	Yan Yean	ALP	Spence, Ms Rosalind Louise	Yuroke	ALP
Guy, Mr Matthew Jason	Bulleen	LP	Staikos, Mr Nicholas	Bentleigh	ALP
Halfpenny, Ms Bronwyn	Thomastown	ALP	Staley, Ms Louise Eileen	Ripon	LP
Hennessy, Ms Jill	Altona	ALP	Suleyman, Ms Natalie	St Albans	ALP
Hibbins, Mr Samuel Peter	Prahran	Greens	Thomas, Ms Mary-Anne	Macedon	ALP
Hodgett, Mr David John	Croydon	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Howard, Mr Geoffrey Kemp	Buninyong	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Hutchins, Ms Natalie Maree Sykes	Sydenham	ALP	Tilley, Mr William John	Benambra	LP
Kairouz, Ms Marlene	Kororoit	ALP	Victoria, Ms Heidi	Bayswater	LP
Katos, Mr Andrew	South Barwon	LP	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kealy, Ms Emma Jayne	Lowan	Nats	Walsh, Mr Peter Lindsay	Murray Plains	Nats
Kilkenny, Ms Sonya	Carrum	ALP	Ward, Ms Vicki	Eltham	ALP
Knight, Ms Sharon Patricia	Wendouree	ALP	Watt, Mr Graham Travis	Burwood	LP
Languiller, Mr Telmo Ramon	Tarneit	ALP	Wells, Mr Kimberley Arthur	Rowville	LP
Lim, Mr Muy Hong	Clarinda	ALP	Williams, Ms Gabrielle	Dandenong	ALP
McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP

¹ Elected 31 October 2015

² Resigned 3 September 2015

³ Resigned 3 September 2015

⁴ Elected 14 March 2015

⁵ Elected 31 October 2015

⁶ Resigned 2 February 2015

PARTY ABBREVIATIONS

ALP — Labor Party; Greens — The Greens;
Ind — Independent; LP — Liberal Party; Nats — The Nationals.

Legislative Assembly committees

Privileges Committee — Ms Allan, Ms D’Ambrosio, Mr Morris, Ms Neville, Ms Ryan, Ms Sandell, Mr Scott and Mr Wells.

Standing Orders Committee — The Speaker, Ms Allan, Ms Asher, Mr Brooks, Mr Clark, Mr Hibbins, Mr Hodgett, Ms Kairouz, Mr Nardella, Ms Ryan and Ms Sheed.

Joint committees

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

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

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

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

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

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

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

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

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

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

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

CONTENTS

TUESDAY, 9 FEBRUARY 2016

ACKNOWLEDGEMENT OF COUNTRY	1
BLACK SATURDAY	1
ABSENCE OF MINISTER	1
QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS	
<i>Level crossings</i>	1, 2, 3, 4, 5, 6
<i>Ministers statements: asylum seekers</i>	2
<i>Ministers statements: level crossings</i>	5, 6
<i>Advanced Lignite Demonstration Program</i>	6, 7
<i>Ministers statements: clearways</i>	7
<i>V/Line services</i>	8
<i>Ministers statements: school breakfast clubs</i>	9
CONSTITUENCY QUESTIONS	
<i>Lowan electorate</i>	9
<i>Gembrook electorate</i>	9
<i>Dandenong electorate</i>	10
<i>Evelyn electorate</i>	10
<i>Eltham electorate</i>	10
<i>Rowville electorate</i>	10
<i>Macedon electorate</i>	10
<i>Burwood electorate</i>	11
<i>Yan Yean electorate</i>	11
<i>Pascoe Vale electorate</i>	11
VICTORIA POLICE AMENDMENT (MERIT-BASED TRANSFER) BILL 2016	
<i>Introduction and first reading</i>	12
CHILDREN LEGISLATION AMENDMENT BILL 2016	
<i>Introduction and first reading</i>	12
HEALTH COMPLAINTS BILL 2016	
<i>Introduction and first reading</i>	12
BUSINESS OF THE HOUSE	
<i>Notices of motion</i>	12
<i>Program</i>	16
PETITIONS	
<i>Cranbourne shared housing development</i>	12
<i>Public holidays</i>	12
<i>Police numbers</i>	13
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE	
<i>Alert Digest No. 1</i>	13
DOCUMENTS	13
ROYAL COMMISSION INTO TRADE UNION GOVERNANCE AND CORRUPTION	
<i>Report</i>	15
RELATIONSHIPS AMENDMENT BILL 2015	
<i>Council's amendment</i>	15
ROYAL ASSENT	15
APPROPRIATION MESSAGES	15
MEMBERS STATEMENTS	
<i>Pauline Burren</i>	19
<i>Bushfires</i>	19
<i>Nagambie ambulance services</i>	20
<i>Refugees</i>	20
<i>United Firefighters Union</i>	20
<i>Nada Cahill and Karen Dedadic</i>	21
<i>East-west link</i>	21

<i>Stephen Elder</i>	21
<i>Gippsland Lakes Coordinating Committee</i>	22
<i>Sophie Molineux and Aislin Jones</i>	22
<i>Dr Nigel Toussaint</i>	22
<i>Goulburn Valley Health</i>	23
<i>Narre Warren South electorate student achievements</i>	23
<i>Australia Day</i>	23, 24, 25
<i>Visitor Economy Ministerial Advisory Committee chair</i>	23
<i>Seville Township Group</i>	24
<i>Lynbrook Primary School</i>	24
<i>Kindergarten funding</i>	24
<i>Latrobe Valley fuel prices</i>	25
<i>Black Saturday</i>	25
<i>Ruth de Fegely</i>	25
<i>Lalor Secondary College</i>	26
<i>Deakin interconnect</i>	26
ABORIGINAL HERITAGE AMENDMENT BILL 2015	
<i>Second reading</i>	26
EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN INSTITUTE OF TEACHING) BILL 2015	
<i>Second reading</i>	45
BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015	
<i>Second reading</i>	66
ADJOURNMENT	
<i>Bungower Road–Nepean Highway, Mornington</i>	71
<i>Brooklyn industrial estate</i>	71
<i>Morwell Primary School</i>	71
<i>Bendigo Primary School</i>	72
<i>Narre Warren ambulance services</i>	72
<i>Chelsea Heights Primary School</i>	72
<i>Mansfield Secondary College</i>	73
<i>Riddells Creek Primary School</i>	74
<i>Kindergarten funding</i>	74
<i>Valkstone Primary School</i>	75
<i>Responses</i>	75
WRITTEN RESPONSES TO QUESTIONS WITHOUT NOTICE	
<i>Construction, Forestry, Mining and Energy Union</i>	76

WEDNESDAY, 10 FEBRUARY 2016

CRIMES LEGISLATION AMENDMENT BILL 2016	
<i>Introduction and first reading</i>	78
PETITIONS	
<i>Christmas carols in schools</i>	78
<i>Special religious instruction</i>	78
<i>Public holidays</i>	78
INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION COMMITTEE	
<i>Strengthening Victoria's key anti-corruption agencies?</i>	78
DOCUMENTS	79

CONTENTS

DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2015 <i>Council's amendments</i>	79	<i>Second reading</i>	98
RULINGS BY THE CHAIR <i>Statements on parliamentary committee reports</i>	79	RELATIONSHIPS AMENDMENT BILL 2015 <i>Council's amendment and Assembly's amendments</i>	107, 121
<i>Constituency questions</i>	117	DISTINGUISHED VISITORS	108
MEMBERS STATEMENTS <i>Werribee electorate Endeavour Award</i>	79	QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS <i>Level crossings</i>	108, 109, 111, 112, 113
<i>Warrandyte Bridge</i>	80	<i>Ministers statements: ambulance services</i>	109, 110
<i>Bushfires</i>	80	<i>V/Line services</i>	110, 111
<i>Peter and Angela Thiveos</i>	80	<i>Ministers statements: Hazelwood mine fire inquiry report</i>	111
<i>Green Lake project</i>	80	<i>Ministers statements: labour hire industry</i>	112
<i>Australia Day</i>	80, 85	<i>Ministers statements: Goulburn-Murray Water Connections Project</i>	114
<i>Willowfest Australian Cricket Club Championships</i>	81	<i>Kindergartens</i>	114, 115
<i>Queensland fruit fly</i>	81	<i>Ministers statements: vocational education and training</i>	115, 116
<i>Sunbury recycled water treatment plant</i>	81	SUSPENSION OF MEMBERS <i>Members for Gembrook and Narre Warren South</i>	110
<i>Sunbury electorate roads</i>	81	<i>Member for Eltham</i>	112
<i>Electricity prices</i>	81	<i>Minister for Environment, Climate Change and Water</i>	115
<i>Cardinal George Pell</i>	81	<i>Member for Warrandyte</i>	116
<i>Synthetic drugs</i>	82	<i>Member for Footscray</i>	117
<i>Life Saving Victoria</i>	82	<i>Member for Caulfield</i>	118
<i>Lunar New Year</i>	82, 86	CONSTITUENCY QUESTIONS <i>Caulfield electorate</i>	117
<i>Albacutya Bridge</i>	82	<i>Carrum electorate</i>	118
<i>Country Fire Authority Dimboola brigade</i>	83	<i>Gippsland East electorate</i>	118
<i>Country Fire Authority North Hamilton brigade</i>	83	<i>Essendon electorate</i>	119
<i>Horsham Arts Council</i>	83	<i>Eildon electorate</i>	119
<i>Wimmera cancer centre</i>	83	<i>Narre Warren South electorate</i>	119
<i>Ellen Smiddy</i>	83	<i>Ivanhoe electorate</i>	119
<i>Police numbers</i>	83	<i>Ringwood electorate</i>	119
<i>Cadel Evans Great Ocean Road Race</i>	84	<i>Oakleigh electorate</i>	119
<i>Geelong floods</i>	84	<i>Ripon electorate</i>	120
<i>Parkmore Primary School</i>	84	<i>Bundoora electorate</i>	120
<i>Chinese New Year</i>	84	BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015 <i>Second reading</i>	121, 150
<i>Camelot Rise Primary School</i>	84	GRIEVANCES <i>Public transport</i>	129, 145
<i>Forest Hill Men's Shed</i>	84	<i>Education</i>	132
<i>Asylum seekers</i>	85	<i>V/Line services</i>	134
<i>Mornington Peninsula bus services</i>	85	<i>Level crossings</i>	136, 139
<i>Chisholm TAFE</i>	86	<i>Health funding</i>	143
<i>PGM Refiners</i>	86	<i>Opposition performance</i>	147
<i>St Albans level crossings</i>	87	CONSUMER ACTS AND OTHER ACTS AMENDMENT BILL 2015 <i>Second reading</i>	159
<i>Public transport</i>	87	LEGISLATIVE COUNCIL STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE <i>Minister for Public Transport</i>	172
STATEMENTS ON REPORTS <i>Public Accounts and Estimates Committee: budget estimates 2015–16 (hearings alert)</i>	87	ADJOURNMENT <i>Caulfield electorate constituent</i>	178
<i>Independent Broad-based Anti-corruption Commission Committee: strengthening Victoria's key anti-corruption agencies?</i>	88	<i>Sunbury Primary School</i>	178
<i>Public Accounts and Estimates Committee: budget estimates 2015–16</i>	89, 90, 91		
VICTORIA POLICE AMENDMENT (MERIT-BASED TRANSFER) BILL 2016 <i>Statement of compatibility</i>	92		
<i>Second reading</i>	92		
CHILDREN LEGISLATION AMENDMENT BILL 2016 <i>Statement of compatibility</i>	93		
<i>Second reading</i>	93		
HEALTH COMPLAINTS BILL 2016 <i>Statement of compatibility</i>	94		

CONTENTS

<i>Benalla police station</i>	179
<i>Rockbank Primary School</i>	179
<i>Esplanade, Mount Martha</i>	180
<i>Montmorency South Primary School</i>	180
<i>Punt Road planning overlay</i>	180
<i>Dandenong South level crossing</i>	181
<i>South-West Coast electorate schools</i>	181
<i>Skye Primary School</i>	182
<i>Responses</i>	182

THURSDAY, 11 FEBRUARY 2016

SUSPENSION OF MEMBERS

<i>Minister for Roads and Road Safety, and member for Hastings</i>	186
<i>Member for Kew</i>	206
<i>Member for Clarinda</i>	206

BUSINESS OF THE HOUSE

<i>Notices of motion</i>	187
<i>Adjournment</i>	248

PETITIONS

<i>Leongatha South landfill site</i>	187
<i>Keysborough and Dandenong South bus services</i>	187
<i>Christmas carols in schools</i>	187

DOCUMENTS

MEMBERS STATEMENTS

<i>Paul Curran</i>	187
<i>Chandler Highway bridge</i>	188
<i>St Georges Road, Northcote</i>	188
<i>International Day of Women and Girls in Science</i>	188
<i>Australia Day</i>	188, 189, 190
<i>Stella Dunne</i>	188
<i>Dick Gray</i>	189
<i>Gippsland rail services</i>	189
<i>Graeme McEwin</i>	190
<i>Dr Graeme Emonson</i>	190
<i>Maldon</i>	190
<i>Gippsland cheese producers</i>	190
<i>Max Jelbart</i>	191
<i>Seaspray Surf Life Saving Club</i>	191
<i>Port Welshpool jetty</i>	191
<i>Hume Junior Chess Tournament</i>	191
<i>Privatisation</i>	191
<i>Police custody officers</i>	191
<i>Narre Warren ambulance services</i>	192
<i>Beaconsfield football match</i>	192
<i>Level crossings</i>	192
<i>Government performance</i>	193
<i>The Stella Prize</i>	193
<i>Blackburn level crossing</i>	193
<i>Lorraine Francis Community Award</i>	194
<i>Joe Sweeney</i>	194
<i>Beach Road–Surf Coast Highway, Torquay</i>	194
<i>Bushfires</i>	195
<i>Burke Road level crossing</i>	195

CRIMES LEGISLATION AMENDMENT BILL 2016

<i>Statement of compatibility</i>	195
<i>Second reading</i>	197

DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2015

<i>Council's amendments</i>	199
-----------------------------------	-----

ACCESS TO MEDICINAL CANNABIS BILL 2015

<i>Second reading</i>	200, 214, 252
<i>Third reading</i>	252

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

<i>Level crossings</i>	204, 205, 206, 207
<i>Ministers statements: group training organisations</i>	204
<i>Ministers statements: rural and regional schools</i>	206
<i>Ministers statements: health funding</i>	207
<i>Ombudsman jurisdiction</i>	208, 209
<i>Ministers statements: Murray Basin rail project</i>	209
<i>Ministerial office capability review</i>	209, 210
<i>Ministers statements: employment</i>	211

RULINGS BY THE CHAIR

<i>Constituency questions</i>	212
-------------------------------------	-----

CONSTITUENCY QUESTIONS

<i>Warrandyte electorate</i>	212
<i>Sunbury electorate</i>	212
<i>Murray Plains electorate</i>	212
<i>Eltham electorate</i>	213
<i>Nepean electorate</i>	213
<i>Frankston electorate</i>	213
<i>Prahran electorate</i>	213
<i>Niddrie electorate</i>	213
<i>Bass electorate</i>	213
<i>Narre Warren South electorate</i>	214

PERSONAL EXPLANATION

<i>Member for Oakleigh</i>	248
----------------------------------	-----

ABORIGINAL HERITAGE AMENDMENT BILL 2015

<i>Second reading</i>	248
<i>Third reading</i>	252

EDUCATION AND TRAINING REFORM

AMENDMENT (VICTORIAN INSTITUTE OF TEACHING) BILL 2015

<i>Second reading</i>	252
<i>Third reading</i>	252

BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015

<i>Second reading</i>	252
<i>Third reading</i>	252

CONSUMER ACTS AND OTHER ACTS AMENDMENT BILL 2015

<i>Second reading</i>	252
<i>Third reading</i>	252

ADJOURNMENT

<i>Canterbury–Bedford roads, Heathmont</i>	252
<i>Ascot Vale Primary School</i>	253
<i>Gippsland roads</i>	253
<i>Kilberry Valley Primary School</i>	254
<i>Elwood College</i>	254
<i>Coolaroo South Primary School</i>	254

CONTENTS

<i>Lilydale and Mooroolbark level crossings</i>	255
<i>Railway Place, Coburg</i>	255
<i>Protective services officers</i>	256
<i>Level crossings</i>	256
<i>Responses</i>	257

ANSWERS TO CONSTITUENCY QUESTIONS

11 DECEMBER 2015 TO 11 FEBRUARY 2016

326.	<i>Rowville electorate</i>	259
373.	<i>Essendon electorate</i>	260
1091.	<i>Mill Park electorate</i>	260
1286.	<i>Mildura electorate</i>	260
1290.	<i>Melbourne electorate</i>	261
2848.	<i>Dandenong electorate</i>	261
2853.	<i>Burwood electorate</i>	262
3673.	<i>Warrandyte electorate</i>	263
3675.	<i>Ovens Valley electorate</i>	263
3692.	<i>Brighton electorate</i>	263
3694.	<i>Rowville electorate</i>	264
3697.	<i>Macedon electorate</i>	264
3889.	<i>Lowan electorate</i>	265
3895.	<i>South Barwon electorate</i>	265
6323.	<i>Croydon electorate</i>	266
6324.	<i>Pascoe Vale electorate</i>	266
6325.	<i>Gippsland South electorate</i>	266
6326.	<i>Essendon electorate</i>	267
6328.	<i>Sunbury electorate</i>	267
6329.	<i>Sandringham electorate</i>	268
6330.	<i>Yan Yean electorate</i>	268
6431.	<i>Melbourne electorate</i>	268
6476.	<i>Eltham electorate</i>	269
6479.	<i>South Barwon electorate</i>	270
6481.	<i>Gippsland East electorate</i>	270
6482.	<i>Thomastown electorate</i>	270
6484.	<i>Narre Warren South electorate</i>	271
6494.	<i>Bayswater electorate</i>	272
6495.	<i>Pascoe Vale electorate</i>	272
6496.	<i>Lowan electorate</i>	272
6498.	<i>Narracan electorate</i>	273
6499.	<i>Narre Warren South electorate</i>	274
6502.	<i>Ripon electorate</i>	275
6528.	<i>Brighton electorate</i>	275
6529.	<i>Narre Warren South electorate</i>	275
6530.	<i>Gippsland South electorate</i>	276
6533.	<i>Frankston electorate</i>	277
6534.	<i>Prahran electorate</i>	277
6535.	<i>Ivanhoe electorate</i>	277
6537.	<i>Oakleigh electorate</i>	278
6635.	<i>Gembrook electorate</i>	279
6636.	<i>Essendon electorate</i>	279
6637.	<i>Ovens Valley electorate</i>	280
6638.	<i>Yuroke electorate</i>	280
6639.	<i>Nepean electorate</i>	281
6640.	<i>Footscray electorate</i>	281
6642.	<i>Pascoe Vale electorate</i>	282
6643.	<i>Rowville electorate</i>	282
6644.	<i>Narre Warren South electorate</i>	282

6650.	<i>Warrandyte electorate</i>	283
6651.	<i>Yan Yean electorate</i>	283
6652.	<i>Mildura electorate</i>	283
6653.	<i>Niddrie electorate</i>	284
6654.	<i>Brighton electorate</i>	284
6655.	<i>Carrum electorate</i>	285
6656.	<i>South-West Coast electorate</i>	285
6657.	<i>Sunbury electorate</i>	286
6658.	<i>Sandringham electorate</i>	287
6659.	<i>Yuroke electorate</i>	287
6666.	<i>Bayswater electorate</i>	287
6668.	<i>Gippsland East electorate</i>	288
6669.	<i>Bentleigh electorate</i>	288
6670.	<i>Evelyn electorate</i>	289
6672.	<i>Melbourne electorate</i>	289
6673.	<i>Macedon electorate</i>	290
6674.	<i>Burwood electorate</i>	290
6675.	<i>Frankston electorate</i>	291

QUESTIONS ON NOTICE

11 DECEMBER 2015 TO 11 FEBRUARY 2016

382.	<i>Public transport</i>	293
517.	<i>Housing, disability and ageing</i>	293
756.	<i>Education</i>	293
792.	<i>Public transport</i>	294
1036.	<i>Housing, disability and ageing</i>	295
1044.	<i>Public transport</i>	295
1098.	<i>Public transport</i>	297
1100.	<i>Public transport</i>	297
1101.	<i>Public transport</i>	298
1197.	<i>Education</i>	299
1242.	<i>Education</i>	299
1243.	<i>Education</i>	300
1244.	<i>Education</i>	300
1245.	<i>Education</i>	300
1246.	<i>Education</i>	300
1247.	<i>Education</i>	301
1248.	<i>Education</i>	301
1249.	<i>Education</i>	301
1250.	<i>Education</i>	302
1251.	<i>Education</i>	302
1252.	<i>Education</i>	302
1253.	<i>Education</i>	302
1254.	<i>Education</i>	303
1255.	<i>Education</i>	303
1256.	<i>Education</i>	303
1257.	<i>Education</i>	304
1258.	<i>Education</i>	304
1259.	<i>Education</i>	304
1260.	<i>Education</i>	305
1261.	<i>Education</i>	305
1262.	<i>Education</i>	305
1263.	<i>Education</i>	305
1264.	<i>Education</i>	306
1265.	<i>Education</i>	306
1266.	<i>Education</i>	306
1267.	<i>Education</i>	307

CONTENTS

1268.	Education	307	1453.	Ambulance services	325
1269.	Education	307	1454.	Ambulance services	325
1270.	Education	307	1455.	Ambulance services	326
1271.	Education	308	1456.	Ambulance services	326
1272.	Education	308	1457.	Ambulance services	326
1273.	Education	308	1458.	Ambulance services	327
1274.	Education	309	1459.	Ambulance services	327
1275.	Education	309	1460.	Ambulance services	327
1276.	Education	309	1461.	Ambulance services	327
1277.	Education	310	1462.	Ambulance services	328
1278.	Education	310	1463.	Ambulance services	328
1279.	Education	310	1464.	Ambulance services	328
1280.	Education	310	1465.	Ambulance services	329
1281.	Education	311	1466.	Ambulance services	329
1282.	Education	311	1467.	Ambulance services	329
1408.	Ambulance services	311	1468.	Ambulance services	330
1409.	Ambulance services	312	1469.	Ambulance services	330
1410.	Ambulance services	312	1470.	Ambulance services	330
1411.	Ambulance services	312	1471.	Ambulance services	331
1412.	Ambulance services	313	1472.	Ambulance services	331
1413.	Ambulance services	313	1473.	Ambulance services	331
1414.	Ambulance services	313	1474.	Ambulance services	331
1415.	Ambulance services	313	1475.	Ambulance services	332
1416.	Ambulance services	314	1476.	Ambulance services	332
1417.	Ambulance services	314	1477.	Ambulance services	332
1418.	Ambulance services	314	1478.	Ambulance services	333
1419.	Ambulance services	315	1479.	Ambulance services	333
1420.	Ambulance services	315	1480.	Ambulance services	333
1421.	Ambulance services	315	1481.	Ambulance services	334
1422.	Ambulance services	316	1482.	Ambulance services	334
1423.	Ambulance services	316	1483.	Ambulance services	334
1424.	Ambulance services	316	1484.	Ambulance services	334
1425.	Ambulance services	316	1485.	Ambulance services	335
1426.	Ambulance services	317	2036.	Creative industries.....	335
1427.	Ambulance services	317	2037.	Equality	335
1428.	Ambulance services	317	2042.	Equality	336
1429.	Ambulance services	318	2509.	Health	336
1430.	Ambulance services	318	2510.	Health	336
1431.	Ambulance services	318	2511.	Health	337
1432.	Ambulance services	319	2512.	Health	337
1433.	Ambulance services	319	2513.	Health	337
1434.	Ambulance services	319	2514.	Health	337
1435.	Ambulance services	320	2515.	Health	338
1436.	Ambulance services	320	2516.	Health	338
1437.	Ambulance services	320	2517.	Health	338
1438.	Ambulance services	320	2518.	Health	339
1439.	Ambulance services	321	2519.	Health	339
1440.	Ambulance services	321	2520.	Health	339
1441.	Ambulance services	321	2521.	Health	340
1442.	Ambulance services	322	2522.	Health	340
1443.	Ambulance services	322	2523.	Health	340
1444.	Ambulance services	322	2524.	Health	340
1445.	Ambulance services	323	2525.	Health	341
1446.	Ambulance services	323	2526.	Health	341
1447.	Ambulance services	323	2527.	Health	341
1448.	Ambulance services	323	2528.	Health	342
1449.	Ambulance services	324	2529.	Health	342
1450.	Ambulance services	324	2530.	Health	342
1451.	Ambulance services	324	2531.	Health	342
1452.	Ambulance services	325	2532.	Health	343

CONTENTS

2533.	Health	343	3660.	Industry.....	361
2534.	Health	343	3665.	Education	361
2535.	Health	344	3686.	Planning	361
2536.	Health	344	3687.	Planning	362
2537.	Health	344	3765.	Energy and resources.....	362
2538.	Health	345	3766.	Energy and resources.....	363
2539.	Health	345	3767.	Energy and resources.....	363
2540.	Health	345	3768.	Energy and resources.....	363
2541.	Health	345	3769.	Energy and resources.....	363
2542.	Health	346	3770.	Energy and resources.....	364
2543.	Health	346	3771.	Energy and resources.....	364
2544.	Health	346	3784.	Energy and resources.....	364
2545.	Health	347	3785.	Energy and resources.....	365
2546.	Health	347	3786.	Energy and resources.....	365
2547.	Health	347	3880.	Energy and resources.....	365
2548.	Health	347	3882.	Energy and resources.....	366
2549.	Health	348	3836.	Energy and resources.....	366
2550.	Health	348	3861.	Energy and resources.....	366
2551.	Health	348	3862.	Energy and resources.....	366
2552.	Health	349	3863.	Energy and resources.....	367
2553.	Health	349	3864.	Energy and resources.....	367
2554.	Health	349	3883.	Energy and resources.....	367
2555.	Health	350	3885.	Energy and resources.....	368
2556.	Health	350	6308.	Agriculture	368
2557.	Health	350	6309.	Consumer affairs, gaming and liquor regulation	368
2558.	Health	350	6310.	Public transport	369
2559.	Health	351	6311.	Public transport	370
2560.	Health	351	6313.	Public transport	370
2561.	Health	351	6315.	Public transport	371
2796.	Health	352	6316.	Public transport	371
2797.	Health	352	6317.	Public transport	371
2798.	Health	352	6318.	Public transport	372
2799.	Health	352	6319.	Public transport	372
2800.	Health	353	6320.	Public transport	372
2801.	Health	353	6321.	Public transport	372
2802.	Health	353	6322.	Public transport	373
2803.	Health	354	6421.	Environment, climate change and water.....	373
2804.	Health	354	6422.	Housing, disability and ageing	373
2805.	Health	354	6423.	Public transport	373
2806.	Health	355	6424.	Environment, climate change and water.....	374
2807.	Health	355	6435.	Housing, disability and ageing	374
2808.	Health	355	6438.	Consumer affairs, gaming and liquor regulation	375
2809.	Health	355	6439.	Public transport	375
2810.	Health	356	6440.	Emergency services	376
2811.	Health	356	6441.	Emergency services	376
2812.	Health	356	6442.	Emergency services	377
2813.	Health	357	6443.	Emergency services	377
2814.	Health	357	6444.	Emergency services	377
2815.	Health	357	6445.	Emergency services	378
2816.	Health	357	6446.	Emergency services	378
2817.	Health	358	6447.	Emergency services	378
2818.	Health	358	6448.	Emergency services	379
2819.	Health	358	6449.	Emergency services	379
2820.	Health	359	6450.	Emergency services	380
2835.	Environment, climate change and water.....	359	6451.	Emergency services	380
2839.	Energy and resources	359	6452.	Emergency services	381
3634.	Public transport	360			
3641.	Industry.....	360			
3654.	Roads and road safety	360			

CONTENTS

6453.	Emergency services	381	6557.	Education	412
6454.	Emergency services	382	6558.	Education	413
6455.	Emergency services	382	6559.	Education	413
6456.	Emergency services	383	6560.	Education	414
6457.	Emergency services	383	6561.	Education	415
6458.	Emergency services	383	6562.	Education	415
6459.	Emergency services	384	6563.	Education	416
6460.	Emergency services	384	6564.	Education	417
6461.	Emergency services	385	6565.	Education	418
6462.	Emergency services	385	6566.	Education	418
6463.	Emergency services	386	6567.	Education	419
6464.	Emergency services	386	6568.	Education	420
6465.	Emergency services	387	6569.	Education	421
6466.	Emergency services	387	6570.	Education	422
6467.	Emergency services	388	6571.	Education	423
6468.	Emergency services	388	6572.	Education	424
6469.	Emergency services	389	6573.	Education	424
6470.	Emergency services	389	6574.	Education	425
6471.	Emergency services	390	6575.	Education	425
6472.	Public transport	390	6576.	Education	426
6474.	Public transport	391	6577.	Education	427
6486.	Planning	392	6578.	Education	427
6487.	Health	392	6579.	Education	428
6489.	Environment, climate change and water	393	6580.	Education	429
6490.	Public transport	393	6581.	Education	429
6491.	Public transport	394	6582.	Education	430
6492.	Public transport	394	6583.	Education	430
6493.	Public transport	395	6584.	Education	431
6505.	Tourism and major events	395	6585.	Education	432
6506.	Tourism and major events	395	6586.	Education	433
6507.	Tourism and major events	396	6587.	Education	434
6508.	Tourism and major events	396	6588.	Education	434
6509.	Tourism and major events	397	6589.	Education	435
6521.	Energy and resources	397	6590.	Education	436
6523.	Education	397	6591.	Education	437
6524.	Education	398	6592.	Education	437
6525.	Local government	398	6593.	Education	438
6526.	Local government	398	6594.	Education	439
6527.	Environment, climate change and water	399	6595.	Education	440
6538.	Education	399	6596.	Education	441
6539.	Education	400	6597.	Education	441
6540.	Education	401	6598.	Education	442
6541.	Education	401	6599.	Education	442
6542.	Education	402	6600.	Education	443
6543.	Education	402	6601.	Education	444
6544.	Education	403	6602.	Education	444
6545.	Education	404	6603.	Education	445
6546.	Education	404	6604.	Education	446
6547.	Education	405	6605.	Education	446
6548.	Education	406	6606.	Education	447
6549.	Education	407	6607.	Education	448
6550.	Education	407	6608.	Education	449
6551.	Education	408	6609.	Education	449
6552.	Education	409	6610.	Education	450
6553.	Education	410	6611.	Education	450
6554.	Education	410	6612.	Education	451
6555.	Education	411	6613.	Education	452
6556.	Education	411	6614.	Education	452
			6615.	Education	453
			6616.	Education	454

CONTENTS

6617.	<i>Education.....</i>	455
6618.	<i>Education.....</i>	455
6619.	<i>Education.....</i>	456
6620.	<i>Education.....</i>	457
6621.	<i>Education.....</i>	457
6622.	<i>Education.....</i>	458
6623.	<i>Education.....</i>	459
6624.	<i>Education.....</i>	459
6626.	<i>Public transport</i>	460
6627.	<i>Environment, climate change and water</i>	460
6628.	<i>Local government</i>	461
6629.	<i>Emergency services</i>	462
6630.	<i>Emergency services</i>	462
6631.	<i>Energy and resources</i>	462
6632.	<i>Environment, climate change and water</i>	463
6633.	<i>Environment, climate change and water</i>	463
6634.	<i>Attorney-General</i>	464
6645.	<i>Finance</i>	464
6646.	<i>Police</i>	465
6647.	<i>Public transport</i>	465
6648.	<i>Police</i>	465
6649.	<i>Public transport</i>	466
6660.	<i>Housing, disability and ageing</i>	466
6661.	<i>Education.....</i>	467
6662.	<i>Education.....</i>	468
6663.	<i>Education.....</i>	468
6665.	<i>Environment, climate change and water</i>	468

MEMBERS INDEX.....	i
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Tuesday, 9 February 2016

The SPEAKER (Hon. Telmo Languiller) took the chair at 12.03 p.m. and read the prayer.

ACKNOWLEDGEMENT OF COUNTRY

The SPEAKER — We acknowledge the traditional Aboriginal owners of the land on which we are meeting. We pay our respects to them, to their culture, to their elders past, present and future, and to elders from other communities who may be here today. We recognise the elders, community members and representatives from the Victorian Aboriginal Heritage Council, the Federation of Victorian Traditional Owner Corporations and Native Title Services Victoria, who are seated in the lower gallery today, witnessing this historic occasion.

On behalf of the Premier, the Leader of the Opposition and members of this house, I am honoured to welcome to the Parliament of Victoria elders and distinguished members of the Aboriginal community. Today we start a new tradition in the Legislative Assembly that recognises the ancient traditions of Aboriginal peoples, the custodians of the land on which we meet.

Last year the house unanimously passed a resolution to introduce the acknowledgement of country at the start of each sitting week. In doing so we acknowledge the rich heritage of the first peoples of this nation and recognise their enduring connection and contribution to this place. In September last year we raised the Aboriginal flag to permanently fly on top of Parliament House. Today we take another step on the road to recognition and reconciliation.

BLACK SATURDAY

The SPEAKER — Order! I remind the house that Sunday marked the seventh anniversary of the devastating 2009 bushfires, which affected communities across the state. We will take a moment to pause and think of those communities and the lives lost during those devastating fires. I invite all members to stand in their places and join me in a minute's silence.

Honourable members stood in their places.

ABSENCE OF MINISTER

Mr ANDREWS (Premier) — I rise to inform the house that the Minister for Police and Minister for Corrections will be absent from the house for the next three months, and the Minister for Finance and Minister

for Multicultural Affairs will answer for him in this place.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Level crossings

Honourable members interjecting.

The SPEAKER — Order! The Deputy Premier will come to order. The Leader of the Opposition is warned. The Leader of the Opposition, on a question without notice.

Mr GUY (Leader of the Opposition) — I am glad we have set the theme, Speaker.

My question is to the Premier. Why did the Premier lie to the residents along the Dandenong rail corridor — some of whom are in the gallery today — before the election when he promised to replace level crossings as road-over-rail, when he is now going to build a 9-metre-high sky rail just metres from their family homes?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. This has got to be the only elevated structure that the Leader of the Opposition was not quick to support. Normally the taller the better for this little one!

Honourable members interjecting.

The SPEAKER — Order! Members will be warned. I warn the Leader of the Opposition. When the Chair is on his feet all members will remain silent.

Mr Guy — On a point of order, Speaker, on the issue of relevance, I did not support powerlines in Waverley Park like he does in his own electorate. I did not support them.

The SPEAKER — Order! There is no point of order. The Leader of the Opposition will resume his seat. The Leader of the Opposition, I understand, had a good holiday; so did the Chair. We all have a lot of energy, and so does the Chair, as I remind members. The Premier, to continue.

Mr ANDREWS — It was clearly not a holiday spent drafting questions, Speaker. Is that the best the Leader of the Opposition has got — shout a lot and throw around a bit of abuse?

Honourable members interjecting.

The SPEAKER — Order! I warn the member for Hawthorn, and I warn the member for Warrandyte. The Premier is entitled to silence.

Mr ANDREWS — I simply point out to the Leader of the Opposition that this government made a commitment to remove nine deadly, congested level crossings — every single level crossing between Caulfield and Dandenong — and that is exactly what this government is doing. Who knows how many lives will be saved, because we do not talk about removing crossings; we get on and do it.

Honourable members interjecting.

The SPEAKER — Order! Members of the government will come to order.

Mr ANDREWS — We are not removing four level crossings, leaving five in place, and privatising the line, making it almost impossible to ever get rid of those five, which was the proposition that the Leader of the Opposition supported. That is what he supported — not nine but only four of those level crossings, leaving five deathtraps in place. We made a commitment to get rid of those level crossings, and that is exactly what we are doing.

What is more, we are creating 11 MCGs worth of parkland, space for thousands of extra car parks, 2000 jobs and room, capacity, for 11 000 extra passengers in the morning peak. And do you know what they will be riding on? It is trains made in Victoria, not the offshore stuff that those opposite put forward. We have made commitments, and we are honouring them.

Supplementary question

Mr GUY (Leader of the Opposition) — I refer to the following statement by a planning identity that concrete flyovers — —

Honourable members interjecting.

Mr GUY — You'll come to that! We'll get to that!

The SPEAKER — Order! The Chair is unable to hear the question as advanced by the Leader of the Opposition. The Chair must be able to hear the question in order to adjudicate subsequently.

Mr GUY — I refer to the following statement by a soon-to-be-named planning identity that concrete flyovers like that in a sky rail will, and I quote:

... cause irreparable damage to (residents) quality of life, loss of amenity, noise intrusion and inevitably erosion of their property values.

Given these 2014 comments were made by the now Minister for Planning — —

Honourable members interjecting.

Mr GUY — Do you want to hear it again?

The SPEAKER — Order! The Leader of the Opposition will continue.

Mr GUY — Given those comments made by the now planning minister, is the Premier confident that his minister will approve the necessary planning controls given the minister's clear opposition to flyovers?

Honourable members interjecting.

Mr ANDREWS (Premier) — The inconvenient fact for the Leader of the Opposition is that we made a commitment to remove nine deadly level crossings, and if the Leader of the Opposition spent a bit of time in the corridor and knew just how bad and dangerous those crossings are, maybe he would get on and support not removing four of them and leaving five in place forever but doing what this government is doing.

Mr Guy — On a point of order, Speaker, half the Premier's answering time is over and he has not referred to the question once, which is whether he has confidence in his own minister to implement a policy that his minister opposes.

The SPEAKER — Order! Raising a point of order is not an opportunity to repeat the question.

Honourable members interjecting.

The SPEAKER — Order! The Premier to continue and to respond to a question.

Mr ANDREWS — Well, fancy the Leader of the Opposition talking about confidence in a planning minister, of all people! The planning minister is doing an outstanding job, and he will continue to. While the Leader of the Opposition is playing games, we will get into removing those nine crossings, creating 2000 jobs, creating open space, space for thousands of extra car parks, and making sure that instead of those gates being down for an hour and a half every single morning they will be consigned to history, where they belong.

Ministers statements: asylum seekers

Mr ANDREWS (Premier) — I am pleased — indeed proud — to rise to inform the house that this

government, on behalf of all Victorians, has made the necessary arrangements to provide resources and support to each and every one of those refugees who are, as a result of the High Court's decision, facing the inhumane prospect of being returned to Nauru. We have made that commitment — and I update all honourable members — to house, to educate, to provide healthcare and welfare services to these just under 300 refugees. Of that number, around 90 are children, and of that number, 37 of those kids, of those little ones, were actually born here.

I reject the notion that we cannot together, across the political divide, across different levels of government, find a point of difference, find a special circumstance to say to those families, 'We will put our arms around you, and you can call Victoria home' instead of sending them back to the torture, the trauma and the horror from which they in essence fled, which is not the right thing to do.

I urge the Prime Minister, in light of this government's support and the support from New South Wales, from Queensland, from South Australia, from the ACT — from pretty well every government across this nation — to do the right thing and join with us in giving these people a second chance, because I reckon that if they are given that precious chance, they will repay Victoria and Australia in spades. That is the story of our multiculturalism, it is the story of migration, it is the story of humanitarian response. It is the Victorian way, and I would urge the Prime Minister to join with us in this.

Level crossings

Mr HODGETT (Croydon) — My question is to the temporary Minister for Public Transport. After advising the Lendlease consortium that its sky rail option had been chosen over the promised road-over-rail option, how long did the government wait before bothering to inform the thousands of residents who live along the Dandenong rail corridor of this backflip?

Ms ALLAN (Minister for Public Transport) — I thank the member opposite for his question, because this is an opportunity to clearly put on record some of the information about what has gone on and what will go on into the future as the Andrews Labor government delivers on its election commitment to get rid of nine level crossings along this corridor, the busiest rail corridor in Melbourne.

We are getting on with that election commitment. The member opposite asked about consultation. Those opposite are latter-day converts to this notion. I am very

pleased to inform the house of the extensive consultation that was undertaken throughout 2015 — —

Honourable members interjecting.

The SPEAKER — Order! Government members and opposition members will come to order. I am unable to hear the answer from the minister. The minister, to be heard in absolute silence.

Ms ALLAN — Thank you, Speaker. I am very pleased to put on the record some of the activities that went on in 2015, where there were extensive consultations at each of the nine locations — not four locations but nine locations along the corridor.

Mr Hodgett — On a point of order, Speaker, on the issue of relevance, the question was about the time lag between telling Lendlease and telling the thousands of residents, and I ask you to bring the minister back to answering the question.

Ms ALLAN — On the point of order, Speaker, the question went to consultation — —

Honourable members interjecting.

The SPEAKER — Order! The minister will continue and not allow distractions to get in the way of her contribution.

Ms ALLAN — The consultation that went on previously — perhaps if the member holds his horses a little bit, he will be able to hear the information he is seeking.

Honourable members interjecting.

The SPEAKER — Order! The member for Sunbury, the member for Essendon and the Leader of the Opposition will come to order and allow the manager of opposition business to make a point of order in silence.

Mr Clark — On the point of order, Speaker, the minister claimed that the question referred to consultation. The question did not refer to consultation, and I am sure your notes will bear that out. I ask you to uphold the point of order raised by the Deputy Leader of the Opposition.

Honourable members interjecting.

The SPEAKER — Order! Both the Deputy Premier and the Leader of the Opposition will desist. They can engage privately, but they will allow the Deputy Premier to make a point of order in silence now.

Mr Merlino — On the point of order, Speaker, the question from the Deputy Leader of the Parliamentary Liberal Party was in relation to consultation in regard to this project and the time lines. The Leader of the House, the Minister for Public Transport, was being directly relevant to the question that was asked. They may not like to hear about how we are delivering on our commitment to remove nine level crossings, not four — —

Honourable members interjecting.

The SPEAKER — Order! The Deputy Premier will resume his seat. The Leader of the Opposition will come to order. The Chair does not uphold the point of order at this point. I call on the minister to continue.

Ms ALLAN — In 2015 the Level Crossing Removal Authority went to each of the nine locations, and in consultations and in hundreds of hours of community feedback sessions, in opportunities for people to put their views forward online, every single option was considered for these rail locations. Indeed a newsletter that went out along the corridor — to tens of thousands of homes along this area — talks about all the different options that were examined, including rail-over-road. It included diagrams about how those different rail-over-road options could be undertaken.

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition will resume his seat. The Chair is unable to hear the minister as a result of interjections from both sides of the house. I ask all members to be silent and to allow the minister to continue respectfully and in silence.

Mr Guy — On a point of order, Speaker, again respectfully, the question when asking — and I will not repeat it — about Lendlease having been informed asked specifically about the time lag in then informing residents. It did not ask about the consultation that preceded that. The minister has not addressed that part once in her answer. I ask you to bring her back to answering the question, which was the difference in time between telling Lendlease it had the job and telling residents what was going to happen.

The SPEAKER — Order! The minister will resume answering and will come back to the question.

Ms ALLAN — The question was wrong in the notion that this idea was not canvassed before the announcement that the government made on Sunday. As this newsletter to thousands of properties involved indicates, the rail-over-road option was flagged. Indeed

one of the quotes we got from the consultation was ‘It can’t happen soon enough’. On Sunday the government made its public announcement about its preferred design option. On Saturday evening, as is entirely appropriate and respectful, hundreds of people who directly live along this corridor were doorknocked by the Level Crossing Removal Authority. That was appropriate to make sure that they were provided with the information before the government made its announcement.

It is entirely appropriate that once government has finalised its options that it then goes out into the corridor and provides — —

Honourable members interjecting.

Ms ALLAN — So that is an entirely appropriate way to communicate to people who are directly affected.

Supplementary question

Mr HODGETT (Croydon) — Can the minister inform the house what advice she has received or requested detailing the impact of Labor’s sky rail project on property values of local residents along the Dandenong rail corridor, given they now face continual vibration, increased noise, loss of natural light and major visual amenity losses as a result of its 9-metre-high sky rail?

The SPEAKER — Order! Members will come to order, including the Minister for Roads and Road Safety. The minister, to respond to a supplementary question put by the Deputy Leader of the Opposition in silence.

Ms ALLAN (Minister for Public Transport) — I would appreciate a noise wall around the Deputy Leader of the Opposition. There are so many inaccuracies that the time available does not allow us to go through the issues that have been identified. Can I say that through that process that we have announced, where there will be an engagement face to face with local residents, each resident who wishes to engage with a case manager will have those face-to-face opportunities to talk about this project and to talk — —

Mr Guy — On a point of order, Speaker, two-thirds of the minister’s time has now gone for her answer. The question was around advice she has received. It was not around a process that might be for an external statutory authority. It was around advice that the minister has sought or received, and she has never brought any part of her answer back to that of the question.

Mr Merlino — On the point of order, Speaker, the minister was directly relevant to the supplementary question, particularly highlighting the inaccuracies in the question that was asked. You should rule this point of order out.

Honourable members interjecting.

The SPEAKER — Order! From now on the Chair will not hesitate to have members withdraw, and that includes the Minister for Roads and Road Safety, who has been warned before. The Chair will not warn members and the minister again. The minister, to continue.

The Chair does not uphold the point of order. The Chair regards the minister's answer as being responsive.

Ms ALLAN — Those issues that local residents will have, amongst those that were raised in the question, will be appropriately dealt with in a respectful way in those face-to-face conversations with local residents. I appreciate the Leader of the Opposition is very interested in how property prices can be increased given that he was an expert at that during his time as planning minister.

Ministers statements: level crossings

Ms ALLAN (Minister for Public Transport) — I am very pleased to provide further and new information to the house on how the Andrews Labor government is getting on with removing those 50 dangerous, congested level crossings across Melbourne. We know that Victorians want these relics of the past removed as quickly as possible, and that is exactly what we are doing. Earlier this week, as we know, the government outlined the preferred design to remove all nine level crossings between Dandenong and the city. These are some of the most congested level crossings where the boom gates are down —

Honourable members interjecting.

The SPEAKER — Order! The member for Warrandyte has been warned, and the member for Malvern is now warned. The minister, to continue in silence.

Ms ALLAN — Can I just say, there was one key feature that came back through the community consultation, and I know those opposite are just so green with envy that they did not remove a single level crossing during their time in government. The last time those opposite removed a level crossing was in 1998.

Mr Clark — On a point of order, Speaker, either the minister is showing her ignorance or she is acting deliberately, but either way she is misleading the house and debating the issue, and I ask you to bring her back to complying with sessional order 7.

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

Ms ALLAN — Through this preferred design, with three sections of elevated rail that will get rid of these dangerous deathtraps as quickly as possible, it is a design that the engineers and the experts determined was the best possible solution. And not only is it nine level crossings gone, it is five brand-new stations and 2000 jobs created during construction. Most critically, it is an approach that will avoid the crippling disruption that could have occurred through other approaches by needing to have millions of bus replacement trips and trucks moving through the suburbs.

Can I acknowledge the member for Oakleigh, who has played a terrific role in working with his community. He will continue to consult and work hard, and I look forward to working with him on delivering this project for this community.

Level crossings

Mr HODGETT (Croydon) — My question is to the Minister for Public Transport. Will the minister now categorically rule out future sky rail ever being considered for the Frankston line, yes or no?

Ms ALLAN (Minister for Public Transport) — In answering the question, I think it is transparently obvious to all of us to see that opposition members are not interested in looking at what we can do to address congestion to get rid of level crossings. They are interested in scaremongering to try to stop us — to stop the Andrews Labor government — from removing these level crossings, saving lives, running more trains and reducing road congestion.

I am confident that in our conversations with communities right across Melbourne that want us to get on as soon as possible with removing the level crossings, they will recognise —

Mr Guy interjected.

The SPEAKER — Order! The minister, to continue in silence.

Ms ALLAN — We will be taking the advice of the experts and the engineers on what is right for each location. Speaker, I would like to read you a quote:

‘Removing level crossings is a good thing’. I think we would all agree with that. ‘The Liberal government did quite a bit of it, and it is the right thing to do’. I cannot find, and Melburnians cannot find, any record of the former Liberal government during its four years starting and finishing one single level crossing. For four long years it did nothing about one of the most important ways that we can reduce road congestion and run more trains.

Mr Hodgett — On a point of order, Speaker, the minister is debating the question. We asked that she categorically rule out whether the future sky rail will ever be considered for the Frankston line, yes or no? I ask you to bring the minister back to answering the question.

The SPEAKER — Order! I understand the minister has concluded her answer.

Mr Pesutto interjected.

Mr Andrews — On a point of order, Speaker, incredibly again I am obliged to ask you to ask the member for Hawthorn to withdraw that disgraceful remark.

Mr Pesutto — I withdraw.

Mr Merlino interjected.

The SPEAKER — Order! The Deputy Premier will come to order. The member for Hawthorn has withdrawn. The Deputy Premier is warned.

Supplementary question

Mr HODGETT (Croydon) — On a supplementary question, what representations has the minister received from the members for Mordialloc, Carrum or Frankston against building a sky rail along the Frankston rail corridor?

Ms ALLAN (Minister for Public Transport) — Today and in just the last few days I have had a number of conversations with those members of Parliament, and they are very much looking forward this year to going out and having a conversation with their local communities about how work will start before 2018 on getting rid of the eight level crossings along the Frankston corridor in addition to the three that are already under construction. They are excited about this opportunity to have a conversation with their communities based on the expert advice of engineers and the experts, not those opposite. Indeed the member for Frankston tells me that people in the last day or so

have been saying to him, ‘Just get on and get rid of these level crossings’.

Honourable members interjecting.

Ministers statements: level crossings

Mr PALLAS (Treasurer) — I rise to inform the house about the economic benefits of the Labor government’s initiative to remove all level crossings — all nine level crossings — between Dandenong and the CBD. This government, the Andrews Labor government, considered all potential design options for this corridor before deciding to proceed. We even examined the complete farce of what was being considered by the previous government — what we affectionately known as the ‘Crapenham project’. In addition to delivering a better outcome for residents and for communities, elevated rail will maximise the economic benefits of removing these nine dangerous and congested level crossings and will also create some 2000 jobs.

Labor’s plan has the advantage that it will actually work. It will remove all nine level crossings on the corridor, not four. It rebuilds five stations, not three. And it will be serviced by 37 new high-capacity trains, not 25; trains that will be built at least 50 per cent out of local content by Victorian manufacturers. It will accommodate 11 000 extra passengers during the peak hour. If those opposite had their way, it would have blown out by half a billion dollars without even delivering the promised improvements.

This is the busiest rail corridor in our state, carrying over 28 200 passengers in the morning. Road congestion has already cost something like \$4.6 billion per year. We will see. Had those opposite designed and delivered this project the way they wanted, there would be massive congestion and a greater freight load on this vital corridor.

Advanced Lignite Demonstration Program

Ms SANDELL (Melbourne) — My question is to Minister for Energy and Resources. Last year the minister announced that the government would review previous government programs which use taxpayer money to support coal developments. However, two days before Christmas, Ignite ALDP sent out a press release saying that it is proceeding with a coal project in Victoria which was given a \$20 million government grant. Can the minister confirm that \$20 million of Victorian taxpayer money has been given to Ignite ALDP for a coal project which will increase Victoria’s greenhouse gas emissions by 10 000 tons per year?

Ms D'AMBROSIO (Minister for Energy and Resources) — I thank the member for Melbourne for her question, and can I just say from the outset that that is absolutely wrong — absolutely wrong in so many respects. The government is very clear. We are committed to growing the diversity of our renewable energy sector — diversity for our future, for our environment, for our climate and for the future jobs that will come from that. We are absolutely committed to that.

What we are very clear about also is that we are a government that has been elected to be a responsible government, to talk to communities, to work with communities and to work out the plans for their future, and we are doing that in a way that delivers real services and real tangible outcomes when it comes to the jobs that come with growing our renewable energy sector.

I would actually caution the member for Melbourne not to believe everything she reads in local papers and the like because a simple question to me to this effect would have meant that the member for Melbourne would have received a very clear answer that she is absolutely wrong in this respect. I am very happy to explain to the member for Melbourne what it means to actually deal with contracts that were put in place by the previous government when it comes to these Advanced Lignite Demonstration Program (ALDP) projects.

Our government's agenda is very clear. We are growing the diversity of renewable energy. We will do that to grow the jobs and to grow the future industries which will underpin our economy into the future. That is what our commitment is, and I am very, very happy to extend an invitation to the member for Melbourne for a briefing on exactly what was reported in the papers at the end of last year.

Supplementary question

Ms SANDELL (Melbourne) — Can the minister then, if I am wrong in the fact that the ALDP has received this money, inform the house exactly how much money it has already received, and if it is none so far, will the minister rule out giving one dollar or more of any Victorian taxpayer money to coal projects that will increase our greenhouse gas emissions?

Ms D'AMBROSIO (Minister for Energy and Resources) — I thank the member for Melbourne for her supplementary question. It is very clear, Speaker, it is no secret: no money has been actually provided to any of the ALDP projects because they have not yet

met the milestones which have required payments to be made. Again, I am very happy to extend a briefing to the member for Melbourne to explain how the ALDP projects that were funded and contracted out by the previous government work. I am very pleased to offer that briefing to her as soon as she is prepared to accept it.

Ministers statements: clearways

Mr DONNELLAN (Minister for Roads and Road Safety) — I rise today to advise the house of a new initiative undertaken by the Andrews Labor government to keep Melbourne moving by introducing 24-hour clearways on Punt Road between St Kilda Junction and Alexandra Avenue. What a great initiative. Those opposite had four years — four years — to introduce 24-hour clearways.

Honourable members interjecting.

Mr R. Smith — On a point of order, Speaker, perhaps the minister can clarify how this is a new initiative, when it has been sitting on the Premier's desk for over a year?

The SPEAKER — Order! There is no point of order. The minister, to continue in silence.

Mr DONNELLAN — As I was saying, those opposite had four years to introduce 24-hour clearways but instead chose to sit on their hands. They could have, but they did not. They are very much the could-have-been champions of state politics. They got nothing done in four years. When I got into my parliamentary office I checked the cupboard, and the cupboard was bare — not a moment's action in relation to this vital north-south corridor; just the pipedreams of the former Premier of suggesting that an east-west road would fix a north-south problem. What a joker — what an absolute joker!

In relation to 24-hour clearways between St Kilda Junction and Alexandra Avenue, clearways will also be introduced for up to 100 metres either side of Punt Road on Alexandra Avenue, Toorak Road, Commercial Road and High Street. I very much note the support of the member for Prahran, who welcomed this initiative, and I very much encouraged it, because he understands that 88 per cent of public transport is on our roads, and these clearways will very much help the public transport that we are upgrading so efficiently.

The Hoddle-Punt corridor is a vital strategic link that gets people to jobs, education and health services, and this is another marvellous initiative by the Andrews government.

V/Line services

Mr WALSH (Murray Plains) — My question is to the Minister for Public Transport. On 19 January the Acting Premier told V/Line commuters ‘today should be the worst of it and over the course of the week, services should improve’. How many more ‘worst days’ will regional commuters be forced to endure before the minister finally takes responsibility, stops blaming others and fixes this V/Line crisis?

Honourable members interjecting.

Ms ALLAN (Minister for Public Transport) — In responding to a question by the Leader of The Nationals — the great closer of rail lines — I would like to provide some background information about the unprecedented situation that we have been faced with across the V/Line network over the past few weeks.

I was informed on 14 January by the CEO of V/Line that V/Line had detected an abnormally high wheel-wear rate on the V/Locity fleet, and, in the interests and the priority of passenger safety, it advised that it was withdrawing a number of services because of the significant number of V/Locity trains that needed to be inspected and maintained to have the wheels replaced.

I was advised of this because of that significant passenger impact. Now there has been since then a lot of work that has gone on in terms of both identifying the issue and looking at how we can return services to normal. One of the great constraints we have got in achieving this is a lack of rolling stock, because the former government did not order enough regional trains for two long years.

The member opposite asked about a restoration of services, and there has already been a clear statement provided by the government last week that as a result of the accelerated maintenance program and the work that is being done to bring the wheel-wear rate down, we will progressively start to see an improvement for approximately 20 per cent of train services across the regional network that are currently being replaced by buses, which affects around 10 per cent of the passengers who use the V/Line service. So from April, as a result of the work that has been done to date, that 20 per cent figure will start to progressively improve, and the expectation is that by the middle of the year, based on what we know today, there will be a restoration of the timetable.

Certainly in terms of recognising the impact that this has had on passengers, there has been a period of free

travel across the network. Those free travel arrangements remain in place for where buses are replacing a regular train service. There is no doubt that this has caused significant disruptions to passengers, and I apologise for that. It has been an incredibly challenging time for V/Line and for passengers who rely on this service.

But I can certainly assure regional communities, because this has come up throughout this issue, that we are a government that will not cut funding to V/Line like those opposite did; we will not privatise V/Line like those opposite did; and we will build up this service once again to be the great regional public transport provider it should be, unlike those opposite who took the knife to this organisation and slashed \$74 million from the V/Line budget.

Supplementary question

Mr WALSH (Murray Plains) — That is a lot of ‘worst days’. With the V/Line crisis set to last until at least June, can the minister advise the house how much the taxpayer is paying each and every day to replace V/Line trains with buses?

Ms ALLAN (Minister for Public Transport) — I am happy to provide the information we have at hand today, because of course this is an ongoing situation and the final costs will not be tallied up, if you like, until there is that full restoration of the timetable. It is estimated to be costing between \$250 000 and \$300 000 a week for the buses that are replacing the train services, and we will have that final cost estimation towards the middle of the year.

Can I also add that a lot of buses have had to run on those train lines that those opposite closed. A hell of a lot of buses were needed to move people around country Victoria on those train lines that those opposite — —

Mr Walsh — On a point of order, Speaker, the minister just cannot help herself in debating the issue. This is about information for commuters in regional Victoria who have had worst day after worst day, not the minister wanting to grandstand and debate the question. I ask you to bring her back to answering the question.

The SPEAKER — Order! The minister to continue and resume answering the question.

Ms ALLAN — Perhaps the member opposite did not hear that I gave the answer in terms of the costs of the buses that are replacing trains, and he may not like the facts that are before us. You cannot decouple the

cuts that the former government inflicted on V/Line and some of the great challenges we have got in providing a better, stronger regional public transport service, and that is entirely what I am determined to deliver for regional communities.

Ministers statements: school breakfast clubs

Mr MERLINO (Minister for Education) — It gives me great pleasure to provide the house new information on the rollout of breakfast clubs across the state. One in seven children arrive at school without breakfast. This morning around three students in every single classroom arrived at school on an empty stomach. This is staggering. It is hard to concentrate and learn on an empty stomach. Thankfully Labor is addressing this issue.

I can inform the house that more than 170 Victorian schools have commenced their new school breakfast clubs in term 1, with the remaining schools rolling out their program throughout terms 2 and 3. We delivered \$13.7 million in the last budget. We will deliver this program to 500 schools, feeding up to 25 000 students. We have partnered with Foodbank, the largest welfare food agency in Australia, to deliver this massive program, drawing on its existing storage, warehousing and freight networks.

Those opposite scrapped the education maintenance allowance for our most vulnerable children. Those opposite scrapped Free Fruit Friday. Unlike them, the Andrews Labor government knows how important breakfast clubs — —

Honourable members interjecting.

The SPEAKER — Order! Government members will allow the Deputy Premier to continue in silence.

Mr MERLINO — We know how important breakfast clubs are for kids to attend school, pay attention, learn and do their best, and schools know what a difference it is making.

The member for Frankston, a great advocate for breakfast clubs, visited Mahogany Rise Primary School with Catherine Andrews. The children were excited about the school's breakfast club, and their parents no longer have to choose between feeding their children or providing them with school uniforms. Only the Andrews Labor government will take care of those 130 000 kids who start school on an empty stomach.

Mr Walsh — On a point of order, Speaker, I was wondering if you could allow the Minister for Public Transport to correct the record. It is my understanding

that V/Line said it cost \$300 000 per day for buses, not \$250 000 per week, as the minister said in her answer.

Ms Allan — On the point of order, Speaker, I am happy to clarify and confirm — and of course there is a hearing in the upper house at the moment. I am happy to indicate that I should have said 'day', not 'week', and I am happy to provide that correction to the house. I will advise the member outside of the chamber of the exact clarification.

CONSTITUENCY QUESTIONS

Lowan electorate

Ms KEALY (Lowan) — (Question 6727) My question is to the Minister for Agriculture. I ask the minister to explain to concerned constituents in drought-ravaged communities why proposals to allocate drought funding, which had been announced to be winning ideas, will not be funded. Last year the Premier announced a \$10 million drought relief fund, described by the Premier as a 'drought plan for this community, written by this community'. Up until last week the Agriculture Victoria website invited people to have their say on how best to allocate the \$10 million drought response fund. The 'Responding to drought' page on the Our Say website states:

The Victorian government believes that the communities affected by drought are best placed to inform how the additional funding should be allocated.

This page attracted 84 ideas, with five projects specifically named as winning ideas. By specifically announcing that ideas are 'winning', our people understand that these winning ideas will be funded.

Recent public comments indicate the government has no intention of funding winning ideas. Our people feel misled and are deeply concerned that these winning ideas have been abandoned by a city-centric government. I ask the minister to explain to the people of drought-ravaged communities who took the time to create and fight for these drought relief programs why all winning ideas will not be funded as they were led to believe.

Gembrook electorate

Mr BATTIN (Gembrook) — (Question 6728) My question is for the Minister for Roads and Road Safety. I have a local constituent, James Williams, who drives regularly on Gembrook-Pakenham Road, Pakenham Upper — on most days. Recently a tree fell on his car, damaging the rear windscreen of his vehicle. This was traumatic for Mr Williams because he lost his brother in

similar circumstances back in 2010. I ask the minister to provide information on the maintenance program and any safety audits on Gembrook-Pakenham Road, Pakenham Upper, since 2010 and plans for tree removal or programs to ensure motorist safety along this stretch of road.

Dandenong electorate

Ms WILLIAMS (Dandenong) — (Question 6729) My constituency question is for the Minister for Health, and I ask that the minister provide to me the time lines around when outcomes are likely to be known for the community shade grants program. Last year the minister announced this fantastic \$10 million initiative to assist local groups in providing sun smart infrastructure to communities across Victoria. The latest round of applications to the programs closed in December, and I am aware of a number of local groups in my electorate that applied and are eagerly awaiting an announcement about the outcome. If the minister could inform me of the time lines for the decision, it would be much appreciated by applicants in the Dandenong area.

Evelyn electorate

Mrs FYFFE (Evelyn) — (Question 6730) My constituency question is to the Minister for Environment, Climate Change and Water. Evelyn resident Annette Catania purchased a water tank on 15 June 2015. She was advised at the time of purchase by Yarra Valley Water that she would be eligible for a government rebate under the Living Victoria Water Rebate program. The conditions of the rebate read:

Claims for purchases made within the eligible period
1 July ... to 30 June ... must be lodged by 30 September
2015.

Mrs Catania purchased the tank within the period. She lodged the forms within the period but was subsequently denied the rebate by the minister's own department. Although it is widely acknowledged that this government believes that contracts are not worth the paper they are written on, what action is the minister prepared to take to ensure the government meets its obligations to provide Mrs Catania with her rebate?

Eltham electorate

Ms WARD (Eltham) — (Question 6731) My constituency question is to the Minister for Health. The latest round of applications for the community shade grants program closed last December. This fantastic initiative of the Andrews Labor government, which is highly supported, dedicated \$10 million to assist local

groups to provide sun smart infrastructure to their communities. I know that a number of fantastic groups in my electorate have applied, including the Montmorency senior football club, Wahroonga Preschool and the 2nd Eltham Sea Scouts. All of these groups play a very important role in my community.

These grants will fund important tools for fighting skin cancer. With skin cancer rates being so high in Australia, it is very important that organisations are able to offer safe spaces in the community to participate. I ask the minister to give due consideration to the great community organisations in my electorate in relation to this matter.

Rowville electorate

Mr WELLS (Rowville) — (Question 6732) The constituency question I wish to raise is for the attention of the Minister for Public Transport.

Following the minister's surprising and disappointing decision earlier last year to remove high-speed signalling from the Andrews Labor government's revised Cranbourne-Pakenham rail plan — a requirement which would significantly increase capacity on that line and across the metropolitan network and one which is vitally important to the future Rowville rail line — I ask on behalf of concerned residents of the Rowville electorate: what is the Andrews government currently doing to progress the Rowville rail line to ensure that the project remains a priority and is not left by the wayside? I include whether the government has made, or plans to make, any alterations to the existing planning scheme in order to set aside a land reservation along the Rowville rail corridor?

Macedon electorate

Ms THOMAS (Macedon) — (Question 6733) My constituency question is to the Minister for Health. The latest round of applications for the community shade grants program closed last December. This fantastic initiative of the Andrews Labor government dedicated \$10 million to assist local groups to provide sun smart infrastructure to their communities.

I know a number of terrific community groups have applied, including Macedon Ranges Health in my electorate. Macedon Ranges Health provides fantastic community-based health, welfare and aged-care services to the communities of the Macedon Ranges shire and surrounding districts. To prevent skin cancer we must remember the five SunSmart steps: slip, slop, slap and of course seek shade and slide on some

sunglasses. These grants are a vital part of our skin cancer prevention efforts, and I ask the minister: when will the successful recipients be announced?

Burwood electorate

Mr WATT (Burwood) — (Question 6734) My constituency question is to the Minister for Environment, Climate Change and Water. Recently I attended a community meeting where hundreds of local residents expressed anger and dismay at both the Minister for Planning and the Minister for Environment, Climate Change and Water regarding their decisions around what is known as the Deakin interconnect. I note that the Minister for Planning did not accept an invitation to attend the meeting.

I ask the Minister for Environment, Climate Change and Water on what basis she made her decision to remove the Whitehorse City Council as the committee of management for the parcel of land at Gardiners Creek between Deakin University's two campuses in Burwood. In particular, given the fact that hundreds of people signed a petition calling on the minister to reverse her decision, what consultation was undertaken with the local community and Whitehorse City Council before this decision was made?

Yan Yean electorate

Ms GREEN (Yan Yean) — (Question 6735) My question is to the Minister for Education. Years of neglect by those opposite sees the appalling situation where no government school has opened in Victoria this year. I am pleased to see that the Andrews Labor government is getting on with the job of building much-needed primary and secondary schools to open next year across Victoria. The Mernda central P-12 school is one of the much-needed new schools in Melbourne's north and will bring with it new community facilities for students in the area.

Can the minister update and further inform my constituents about the new community facilities that will be accessible on the new Mernda P-12 school grounds, and in particular what level of community access is planned for the proposed swimming pool and will other local students be able to access it?

Pascoe Vale electorate

Ms BLANDTHORN (Pascoe Vale) — (Question 6736) My constituency question is for the Minister for Health. As we have heard today, the latest round of grant applications for the Community Shade grant program closed in December, and I ask the

minister to give due consideration to the application from the Glenroy Memorial Preschool. This fantastic program is an initiative of the Andrews Labor government — \$10 million is dedicated by this government to assist local groups to provide sun smart infrastructure to their communities.

I know that Glenroy Memorial Preschool has applied for an allocation as part of this program. It is a fantastic preschool that delivers an innovative program which centres on the individuality of each and every child. Its facilities support this objective. As well as beautifully fitted inside learning spaces, the kindergarten boasts, and I quote:

a beautiful, large outdoor play area, including a sandpit, bike area, swings, climbing frames and a vegetable garden, perfect for our indoor/outdoor program.

The Glenroy Memorial Preschool does the vital work of providing quality education to many children within our local community. The Community Shade grant program helps organisations like Glenroy Memorial Preschool to provide those services.

Mr Watt — On a point of order, Speaker, I refer to *Rulings from the Chair — 1920–2015* under the heading 'Must not seek action', which reads:

The purpose of constituency questions is to seek information ... not an opportunity to seek action of ministers ...

I will not continue. I am sure you understand that ruling, Speaker. I refer to the member for Dandenong, who asked the minister to provide a time line. I submit that that would be not in order.

I also refer to the member for Eltham, who asked the minister to give due consideration to a number of community groups. I would submit that that is an action and not a constituency question.

I refer also to the member for Pascoe Vale, who asked the minister to give due consideration to a community group, which is therefore an action and not a question.

I leave it up to the Speaker to make a determination on all of these, but particularly I would question the member for Yan Yean, who started by asking for an update and further information, therefore asking for an action.

The SPEAKER — Order! The Chair will take the member's submission into consideration, review the constituency questions and report later on.

VICTORIA POLICE AMENDMENT (MERIT-BASED TRANSFER) BILL 2016

Introduction and first reading

Mr SCOTT (Acting Minister for Police) — I move:

That I have leave to bring in a bill for an act to amend the Victoria Police Act 2013 in relation to the transfer of certain police officers and for other purposes.

Mr CLARK (Box Hill) — I ask the minister to provide a brief explanation of the bill.

Mr SCOTT (Acting Minister for Police) — The Victoria Police Amendment (Merit-based Transfer) Bill 2016 will provide a legislative basis for the Chief Commissioner of Police to conduct merit-based transfers of police officers to country general duties positions and related appeals to the Police Registration and Services Board.

Motion agreed to.

Read first time.

CHILDREN LEGISLATION AMENDMENT BILL 2016

Introduction and first reading

Mr FOLEY (Minister for Housing, Disability and Ageing) — I move:

That I have leave to bring in a bill for an act to amend the Children, Youth and Families Act 2005 to improve the operation of that act and to amend the Commission for Children and Young People Act 2012 in relation to the disclosure of information under that act and for other purposes.

Mr CLARK (Box Hill) — I ask the minister to provide a brief explanation of the bill in addition to the long title.

Mr FOLEY (Minister for Housing, Disability and Ageing) — For the benefit of honourable members, this is a bill that seeks to amend the Children, Youth and Families Act 2005 to correct minor and technical errors, inconsistencies and omissions in the principal act. It seeks to amend the rulemaking powers of the Children's Court of Victoria and it seeks to amend the Commission for Children and Young People Act 2012 to authorise the Department of Health and Human Services to share particular personal health records information with the commission.

Motion agreed to.

Read first time.

HEALTH COMPLAINTS BILL 2016

Introduction and first reading

Ms HENNESSY (Minister for Health) introduced a bill for an act to provide for a complaints process and other processes about health service provision and related matters, to establish the office of health complaints commissioner and the Health Complaints Commissioner Advisory Council, to repeal the Health Services (Conciliation and Review) Act 1987, to make minor and consequential amendments to other acts and for other purposes.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion

The SPEAKER — Order! Notice of motion 2 will be removed from the notice paper unless the member wishes their notice to remain and advises the Clerk in writing before 2.00 p.m. today.

PETITIONS

Following petitions presented to house:

Cranbourne shared housing development

To the Legislative Assembly of Victoria:

The petition of the residents of the Brookland Greens Estate and the residents of the City of Casey, Victoria, draws to the attention of the house that we, the undersigned, are concerned residents who urge our leaders to act now to stop the proposed development of two boarding/shared homes in Concord Place, Brookland Greens Estate, Cranbourne, Victoria. This development has no council approval for proper planning for the area including guide design, parking, traffic, social, environmental, economic and cultural impact.

The petitioners therefore request that the Legislative Assembly of Victoria review the planning scheme provisions (clause 52.23) relating to rooming houses and as an interim step, amend the planning scheme provisions to prohibit the establishment of further rooming houses without a planning permit from council, including the property at 5a and 5b Concord Place, Cranbourne, until the completion of the review.

By Mr PAYNTER (Bass) (484 signatures).

Public holidays

To the Legislative Assembly of Victoria:

We, the undersigned citizens of Victoria, call on the Legislative Assembly of Victoria to note the harmful impacts of the decision by the Daniel Andrews Labor government to declare new public holidays in Victoria.

At a time of high and rising unemployment and when many businesses are already doing it tough, Daniel Andrews has imposed a major new cost that will see many businesses close their doors for the day, employees lose much-needed shifts and inflict significant damage on our state's economy.

The Andrews government's own assessment of the grand final eve public holiday put the cost of the holiday to Victoria at up to \$898 million per year.

The impact of these additional costs will not be restricted to businesses, with local government and hospitals also affected leaving ratepayers and the community to foot the bill.

We therefore call on the Daniel Andrews Labor government to reverse its decision to impose the grand final eve public holiday.

By Mr BURGESS (Hastings) (144 signatures).

Police numbers

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Assembly that Premier Daniel Andrews has failed to commit to providing additional police numbers and subsequently, as Victoria's population grows, the number of police per capita goes backwards under Labor every day.

The petitioners therefore respectfully request that the Legislative Assembly of Victoria calls on the Andrews Labor government to commit to providing additional frontline police numbers as a matter of priority.

By Mr BURGESS (Hastings) (18 signatures).

Tabled.

Ordered that petition presented by honourable member for Bass be considered next day on motion of Mr PAYNTER (Bass).

Ordered that petitions presented by honourable member for Hastings be considered next day on motion of Mr WATT (Burwood).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 1

Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest No. 1* of 2016 on:

Access to Medicinal Cannabis Bill 2015
Assisted Reproductive Treatment Amendment Bill 2015
Bail Amendment Bill 2015
Building Legislation Amendment (Consumer Protection) Bill 2015
Gene Technology Amendment Bill 2015

Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015
Judicial Commission of Victoria Bill 2015
National Electricity (Victoria) Further Amendment Bill 2015
Racing and Other Acts Amendment (Greyhound Racing and Welfare Reform) Bill 2015
Rooming House Operators Bill 2015
Transparency in Government Bill 2015

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS

Tabled by Clerk:

Border Groundwaters Agreement Review Committee — Report 2014–15

Cancer Council Victoria — Report period ended 30 September 2015

Crown Land (Reserves) Act 1978 — Order under s 17B granting a licence over Knox Community Gardens and Vineyard Reserve

Duties Act 2000 — Report period ended 30 November 2015 of Foreign Purchaser Additional Duty Exemptions under s 3E

Education and Care Services National Law Act 2010 — Education and Care Services National Amendment Regulations 2015 under s 303

Health Practitioner National Law (Victoria) Act 2009 — Report 2014–15 of the National Health Practitioner Ombudsman and Privacy Commissioner

Inquiries Act 2014 — Royal Commission into Trade Union Governance and Corruption Volumes 1 to 5

Interpretation of Legislation Act 1984:

Notices under s 32(3)(a)(iii) in relation to Statutory Rules 136, 167/2015

Notice under s 32(4)(a)(iii) in relation to Statutory Rules 54/2007, 166/2008, 37/2011, 132/2012

Land Acquisition and Compensation Act 1986 — Certificates under s 7 (two documents)

Land Tax Act 2005 — Report period ended 30 November 2015 of Land Tax Absentee Owner Surcharge Exemptions under s 3B

Melbourne City Link Act 1995:

CityLink — Tullamarine Corridor Redevelopment Deed Second Amending Deed

Melbourne City Link Thirty-fifth Amending Deed

Parliamentary Committees Act 2003 — Government response to the Environment, Natural Resources and Regional Development Committee's Interim Report on the inquiry into the CFA Training College at Fiskville

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

Ballarat — C185
 Bayside — C146
 Boroondara — C200, C209
 Brimbank — C105
 Cardinia — C161
 Casey — C197, C199
 Frankston — C99, C110 Part 1
 Glen Eira — C123
 Greater Dandenong — C183
 Greater Geelong — C315
 Greater Shepparton — C92, C170
 Kingston — C175
 Knox — C74, C144
 Latrobe — C86
 Macedon Ranges — C96
 Maroondah — C95, C125
 Melbourne — C269
 Moreland — C157
 Mornington Peninsula — C184 Part 3
 Mount Alexander — C74
 Moyne — C48 Part 1
 Port Phillip — C115, C124, C131
 Stonnington — C183 Part 1
 Victoria Planning Provisions — VC121, VC126, VC127
 Warrnambool — C78 Part 1
 Wellington — C94
 West Wimmera — C32
 Whitehorse — C167, C210
 Whittlesea — C73, C179, C195
 Wyndham — C194, C210
 Yarra — C195, C207
 Yarra Ranges — C150

Project Development and Construction Management Act 1994 — Nomination orders under s 6, application orders under s 8 and statements under s 9 of reasons for making nomination orders (six documents)

Statutory Rules under the following acts:

Agricultural and Veterinary Chemicals (Control of Use) Act 1992 — SR 146/2015
Building Act 1993 — SRs 152, 157/2015
Child Wellbeing and Safety Act 2005 — SR 168/2015
County Court Act 1958 — SR 162/2015
Country Fire Authority Act 1958 — SR 148/2015
Dangerous Goods Act 1985 — SR 156/2015
Domestic Animals Act 1994 — SR 165/2015
Human Tissue Act 1982 — SR 171/2015
Infringements Act 2006 — SR 166/2015
Land Tax Act 2005 — SR 161/2015
Liquor Control Reform Act 1998 — SR 155/2015
Magistrates' Court Act 1989 — SRs 154, 163, 164/2015
Marine Safety Act 2010 — SRs 153, 158/2015
Mineral Resources (Sustainable Development) Act 1990 — SRs 149, 150/2015
Non-Emergency Patient Transport Act 2003 — SR 151/2015
Public Administration Act 2004 — SR 160/2015
Public Health and Wellbeing Act 2008 — SR 170/2015
Retirement Villages Act 1986 — SR 147/2015
Road Safety Act 1986 — SR 159/2015
Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015 — SR 169/2015
Victorian Energy Efficiency Target Act 2007 — SR 167/2015

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 133, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171/2015

Documents under s 16B in relation to the:

Cemeteries and Crematoria Act 2003 — Southern Metropolitan Cemeteries Trust's Scale of Fees and Charges
City of Greater Geelong Act 1993 — Greater Geelong City Council — Mayoral and Deputy Mayoral Allowances — Alteration

City of Melbourne Act 2001 — Melbourne City Council — Lord Mayoral, Deputy Lord Mayoral and Councillor Allowances — Alteration

Education and Training Reform Act 2006 — Ministerial Order No 858

Livestock Disease Control Act 1994 — Notice of the fixing of fees

Local Government Act 1989:

General Order Setting the Average Rate Cap

Mayoral and Councillor Allowances Adjustment

Senior Officer Remuneration Threshold Increase

Victorian Energy Efficiency Target Act 2007 — Notice of Declaration of a Discount Factor

Water Act 1989 — Abolition of Diamond Creek Water Supply Protection Area Order 2016.

The following proclamations fixing operatives dates were tabled by the Clerk in accordance with an Order of the House dated 24 February 2015:

Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 — Whole Act — 1 January 2016 (*Gazette S426, 22 December 2015*)

Children, Youth and Families Amendment (Aboriginal Principal Officers) Act 2015 — Remaining provisions — 4 January 2016 (*Gazette S426, 22 December 2015*)

Corrections Legislation Amendment Act 2015 — Divisions 6, 7 and 9 of Part 2 — 9 December 2015 (*Gazette S389, 8 December 2015*)

Education and Training Reform Amendment (Child Safe Schools) Act 2015 — Sections 4(2) and 5(1), (2), and (4) — 9 December 2015 (*Gazette S389, 8 December 2015*)

Education Legislation Amendment (TAFE and University Governance Reform) Act 2015 — Whole Act — 1 January 2016 (*Gazette S403, 15 December 2015*)

Energy Legislation Amendment (Consumer Protection) Act 2015 — Whole Act — 1 January 2016 (*Gazette S403, 15 December 2015*)

Fisheries Amendment Act 2015 — Whole Act — 16 December 2015 (*Gazette S403, 15 December 2015*)

Mineral Resources (Sustainable Development) Amendment Act 2014 — Sections 4(3), 16 and 27 — 8 December 2015 (*Gazette S389, 8 December 2015*)

Public Health and Wellbeing Amendment (No Jab, No Play) Act 2015 — Whole Act — 1 January 2016 (*Gazette S403, 15 December 2015*)

Prevention of Cruelty to Animals Amendment Act 2015 — Whole Act (except ss 31, 32, 34, 35, 37, 38, 40 and 42 and Part 7) — 23 December 2015 (*Gazette S426, 22 December 2015*)

Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015 — Whole Act — 23 December 2015 (*Gazette S426, 22 December 2015*)

Victims of Crime Commissioner Act 2015 — Whole Act — 3 February 2016 (*Gazette S10, 2 February 2016*).

ROYAL COMMISSION INTO TRADE UNION GOVERNANCE AND CORRUPTION

Report

Mr CLARK (Box Hill) — I desire to move, by leave:

That the house take note of the report of the Royal Commission into Trade Union Governance and Corruption.

Leave refused.

RELATIONSHIPS AMENDMENT BILL 2015

Council's amendment

Returned from Council with message relating to amendment.

Ordered to be considered later this day.

ROYAL ASSENT

Message read advising royal assent on 15 December 2015 to:

Adoption Amendment (Adoption by Same-Sex Couples) Bill 2015

Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015

Terrorism (Community Protection) Amendment Bill 2015.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Access to Medicinal Cannabis Bill 2015

Building Legislation Amendment (Consumer Protection) Bill 2015

Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015

Judicial Commission of Victoria Bill 2015

Racing and Other Acts Amendment (Greyhound Racing and Welfare Reform) Bill 2015.

BUSINESS OF THE HOUSE

Program

Ms ALLAN (Minister for Public Transport) — I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5.00 p.m. on Thursday, 11 February 2016:

Aboriginal Heritage Amendment Bill 2015

Access to Medicinal Cannabis Bill 2015

Building Legislation Amendment (Consumer Protection) Bill 2015

Consumer Acts and Other Acts Amendment Bill 2015

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015.

In making a few remarks on the program before us today, can I welcome everyone back for another exciting year in the Legislative Assembly, where the government will be working very hard to put to the Parliament and have passed legislation that is delivering on its important election commitments and progressing the state of Victoria. This suite of bills is a good indication of that intent, being a combination of supporting the community and delivering on our election commitments.

Can I commend you, Speaker, for the work that you have done in introducing into our program this year the acknowledgement of country, which was undertaken for the first time today — a very appropriate way to start our parliamentary year.

The only other comments I would wish to make are that members of the house should note that on the program that is before them today is the return of a bill. The Relationships Amendment Bill 2015 has been returned from the upper house with an amendment that we are asked to consider. The plan at this stage is to have that debate later today in a break of business. Also we will be desiring to accommodate, should it return to this house, any progress on the port of Melbourne legislation. With those few comments, I commend the program to the house.

Mr CLARK (Box Hill) — The opposition has concerns about how the government is continuing to handle or rather mishandle the business of this house. I have made the point on numerous prior occasions that the government is in flagrant breach of its election commitment that it would make consideration in detail a standard feature for bills in the Assembly. The Leader

of the House has given no indication in the remarks that she has just concluded that she has any intention of changing that. The opposition has certainly had no approaches from the government indicating that there are any bills on this program that it believes should be omitted from the standard consideration of bills in detail, and a number of the bills that are on the program before the house would benefit from such consideration.

The Aboriginal Heritage Amendment Bill 2015 deals with the issue of Aboriginal heritage and it is important that this legislation operate effectively to protect that heritage well and to do so fairly. To achieve that objective it is highly desirable that the operation of the bill can be examined in detail to make sure that the government has got it right and to see whether there are any opportunities to improve it.

The Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015 has two significant changes proposed in it: one important change relating to better protection of the community and another relating to the composition of the institute of teaching. Again this is a matter that would benefit from consideration in detail so that both of those aspects of the bill can be examined and decisions made regarding them.

The Building Legislation Amendment (Consumer Protection) Bill 2015 is a large and complex bill on a very difficult and important subject — that of how to protect consumers of domestic building works and to ensure that, as far as legislation can achieve, consumers are protected from being ripped off by shonky builders or builders who are otherwise unable to deliver on what they have promised to deliver, and also to ensure that we have a strong and efficient building industry here in Victoria. This complex bill is one that deserves extensive consideration in detail to examine the extent to which those objectives have been achieved and indeed to look at what those on this side of the house at least believe are some significant omissions from that bill.

There is also the Access to Medicinal Cannabis Bill 2015, which deals with providing the best possible medical care and treatment to persons in need of treatment while also ensuring that there are adequate safeguards in place. Again it is very important that we get the detail of such legislation right, and that is best achieved if bills such as this are examined in detail and the government is able to respond to the many questions that deserve an answer and need to be placed on the record in relation to this legislation.

Finally, the Consumer Acts and Other Acts Amendment Bill 2015 is an omnibus bill that addresses a wide range of legislation. Again it is important to ensure that that legislation is correct, and it is equally important to seek answers from the government as to why a number of other areas of potential consumer protection, such as in relation to debt collectors, for example, have not been included in the bill.

Regrettably the government is continuing to renege on its own election promise in relation to consideration in detail and this house is suffering as a result of that and the community is suffering as a result of that broken election promise. The opposition believes that in accordance with the government's promise bills should be considered in detail, unless the government has approached the opposition and proposed why a particular bill should be omitted from consideration in detail. The government has certainly not done that and for that reason the opposition will be opposing this business program.

Mr McGuire (Broadmeadows) — The government begins the parliamentary year with a business program that continues to deliver on election promises and builds on its values for the benefit of Victorians, from establishing a better system to coordinate Aboriginal heritage and education reforms to protect our children from possible abuse; introducing consumer protections for most people's biggest asset, the family home; and providing access to pain relieving medicinal cannabis in exceptional circumstances. These are significant reforms in the public interest.

I am perplexed by the opposition's declaration that it is going to oppose the government business program. Just in the chamber during a quick conversation with the Leader of the House she made it clear that the opposition has not requested that there be a detailed approach to these bills, so I do not know how the accusation can be levelled that there has been a broken election promise when there was no request. The logic stands, is simple and is particularly relevant. We do not want to have opposition members saying that yes, they see the public benefit in these bills and then just making an oppositional response. I hope they are better than that.

On that point in particular I hope the upper house looks at the port of Melbourne bill and realises how significant this initiative is for Victoria's economic development so it can proceed and deliver its full value and that the bill returns to this house before the end of the week so this matter can be resolved. It is clearly in the best interests of all Victorians that we unlock the maximum amount of value from that proposition.

I will go to the bills that we will be looking at this week. The Access to Medicinal Cannabis Bill 2015 is important because it specifically looks to legalise access to cannabis for people in Victoria in exceptional circumstances. The safeguards are there. It will provide the necessary heads of power to implement access in Victoria. It builds on this state's international leadership and excellence in medical research and builds on a whole series of initiatives — even when the Christmas and New Year break was involved — that have been announced by the Premier and the Minister for Health and furthers our international recognition. The scheme will provide broader patient access than clinical trials, with eligible patient groups to be expanded over time. This is an important piece of legislation in the public interest, and any reservations that opposition members have should be put in their contributions.

Then we look at the Building Legislation Amendment (Consumer Protection) Bill 2015. This bill is the first tranche of reforms to improve protections for consumers from home building malpractice and it improves the dispute resolution process. Again, there can be nothing more significant to most people in their financial circumstances than to make sure their homes are well built and, if there are conflicts, that these are resolved at the lowest possible cost.

In relation to consumer affairs and liquor regulation we have the Consumer Acts and Other Acts Amendment Bill 2015. Again, this demonstrates the government's commitment to a responsive, robust and effective consumer protection framework with a focus on consumer rights and protections for vulnerable consumers as outlined in the Victorian Labor Party platform of 2014.

The other critical issues of course are for the protection of our children, including the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015. This specifically goes to empowering the Victorian Institute of Teaching (VIT) to suspend the registration of a teacher or early childhood teacher pending police, employer or VIT investigations. It aligns with the views of the commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse and the reports of the Victorian parliamentary inquiry into the handling of child abuse by religious and other non-government organisations — that is, the *Betrayal of Trust* report. This is again another important reform in a whole tranche. This has had bipartisan support, and I hope to see that continue in the best interests of the public and particularly of our children.

Mr HIBBINS (Pahran) — The Greens will not be opposing the government business program in this instance. We have not made any requests for consideration in detail or sought amendments to the bills at the moment, even though I am very sympathetic to the desire of the opposition to go into consideration in detail and have the government fulfil its pre-election commitment of making it a standard feature of bills. There are a number of bills listed on the business program this week. The Access to Medicinal Cannabis Bill 2015 is certainly one that many Victorians will welcome, and I look forward to the debate and the contributions of all members on that bill. The Relationships Amendment Bill 2015 has come back from the upper house with a modest but important amendment in relation to the provision of ceremonies when registering a relationship. I look forward to that debate as well. But, as I said, the Greens will not be opposing the government business program in this instance.

Mr PEARSON (Essendon) — I am delighted to make a brief contribution in relation to the government business program. What is before the house is a solid workload for the week ahead, which is a very good thing. As you would expect, we are coming back to a new year with a bit of a bang, which is a very good thing indeed. I have had a look at the speaking list for the government side and it is overflowing with speakers, I think it is fair to say. Everyone has had a fantastic break and has come back well rested and is looking forward to getting back into the cut and thrust of debate.

I note the manager of opposition business's contribution when he indicated his concern about the fact that consideration in detail has not been allowed on any of the bills. Well, if the member for Prahran, who is new like I am, understands that you need to make a request of the Leader of the House, I would have thought that a man of his standing — being the manager of opposition business — would understand that you need to ask. If you wish these things to occur, then you must ask. It is only fair and reasonable. I think that the government is very happy to look at working with and accommodating those reasonable requests that come from those opposite, but they really must be made in the first instance so that we can consider them and then make a call on them.

I would also like to mention — and I acknowledge that the Speaker is now no longer in the chair — the acknowledgement of country today. I think this is a fantastic way to start the sitting week, and I think that it builds on this Parliament's credentials and stands us all, as members, in very good stead to have the

acknowledgement of country and to have the Indigenous flag flying over Parliament House permanently. These are very, very good and welcome initiatives.

So it is a good solid work program before us. It is that nice healthy mix of a government getting on with doing the things it said it was going to do and implementing the promises from the election, as well as dealing with those more regular, day-to-day operational matters that any government must confront and face up to. So it is a great program. I would encourage the manager of opposition business, if he does wish, or if the opposition wishes, in the future to look at considering bills in detail, that they do seek out and make those approaches through the appropriate channels in advance of this house sitting. It is only fair and reasonable that the government be given notice to that effect. On that basis I commend the government business program.

Mr KATOS (South Barwon) — I rise to make a contribution to the debate on this week's government business program. As outlined by the manager of opposition business, we will be opposing the government business program primarily on the grounds of consideration in detail not occurring. The government's commitment when in opposition was that scrutiny would be enhanced, with consideration in detail made a standard feature for bills. When you read that, that means that each bill would go into consideration in detail as a standard feature. Some bills in this place are more complex than others; some are quite straightforward. If there is a very straightforward bill, then come to us and say, 'Look, we don't want to do that one in consideration in detail. It's a very simple bill — very standard'.

But the government's commitment made when in opposition implies that every bill will go into consideration in detail as a standard feature. Can anyone enlighten me as to what that means, a standard feature? To me that would mean that each bill would go into consideration into detail unless advised otherwise. As the member for Box Hill has outlined, the Building Legislation Amendment (Consumer Protection) Bill 2015 is very complicated. There are questions we would like to have answered, particularly about the Aboriginal Heritage Amendment Bill 2015 and the Access to Medicinal Cannabis Bill 2015. That is what we are about here. We are opposing the government business program on that basis.

Now, if the government does not want to go into consideration in detail on a bill, it should let us know. But the commitment was made by the Labor Party to do this, so it is incumbent upon those opposite to start

doing it. With that, Acting Speaker, I will finish my contribution there.

House divided on motion:

Ayes, 48

Allan, Ms	Kilkenny, Ms
Andrews, Mr	Knight, Ms
Blandthorn, Ms	Lim, Mr
Brooks, Mr	McGuire, Mr
Bull, Mr J.	Merlino, Mr
Carbines, Mr	Nardella, Mr
Carroll, Mr	Neville, Ms
Couzens, Ms	Pakula, Mr
D'Ambrosio, Ms	Pallas, Mr
Dimopoulos, Mr	Pearson, Mr
Donnellan, Mr	Perera, Mr
Edbrooke, Mr	Richardson, Mr
Edwards, Ms	Richardson, Ms
Eren, Mr	Sandell, Ms
Foley, Mr	Scott, Mr
Garrett, Ms	Sheed, Ms
Graley, Ms	Spence, Ms
Green, Ms	Staikos, Mr
Halfpenny, Ms	Suleyman, Ms
Hennessy, Ms	Thomas, Ms
Hibbins, Mr	Thomson, Ms
Howard, Mr	Ward, Ms
Hutchins, Ms	Williams, Ms
Kairouz, Ms	Wynne, Mr

Noes, 37

Angus, Mr	Northe, Mr
Asher, Ms	O'Brien, Mr D.
Battin, Mr	O'Brien, Mr M.
Blackwood, Mr	Paynter, Mr
Britnell, Ms	Pesutto, Mr
Bull, Mr T.	Riordan, Mr
Burgess, Mr	Ryall, Ms
Clark, Mr	Ryan, Ms
Crisp, Mr	Smith, Mr R.
Dixon, Mr	Smith, Mr T.
Fyffe, Mrs	Southwick, Mr
Gidley, Mr	Staley, Ms
Guy, Mr	Thompson, Mr
Hodgett, Mr	Tilley, Mr
Katos, Mr	Wakeling, Mr
Kealy, Ms	Walsh, Mr
McCurdy, Mr	Watt, Mr
McLeish, Ms	Wells, Mr
Morris, Mr	

Motion agreed to.

MEMBERS STATEMENTS

Pauline Burren

Mr MORRIS (Mornington) — I rise today to recognise the life of the late Pauline Burren, who sadly passed away during the recent recess. I had the pleasure of knowing Pauline and her late husband, Keith, for many years. I valued greatly the intellectual rigour

which she brought to any discussion and the wise counsel she graciously provided, but only when sought.

A leader in numerous fields, Pauline graduated with a Bachelor of Arts in Western Australia and began her Victorian teaching career at Melbourne Girls Grammar School. In the 1970s Pauline and Keith established their home in Mount Eliza, and quickly became part of the community. Professionally, Pauline moved to Mentone Girls Grammar School as vice-principal, eventually writing a history of the school. She undertook a bachelor of education at Monash University, followed by a master of business administration (MBA).

The MBA took her out of education to a series of roles, including executive director of the Australian Physiotherapy Association; membership of the Medical Practitioners Board of Victoria and the Social Security Appeals Tribunal; 13 years on the Methodist Ladies College board; and the presidency of the Royal Dental Hospital of Melbourne board. Pauline was a commissioner of the City of Casey. She was a member of the Lyceum Club, an active and highly regarded member of the Liberal Party and a long-serving member of the Rotary Club of Melbourne, of which she was president in 2008–09. She was a Paul Harris Fellow, and as Rotary members noted in their tribute in the *Age*:

Pauline was the essence of the professional woman: organised, steady, ethical and persistent.

And I add: she was the epitome of service above self. I extend my sympathy and best wishes to Christine, to David and to their families.

Bushfires

Mr EREN (Minister for Tourism and Major Events) — I rise to inform the house of some recent events that affected many in the Geelong region and my community of Lara. The Christmas Day bushfires along the Great Ocean Road have left many coming to grips with the devastation that was caused. I would like to give special thanks to the firefighters and all other emergency services personnel who sacrificed their Christmas to keep us safe.

Fires might have tested the nerve of some in our most treasured tourist destinations, but the message is simple: they are open for business and ready to offer an unforgettable experience. If you want to support these communities, a simple but valuable way to help is to pay a visit and see for yourselves that they have the best of everything.

The Victorian government has been assisting with dedicated emergency service workers and volunteers. We have offered assistance and financial help to people in need and help for people as they view their properties and the damage that has been caused. My thoughts are with the families who lost their homes and the communities that are now looking to rebuild.

Following this devastation, my electorate of Lara and the wider Geelong region was hit with a severe freak storm. We received 62 millimetres of rainfall, and the storm lasted for about 2 hours. A massive thank you goes to the State Emergency Service (SES) crews and other volunteers who responded to more than 650 calls for help and rescued nine people from cars. Thanks also go to the Minister for Emergency Services, who met with the member for Geelong and me the day after the storm at the SES incident control centre and visited Geelong suburbs to see firsthand the damage caused by this freak storm.

Nagambie ambulance services

Ms RYAN (Euroa) — Almost 500 residents from Nagambie and nearby communities have signed a petition calling on the Premier to place paramedics in Nagambie permanently. I suggest that the Premier and the Minister for Health pay careful attention to this petition. It is not 1 or 10 or even 100 people pushing for an ambulance in Nagambie; it is the entire town. The government implemented a trial following my calls for an examination of response times in Nagambie. The minister must now release the data from that trial so that we can evaluate its success, how many call-outs were attended over the period and what the local response times were during the period the ambulance was based in town.

We are approaching the end of summer, but that does not mean the risk to the local community or visitors to Nagambie has come to an end. In the coming weeks Nagambie's calendar is full of major events: the Nagambie on Water Festival; the Associated Public Schools Heads of the River rowing regatta; the regular Music at the Bridge evenings; and, later in the year, the Nagambie Lakes Opera Festival. The time has come for Labor to stop spinning on this issue. The government owes it to the community to match the coalition's pledge to base two full-time paramedics and an ambulance community officer in the community — even the ambulance union says so.

Refugees

Mr McGUIRE (Broadmeadows) — My call is for a new era of Australian enlightenment. We need a

paradigm shift to better coordination and collaboration between the three tiers of government, business and civil society to confront critical challenges for jobs, growth and national security. The Australian government must end the secrecy over its resettlement plans for refugees from war-torn Syria. No matter where these refugees are designated, experience has proved that many will inevitably move to the electorate of Broadmeadows to connect with families, friends and established faith communities.

Today I disclose the plea from the City of Hume to the federal Minister for Immigration and Border Protection, Peter Dutton, the Minister for Social Services, Christian Porter, and the Department of Immigration and Border Protection to immediately engage with the local community on their plans for a targeted response, including access to maternal and child health services, community hubs, education, training and jobs.

I also call on the Australian Industry Group, the Business Council of Australia and other business leaders to contribute to Broadmeadows, which settles more than 800 refugees and asylum seekers annually, to help deliver practical results. The convergence of coalition governments at a state and federal level has meant that access to almost \$1 billion has been denied to this community that the Australian Security Intelligence Organisation has identified as being a terrorist recruitment hotspot, where unemployment has been equal to that of Greece, where youth unemployment is more than 40 per cent and where twice as many Muslim families as any other state district already live side by side with Christian refugees from Syria and Iraq seeking one of Australia's greatest gifts — a new future beyond the burden of history.

United Firefighters Union

Ms ASHER (Brighton) — I wish to draw to the house's attention an article in the *Age* dated 29 January. The article referred to the fact that the Metropolitan Fire Brigade is desirous of recruiting more women into its ranks. The article also reported that a lot of opposition to this was coming from the firefighters union; in fact the union had lodged a grievance with the Fair Work Commission.

Any student of history will know that the union movement has been — and in this instance still is — one of the greatest obstacles to equal participation of women in the workforce. Many of us who are of my vintage will remember vividly the opposition of the tramways union to allowing women to become conductors in the first instance and then drivers. The union movement is carrying on with its history of

preventing women's equal participation in the workforce.

I note that the Minister for Emergency Services made a reference to this union, saying:

To suggest that increasing workplace diversity would lower standards is a view that belongs in another century.

I agree with her that this union's views do belong in another century, and I call on all women in this chamber to condemn this trade union for being the troglodyte that it is.

Nada Cahill and Karen Dedadic

Ms WARD (Eltham) — I congratulate two outstanding locals, Nada Cahill and Karen Dedadic. Together these two women have devoted nearly 80 years of service to my community. As a former brownie and with two girls involved in the guiding movement, I know firsthand the tremendous and often tiring work these two women undertake.

Nada Cahill is one of the kindest women you will ever meet. She cannot go anywhere in Eltham without being caught by someone she knows through her extensive volunteerism, which includes 33 years devoted to the guiding movement. She has selflessly worked to provide the best guiding experience she can for local girls. Nada also volunteers at Judge Book retirement village and with the scout band.

For 44 years Karen Dedadic has been a member of the Eltham 1st Brownie Guides and is well known throughout my community. Her outstanding efforts as a leader of youth have helped girls develop leadership skills and self-confidence. She is also a very kind and supportive woman who is well respected by all.

This year the volunteerism and community service of Nada and Karen were recognised by the Honourable Jenny Macklin, MP, federal member for Jagajaga, at her 2016 Jagajaga Community Australia Day Awards, and I cannot think of two women more worthy of receiving this award. The guiding movement is a great place for girls to pick up a great many skills, and I thank Nada and Karen for all they have done for my community and for my two girls.

East–west link

Mr WELLS (Rowville) — This statement condemns the Andrews Labor government for totally misleading Victorian voters prior to the November 2014 state election in claiming that a Labor government would not pay a dollar more in compensation for axing

the east–west link, with the Auditor-General finding that the total amount of taxpayers money wasted on cancellation of the east–west link project, including compensation to the financiers and construction consortia involved, is a massive \$1.1 billion, which is approximately half of the total estimated state government funding contribution actually required to build the link.

State Labor's claims continue to ring hollow and are now in complete tatters. Not only has the Andrews Labor government been caught out misleading Victorians with its financial recklessness and irresponsibility; it has now totally trashed Victoria's reputation and standing with the international investment community. Despite its false claims prior to the election that no compensation would be paid in ripping up the east–west link contract, the Andrews government has exposed the state to a massive compensation and cancellation bill. Further, the state Labor government has demonstrated to the Victorian community that, like Labor of old, it simply cannot be trusted with taxpayers money. The bottom line is that the Andrews Labor government has failed all Victorians, leaving taxpayers with a huge bill, paid for by a blowout in state debt and with nothing at all to show for it. Victorians deserve better.

Stephen Elder

Ms BLANDTHORN (Pascoe Vale) — I rise to congratulate Stephen Elder, known to many in this place, on receiving the Medal of the Order of Australia in the Australia Day honours for his service to the Catholic Church in Australia and the community of Victoria.

Steve was a community worker and a teacher. He is a former member of this Parliament and a former Parliamentary Secretary to the Minister for Education. He is now executive director of Catholic Education Melbourne. Steve has also made, and continues to make, invaluable contributions as a member of the National Catholic Education Commission of Victoria, a member of the senate of the Australian Catholic University, a director of Catholic Network Australia, a director of the board of management of Church Resources, a director on the board of the Mercy Health Foundation, a member of the board of the Catholic Development Fund and a member of the board of the Victorian Registration and Qualifications Authority.

At home Stephen is a husband and a father. To me, he has been an employer, a mentor and a friend. Whilst Steve's departure may have ultimately been a great loss to this Parliament, it was to the immense gain of

Catholic education, in particular the hundreds of thousands of students and their families who have attended and continue to attend Catholic education both in Victoria and across Australia. He has been instrumental in achieving fair funding arrangements for Catholic education, particularly for small parish primary schools and regional Catholic secondary colleges.

Personally I will always be grateful for the support and encouragement that Steve has shown to me and for the words of wisdom he continues to share with me. Congratulations to Steve and his family on this remarkable achievement.

Gippsland Lakes Coordinating Committee

Mr T. BULL (Gippsland East) — In recently announcing that the Gippsland Lakes Ministerial Advisory Committee will now be known as the Gippsland Lakes Coordinating Committee, the Minister for Environment, Climate Change and Water missed the perfect opportunity to announce a further three years of funding for the group, again leaving all those involved with this program uncertain about its future.

While it was disappointing that local representation on the board from my electorate was halved, with replacements being departmental members from outside my electorate, it is the funding I wish to focus on. Here we are, just four months from the current funds expiring, and the minister announces a new name for the group but does not commit the ongoing funding that is needed.

To provide some background, \$10 million was provided over four years under the coalition, and a further four-year commitment was made pre-election. Despite similar pleas to the minister last year, she announced one year of funding only and waited until within weeks of the funding expiring to do so. Leaving it until the 11th hour creates too much uncertainty; we saw that last year, with staff resignations as a result. This funding supports many great programs and draws on both paid and volunteer work from dedicated contributors from my community, all of whom have the best interests of the Gippsland Lakes at heart. To leave it until budget time is simply too late for those involved, so I urge the minister to make the commitment sooner rather than later.

Sophie Molineux and Aislin Jones

Mr T. BULL — I have told this chamber before of the achievements of two of our young superstars from my electorate, Sophie Molineux and Aislin Jones. They

have been at it again on the national stage. Aislin won two national women's skeet titles at the age of 15 and in just year 10, a remarkable achievement.

The ACTING SPEAKER (Ms Halfpenny) — Time!

Dr Nigel Toussaint

Mr PEARSON (Essendon) — It gives me great pleasure to acknowledge the great work of Clinical Associate Professor Nigel Toussaint, who is a nephrologist with a special interest in chronic kidney disease and is also a resident of Moonee Ponds. Nigel works at the Royal Melbourne Hospital as a consultant nephrologist. He is also the physician in charge of clinical research in the department of nephrology at the Royal Melbourne Hospital and is an all-round top bloke.

Recently Associate Professor Toussaint played an instrumental role in Australia's largest ever paired kidney exchange, which involved six hospitals across two states. This operation occurred as a result of a decision by Paul Bannan, a maintenance fitter from regional Victoria, who decided to donate a kidney to a friend. Once this donation was not required, Mr Bannan decided to donate a kidney to a stranger who needed it. This incredibly generous gift by Mr Bannan resulted in seven kidney transplants which will clearly have a profound influence on the recipients and their families.

I have gotten to know Nigel over the last few years. I never appreciated just how critically important well-functioning kidneys are to a person's quality of life as well as their longevity. While dialysis helps to keep a patient with chronic kidney disease alive, it cannot provide the quality of care to a patient that a functioning kidney can. Often patients on dialysis suffer from heart disease through a thickening of their artery walls.

This operation was an outstanding success, and I would like to congratulate Nigel and the team at the Royal Melbourne Hospital on achieving these tremendous outcomes for the patients but also, I think, in educating us all about the vitally important role that kidney health can play in the lives of all of us.

Finally, there are nine things we can all do to improve the health of our kidneys. They are to exercise regularly, control our weight, follow a balanced diet, quit smoking, drink only in moderation, stay hydrated — —

The ACTING SPEAKER (Ms Halfpenny) — Order! The member's time has expired.

Goulburn Valley Health

Ms SHEED (Shepparton) — The Goulburn Valley Health community advisory group that I chair recently toured Eastern Health at Box Hill to gain an understanding of up-to-date infrastructure that Shepparton district patients might expect to have once the redevelopment of Goulburn Valley Health occurs. What we viewed in Melbourne's eastern suburbs was in stark contrast to the outdated and inadequate facilities at Shepparton.

It came as no surprise that the release of the *Victorian Health Services Performance Report* shortly after that visit showed that in Shepparton patients are not treated within benchmark time and that the benchmark has dropped to 50 per cent. This means every second person who presents at emergency at GV Health will not receive care within an appropriate time frame. That is simply unacceptable.

The report showed that compared with the previous quarter, there was a 4 per cent increase statewide to 76 per cent of patients treated within time. Shepparton, however, reported the opposite experience, dropping by 1 per cent on the previous report to the lowest figure in 12 months. At the same time, some 425 more emergency cases presented at GV Health in the same quarter.

The efforts of the Minister for Health in coming to Shepparton and visiting our hospital have been much appreciated, as was the \$1 million for redevelopment planning, but this recent report highlights that the time for action is now. There is a critical and demonstrable need for dollars to be spent to redevelop Goulburn Valley Health.

Narre Warren South electorate student achievements

Ms GRALEY (Narre Warren South) — Each and every year it is my great pleasure to present awards to students from schools right across Narre Warren South. I am always so very impressed by these outstanding young people and their achievements, and 2015 was no different.

The worthy recipients of my Community Spirit and Leadership Award included Sophie Skarlatis from Berwick Fields Primary School, Hanna Smith from Brentwood Park Primary School, Emma Martin from Berwick Chase Primary School, Anderson John-Britto and Keya Dogra from St Kevin's Primary School, Sharni Rangitonga from Coral Park Primary School, Merric Gardner from Kilberry Valley Primary School

and Alicia Munn from Narre Warren South P-12 College.

The Joan Kirner AC Memorial Education Award went to Jayne McLucas from Hampton Park Secondary College. Jayne was nominated for the award by her teachers as she is a conscientious student who has achieved exceptional grades and high standards in all of her Victorian certificate of education subjects. She has also been involved in the year 11 peer support program.

Special mention must also be made of Hampton Park Secondary College's dux Shirrajh Satheakeerthy, who achieved an incredible Australian tertiary admission rank (ATAR) score of 98.5 and is off to Flinders University to undertake a bachelor of clinical science and doctor of medicine.

Georgia Knight from Narre Warren South P-12 College received the prestigious Denese Bartlett Memorial Scholarship. Georgia is an exceptional student who has achieved excellent results in all of her subjects and can always be found supporting and encouraging her classmates. Her teachers also tell me that she is often the first to arrive in the morning and the last to leave.

I have no doubt that these extraordinary young people will continue to excel and inspire us all as they become future leaders within our community. Again my heartfelt congratulations and best wishes to them for a successful, prosperous and healthy future.

Australia Day

Mrs FYFFE (Evelyn) — It was a pleasure to once again be involved in this year's Australia Day celebrations. In the early morning I attended the Australia Day breakfast at Wandin Public Hall before heading off to the Yarra Ranges council Australia Day citizenship ceremony. More than 150 people attended Wandin Rotary's breakfast, testament to the welcoming good humour and delicious food. All joined in with gusto to sing the national anthem and toast Australia. Once again, congratulations to Wandin Rotary on a terrific start to Australia Day.

Visitor Economy Ministerial Advisory Committee chair

Mrs FYFFE — The Minister for Tourism and Major Events's lack of knowledge and interest in the tourism industry has been well noted. The lack of direction and the turmoil created since he became minister has stalled any advances, so it was a very welcome move by the government to appoint John

Pandazopoulos to chair a new tourism advisory committee. He was a well-regarded and effective tourism minister. It is symptomatic of a poorly performing government that it has had to bring John and the committee in to do the current minister's work.

Seville Township Group

Mrs FYFFE — Congratulations to Seville Township Group on being awarded \$20 000 from the Anzac centenary community grants program. The project is towards the construction of the George Ingram VC memorial. This memorial will help residents of Seville and indeed the broader Yarra Ranges community to stay connected to the veterans from the First World War and help keep their stories alive.

Lynbrook Primary School

Mr PERERA (Cranbourne) — Some 160 preps began at Lynbrook Primary School in my electorate in 2016, including four sets of twins who have joined the school's 980 students.

Lynbrook Primary School, a modern environmentally friendly school set in extensive landscaped gardens, commenced in 2005, with 175 students from the Lynbrook area. The school's outstanding staff, together with its outstanding facilities and educational programs, has seen this number rise to 980 students. Lynbrook Primary will receive \$302 237 in equity funding in 2016 from the Andrews Labor government, an increase of \$110 919 compared to 2015.

Kindergarten funding

Mr PERERA — Labor is getting on with the job with better educator-to-child ratios introduced this year, meaning more individual attention and care for children in the year before school. Introduced on 1 January this year, the new ratios will mean 1 educator for every 11 children — down from 1 per 15 — giving kids more individual care and attention.

The Labor government is also getting on with the job of building and upgrading new and existing kindergartens under its \$50 million kinder improvements commitment, including upgrading the playground area at Rangebank Pre-School in Cranbourne West. The Andrews Labor government is investing —

The ACTING SPEAKER (Mr Carbines) — Order! The member's time has expired.

Australia Day

Mr GIDLEY (Mount Waverley) — I rise in the Parliament today to congratulate Susan Alberti on being awarded the Companion of the Order of Australia on Australia Day 2016 for eminent service to the community, particularly through philanthropic and fundraising support for a range of medical research, education and sporting organisations, as an advocate for improved health-care services for the disadvantaged, and to young women as a role model and mentor.

Today in the Parliament I rise to congratulate June Lawrence on being awarded the Medal of the Order of Australia on Australia Day 2016 for service to veterans and their families. I rise in the Parliament today to congratulate Reginald Lawrence on being awarded the Medal of the Order of Australia on Australia Day 2016 for service to veterans and their families. Today in the Parliament I rise to congratulate Ken Ong on being awarded the Medal of the Order of Australia on Australia Day 2016 for service to local government and to the Chinese community of Victoria. I rise in the Parliament today to congratulate the late John Shute on being awarded the Medal of the Order of Australia on Australia Day 2016 for service to the blind and those with low vision.

On 26 January our country commemorated the British settlement of Australia on 26 January 1788. Commemorating Australia Day, and everything that British settlement brought to Australia, is of incredible significance for our state and our country. It was great to see so many again commemorate this day in so many different ways. During the day I took the time to join local residents to commence Waverley's celebrations with a flag-raising ceremony undertaken by members of the Royal Australian Navy and hosted by Monash City Council. Special thanks to members of the Oakleigh Brass band for their musical contribution throughout the morning.

Australia Day

Mr RICHARDSON (Mordialloc) — It gives me great pleasure to rise and acknowledge the Australia Day award recipients for the City of Kingston and pay tribute to those who received recognition. The City of Kingston, like so many municipalities across the south-eastern suburbs, has an array of people who are willing to go over and above in support of their community, volunteering hundreds and hundreds of hours of time to make our region better. It is worth mentioning that the 4th Mordialloc Sea Scouts was one of those organisations that was acknowledged as Young

Community Group of the Year. Up to 100 members are now participating in the scouts.

I also want to put on the record mention of Kingston's Beach Patrol Australia groups. Together they have collected an average of 1500 kilograms of rubbish and waste from our bay. That is an incredible amount of work, effort and time they have put in, and I want to acknowledge them. There are three special people I want to mention on the record. One is our Young Citizen of the Year, Gemma Shea, who at the age of 14 started volunteering and working at the Mordialloc Community Centre. The Outstanding Citizen Award went to Greg McMahon, who as principal of Parkdale Secondary College led it through significant growth and development. A special mention goes to Mairi Neil, who is our Citizen of the Year. She has been at the Mordialloc Neighbourhood House, is part of the Mordialloc Writers' Group and is an absolutely outstanding advocate for our community.

Australia Day

Mr NORTHE (Morwell) — I rise to congratulate Traralgon resident Greg Samson for receiving a Medal of the Order of Australia (OAM) in the recent Australia Day awards. Greg was recognised for his service to youth through scouting and to the community and joins his wife, Lorrel, as a deserving OAM.

Morwell paramedic Neil Akers was awarded an Ambulance Service Medal for his 46 years of exceptional service to the Victorian community. In particular Neil's dedication was acknowledged during significant emergencies such as the Black Saturday bushfires.

Congratulations also to Don Di Fabrizio for being awarded Latrobe City Citizen of the Year. Don has been an extraordinary role model in his pursuits across business, sport and community service and was a very popular winner of Citizen of the Year. To our inspiring Young Citizen of the Year, Maneesha Nambirajan, I also say well done for her dedication in supporting and assisting those persons less fortunate in life within our local community and beyond.

Congratulations also to Isis Tyler from Lavalla Catholic College, who was successful in her application for the 2016 Premier's Spirit of Anzac prize along with 21 other secondary school students across Victoria, and to Lily van Berkel from St Paul's Anglican Grammar School for being selected as a regional finalist for the 2015–16 program.

Latrobe Valley fuel prices

Mr NORTHE — On a less positive note, I wish to express concerns on behalf of local motorists and businesses in the Latrobe Valley with respect to fuel price discrepancies that strongly suggest Latrobe Valley residents are paying much higher fuel prices than communities to the east, west and south. Quite rightly, locals are feeling very ripped off.

Black Saturday

Ms GREEN (Yan Yean) — As always on this worst of anniversaries I reflect on the many friends lost in 2009 and those who have had to rebuild their lives without their loved ones beside them, with scars seen and unseen, and also on those who lost homes and businesses too. Please keep in your thoughts the first responders: firefighters, paramedics, police, the State Emergency Service volunteers and many more who struggle to keep terrible memories at bay. To all of you, please go gently on yourselves and remember: we are all stronger together. My love and peace to you all.

I want to single out dear friends in Kinglake and Strathewen, who I spent time with on Sunday and who continue to inspire and live their lives with courage, despite their loss. Mary Avola bravely read a poem in memory of loved ones lost in Strathewen, especially her soulmate husband, Peter. Deini Shepherd draws strength from the kinder children she teaches in Hurstbridge after 40 years and vows that her 16-month-old grandson will know all about the grandfather Joe and Uncle Danny he never met. Bec Buchanan, who lost her brother Danny and children Macca and Neve, led the organisation of a truly beautiful remembrance service in Kinglake. We are indebted to her musician husband, Ross, who found his voice again to sing for all his beautiful songs — *Salty Tears* and *Beautiful Creation* — that he wrote with his late daughter Neve. It is storytellers like Ross who tell the story not only of the pain endured but also the possibility that through the tears joy is achievable again.

There are no words of comfort that can hope to ease the pain
Of losing homes and loved ones the memories will remain
Within the silent tears you'll find the strength to carry on
You're not alone, we are with you. We are Australian!

Ruth de Fegely

Ms STALEY (Ripon) — Over the summer the Liberal Party lost a great warrior and worker for our cause. Ruth de Fegely, OAM, nee Beggs, died at Point Lonsdale on 23 January 2016. Today I stand to remember Ruth. Ruth de Fegely was the widow of Dick de Fegely, a member of the other place for Ballarat

Province. Together they made a formidable political team with, as their son Philip said in a poem at Ruth's funeral, Dick in the house and Ruth wielding power at 104 — a reference to Ruth's long involvement at organisational level with the Liberal Party. Ruth held many leadership positions, including as chairman of the women's sections and as country vice-president. On a personal level, Ruth was one of my preselection referees and was delighted when I not only at last won the preselection but also went on to win back the seat of Ripon for the Liberal Party.

Ruth and Dick lived and farmed at Quamby, outside Ararat, where they raised three sons: Charlie, Robert and Philip. At Ruth's funeral last week the three men, individually and collectively, gave us Ruth's life's work: a life of community and politics, yes, but above all a life of family, where good manners — from table manners through to the importance of welcoming conversation — were paramount, where hard work is its own reward and where one can achieve anything if one sets one's mind to it. Ruth's legacy shines through her sons and her grandchildren — her warmth, her humour and her rules. Vale, Ruth de Fegely.

Lalor Secondary College

Ms HALFPENNY (Thomastown) — I am so proud to stand here to congratulate the very talented students from Lalor Secondary College: Nathan Burns, Jaylan Chaaban, Rasha Fayrooz, Clare Freeman, Christine Lam and Sasho Lumakovski, all winners of the Premier's Spirit of Anzac Prize 2015.

A staggering total of six students from the school have been selected for awards. This is the highest number of successful entries from any one Victorian government school entered for this prestigious award. This is a great achievement for the students and indeed their teachers. It is also a testament to the ability of the bright young people we have in the north.

Clare, Nathan and Rasha will travel to Gallipoli, where they will follow in the footsteps of our World War I veterans as they visit places of national significance at Lemnos, Gallipoli and the Western Front. Sasho, Jaylan and Christine won the prize to travel to Canberra, where they will be representing Victoria on a national study tour, visiting the Australian War Memorial.

Students selected a number of different media to explain what the spirit of Anzac means to them and its place in a modern, diverse and multicultural Australia. Their work was a combination of written essays, artwork and poems. I think this is a fantastic achievement by both the students at Lalor Secondary

College and the school itself, and I look forward to meeting all the students during my visit next week to the school. Congratulations, and we are all so proud of you.

Deakin interconnect

Mr WATT (Burwood) — I recently attended a meeting in my electorate of Burwood regarding the Deakin interconnect, where many residents were upset and angry at the current government for overruling council and overruling the local community in decisions around the university's attempts to build a bridge across Gardiners Creek at Burwood. I call on the ministers to reverse those decisions.

ABORIGINAL HERITAGE AMENDMENT BILL 2015

Second reading

Debate resumed from 11 November 2015; motion of Ms HUTCHINS (Minister for Aboriginal Affairs).

Ms VICTORIA (Bayswater) — I rise to speak on the Aboriginal Heritage Amendment Bill 2015 on behalf of the coalition as the shadow Minister for Aboriginal Affairs in this place and want to place on the record that we will not be opposing this bill. I would like to firstly, of course, acknowledge the people of the Kulin nation, the traditional owners of the land on which this Parliament sits, and note a very positive step forward this afternoon. We as a Parliament now include every Tuesday — every first day of the sitting week — an acknowledgement to country. I want to pay my respects to the elders that came in to hear that groundbreaking first acknowledgement of country and thank them for coming in. I want to pay my respects not only to them but to their elders and to future elders who will join us over the years in this place.

I am pleased to be able to speak on the Aboriginal Heritage Amendment Bill 2015, as I say, in my capacity as shadow minister, but also as a very proud member of the former coalition government that did so much work in this area, and I am pleased that that work has continued on. I commend the minister for her initiative, and I will go to more information on that in a moment.

Aboriginal culture and heritage plays a vital part in the Aboriginal way of life. We do know that the Aboriginal people of Australia are the oldest continuous living culture in the world, and for generations they have walked this place, centuries before we arrived. They place a very significant importance on their culture and

their heritage, and for them it represents a way of life, whether it be through song or dance or art or storytelling. Language is also incredibly important. These are all vital means by which Aboriginal people have conveyed and communicated their heritage over thousands of years. It is a very valuable, unique and precious thing, Aboriginal heritage, and all Victorians should know about it and should certainly embrace it.

As a result of that I guess what I am saying here is that any attempt to regulate Aboriginal culture and heritage needs to be very carefully assessed. We need to pay a lot of attention, so I am very pleased that a minister in the former government, the member for Gippsland East, is at the table. He did a phenomenal amount of work in this area and of course was the minister who started this legislation in the form of an exposure draft. I commend him and his predecessor, Jeanette Powell, for the work they did in this area.

Having said that, governments of all persuasion and also non-government departments have not necessarily been as successful as we have wanted them to be over the decades, and this is an area we can build on as each successive government comes to the table. The need for protection of Aboriginal culture and heritage is vital if we want the Aboriginal people to have a sense of belonging to country. We need to make sure we do everything we can to protect their culture and their heritage. That is absolutely paramount. We have a collective responsibility to ensure that their heritage can be appreciated by all. Not just us now, but also for many future generations to come, and I hope that these new amendments will be a positive step forward in protecting and further strengthening Aboriginal cultural heritage.

As I say, I would really like to place on the record my thanks to the former ministers and the role they played and the enormous work that they did. I also thank bodies such as the Victorian Aboriginal Heritage Council (VAHC) and the Office of Aboriginal Affairs Victoria, which has now had a name change to Aboriginal Victoria, for their involvement. I also want to place on the record my thanks to their former executive director, Angela Singh, who did an amazing amount of work and was universally respected, I think it is fair to say, and certainly extremely dedicated to her role. So to Angela we say thank you for the hard work she put in on this.

As I said, there was an exposure draft put forward by the coalition in 2014. I wanted to say 'last year', but it is the year before now. That was a review that was undertaken into the Aboriginal Heritage Act 2006. There was also a parliamentary inquiry into the

establishment and effectiveness of registered Aboriginal parties. Of course this has been a great step forward, especially for the Victorian Aboriginal population.

As a coalition we consulted far and wide, and a really great, broad cross-section of individuals and organisations were involved in this consultation. As a member who is having some major infrastructure work done in their electorate at the moment — that is all I am going to say — where there was no consultation, I would like to think that what we did was world's best practice. Certainly the practice that happened at the time was commended by interested parties.

There were traditional owner groups, there was industry, there were cultural heritage advisers and there were land management interest groups, and of course all three levels of government were very much included in that process. There were over 140 written submissions that came back as a result of the consultation process. There were more than 30 workshops that were held and consultation meetings, and there was very generous feedback given by stakeholders, who had a great depth of experience working with the act and certainly knew what was not working smoothly and what could be improved upon. We thank them very much for their input. A lot of what we found in this consultation process has been replicated in the bill before us, and again I thank the minister for taking the work that had been done and carrying that through.

As a coalition we made a profound impact, I would say, on Aboriginal affairs in just four years. I want to talk about some of those achievements because I think we need to be very proud and acknowledge that those achievements happened. We initiated the Victorian Aboriginal Cultural Heritage Strategy. We were left with a largely underfunded system for managing Aboriginal cultural heritage. It was underfunded by some \$5 million a year. We went ahead and made sure that that was done properly. We were certainly very conscious of recognising Aboriginal culture, history and achievement. It is a vital component in ensuring strong, resilient people, so we had to make sure that all of that was in place.

We established the Victorian Indigenous Honour Roll to honour those who had gone forward and excelled in so many different areas, and that was the first of its kind in Australia. That recognises the contributions and achievements, as I said, of outstanding Aboriginal Victorian men and women. We allocated \$80 000 a year in the state budget, back in 2014, for the honour roll in schools, which provided curriculum materials for

schoolchildren from across Victoria to be able to know more about what we were doing with the honour roll and so they could recognise the achievements of some great Aboriginal Victorians.

We delivered the Victorian Aboriginal Heritage Council strategic plan 2014–19. The VAHC recommendations for change document, *Bringing our Ancestors Home: We will not be well until this is done*, outlined the council's recommendations for change to the Aboriginal Heritage Act in relation to ancestral remains. Obviously I am going to talk about that a little bit more as there are provisions within the bill for that.

Also of great significance was our achievement of a nation-leading settlement under the Traditional Owner Settlement Act 2010, recognising the Dja Dja Wurrung as the traditional owners of approximately 266 000 hectares of public land in central Victoria. This included a substantial \$9 million commitment to support economic development opportunities for the Dja Dja Wurrung along with the transfer of two properties to them as well.

We ended almost a decade of state administration at Lake Tyers Aboriginal Trust by establishing a committee of administrators, and that was on behalf of the community. It was fair to say that they had needed some extra help out there. In July last year the trust was expected to transition back to community self-management, and I am very much looking forward to hearing news about that and how that is progressing in the very near future.

We also supported the work of the Koorie Heritage Trust. The former Minister for Aboriginal Affairs, who is at the table with me, was there with me when we did that. The Koorie Heritage Trust was situated on the outskirts of Melbourne's CBD, on King Street. It was very hard to find, and it was certainly an obscure spot if you were a tourist wanting to know what Victorian Indigenous life looked like and have a look at the trust's beautiful collection of items, some of which are thousands of years old. We helped to relocate it to Federation Square, which is a fantastic and obvious home for the people of the Kulin nation — a traditional meeting place — but it is also a great place where they can gain exposure to people who are visiting the centre of the city.

We also invested about \$100 000 per year towards building up the invaluable Aboriginal oral history collection. It is incredibly important that we do not lose those languages.

We also proudly restored funding to Reconciliation Victoria — about \$200 000 a year. We wanted to make sure that Reconciliation Victoria gained its rightful place, and we are looking forward to seeing if further funding will be forthcoming for that particular body.

We declared ongoing protection for the historically significant Aboriginal heritage site at Point Ritchie. We were also the initial government to seek world heritage status for the Budj Bim Cultural Landscape. If you have been over that way towards Warnambool, it is just so striking and beautiful.

There was so much that we did. We invested almost \$62 million in Aboriginal health. We delivered nearly \$9 million to protect Aboriginal cultural heritage. We initiated the Victorian Aboriginal affairs framework, which I have talked about. We did all of that in just four years. I am very pleased to say that I was a part of the government that helped achieve all of that. We did very, very well.

If we look at the bill before the house, it is going to amend the Aboriginal Heritage Act 2006 to improve the reporting requirements in relation to Aboriginal cultural heritage. It is also going to include for the first time bits about intangible heritage. I will come back to that in just a moment. There is the establishment of an Aboriginal Cultural Heritage Fund, and we are going to empower traditional owners to be the protectors of Aboriginal cultural heritage. I think that is an incredibly important step forward. The bill strengthens the ongoing right to maintain the very distinctive spiritual but also material and economic relationship traditional owners have with the land, water and other resources, and it recognises that they have an undeniable connection to the land under their traditional laws and customs. We want to promote respect for Aboriginal cultural heritage.

I am going to go through a couple of the clauses to touch on some of the things that I think are certainly moving in the right direction. If we have a look at clause 5, in the definitions, some of the things we are going to be talking about are things like Aboriginal ancestral remains. There has been a very clever change and a very important change of wording here. It was 'Aboriginal human remains' in the original act; it is now 'Aboriginal ancestral remains'. That is intended to promote greater respect for obviously what is very culturally sensitive material. It is people's remains, and we need to show the greatest respect for that.

There is a definition of what the cultural fund will be, and there is a definition of cultural tradition. The definition of Aboriginal tradition has been amended to

include knowledge, and that comes down to that intangible side of things, which is so very important. If we look at clause 9, which talks about the definition of intangible heritage, the bill says it is intended to be 'owned collectively by traditional owners of the area, region or culture from where it is reasonably believed that intangible heritage originates'.

It is really important to note that this is not intended to be something that individuals can own, because it is talking about what people did or what a group of people did in a certain location. There are a number of positive amendments in the bill, and I certainly think that that is one of those.

In clause 12 — and I want to go back to ancestral remains for a moment — new section 14 requires public entities and universities which may hold Aboriginal ancestral remains to examine their holdings and, importantly, to report back to the Victorian Aboriginal Heritage Council on what their holdings are within two years. It is almost unthinkable now that in generations past people could look at non-European, if you like, people as curiosities. You can see that if you look at the Mummymania exhibition at the Ian Potter Museum of Art. It is a very academic exhibition and features some magnificent parts of the collection, but there are some very interesting and telling stories about what the remains had been taken for. In the case of mummies, for example, obviously they were adorned with jewels and they were taken for that. In other cases, they were taken by very rich people, as I said, as curiosities, and they were put on display for their friends to see.

Thank goodness we have moved on from that period of a hundred years ago and that people's remains are no longer considered oddities, regardless of who they were. It shows the greatest respect that it is now considered important that the VAHC knows where all of the remains are and that nobody has them in personal collections. In fact it will be illegal to hold such remains in a personal collection rather than have them go back to a traditional owner group or a registered Aboriginal party and not be known of by the heritage council.

Section 20, which is substituted by clause 18, places obligations upon the VAHC around what they can do with those remains, how they are transferred and what happens to them. It was very interesting talking with elders around the state about this and understanding how important it is for them to make sure that they are buried on country, in the right part of Victoria and that their remains are not just taken and put into a European cemetery. In so many cases the remains cannot be buried on the land where, for example, the traditional

owners know those remains should go, because that land is now private property. If they were interred there, what would happen to them in future generations?

It is very interesting to hear all of the perspectives as to what happens. Of course where there is a dispute as to where the right country is, it is now up to Museum Victoria to hold onto those remains for safekeeping until such time as a resolution is discovered, if one is possible, and the museum will certainly look after them with the greatest of respect. I am not sure what sort of quantity of possible sets of remains we are talking about. We certainly need to be mindful of the fact that the museum has limited storage capacity, and I am hoping, according to the intention of this bill, that most remains are in fact returned to country where they rightfully belong.

I want to talk a little bit about the effect that talking about this has on some Aboriginal people. I met with a group last week, and I will not be specific because I do not want to identify the person, but when we were talking about repatriating remains, this great man, a middle-aged man — and I hope he does not mind my saying that — broke down in tears. He said, 'Heidi, do you realise that this is as important to us, if you want to put it in terms that all Victorians can understand, as bringing an Anzac soldier home or bringing another war veteran home?'. We have been doing that for decades, and in fact there are some people who have done great work around that, especially to do with the Vietnam veterans. He said, 'This is equally important'. He was so affected by this. He sat there and he said, 'I'm sorry I am crying', and I said, 'Don't be sorry. Thank you for explaining how incredibly important this is'. To him I say thank you very much.

The Victorian Aboriginal heritage register was established in 1972 and has over 36 000 places and objects as part of its current records. The idea is that it securely stores information about cultural heritage, and traditional owners will now be able to nominate information that they deem to be culturally sensitive and can restrict access to some of that information according to their beliefs. They will get written approval for that access restriction from a registered Aboriginal party or the VAHC. Cultural heritage permits, cultural heritage management plans, cultural heritage agreements, land arrangements and those sorts of things now all have to be registered, and that appears in section 145. It is incredibly important that we know what can be done with that information once it has been registered.

There are improved enforcement and compliance measures, as we find in clause 105. New division 1A of

part 11, which clause 105 inserts into the principal act, provides Aboriginal heritage officers with the opportunity to undertake enforcement and compliance activities, including monitoring compliance of cultural heritage management plans, cultural heritage permits and Aboriginal cultural heritage land management agreements, and also allows for the issuing of 24-hour stop work orders. There are various ways those orders can be delivered. They can either be hand delivered, or if somebody is not on site, cannot be found or is not the appropriate person, there can certainly be signage put up at the time to say, 'There is a stop work order on site; you cannot go any further'.

I think that there should be an accreditation program for these heritage officers, and it will be interesting to see if that is a path the government takes and if there is funding for that, because obviously that would provide job opportunities and great skill sets.

One thing that we had when we were in government as a coalition was the certificate IV in Aboriginal cultural heritage management, which was offered through La Trobe University. When I had a look at the budget earlier this year, it was something I specifically looked for, and there was no information on it. There was no further funding. When we inquired about this we were told, 'Hang on, the funding finished in 2015'. Well, just because it ended as part of the budgetary process does not mean it should not be re-funded. So I call upon the government to have a look at that because I think it is certainly a very good step forward to make sure that funding is reinstated for that. Perhaps now that we have this new legislative measure, the government might see that there is some merit in what seemed to be a very, very well respected course with good outcomes.

A stop order, as I say, could be put in place. Clause 65, inserting new section 87(1), says a minister or authorised officer can issue a stop order to a person if they are carrying out or propose to carry out an act that is likely to harm Aboriginal cultural heritage. I think that is certainly a good step forward. There are, as I say, quite a few good initiatives in here.

Clause 32(5) establishes two new grounds on which cultural heritage permits may be granted, especially in areas where, for example, land is to be rehabilitated at an Aboriginal place or burial ground or to make available a permit for the interment of Aboriginal ancestral remains. That goes back to what I was talking about before — the importance of the interment of those remains.

Clause 35 provides a 30-day evaluation period for cultural heritage permits. The 30-day period ceases to

run if more information is needed, so there can be a stop where the proposer or sponsor needs to come back in and give that information over. If they fail to do that or if it is deemed inadequate after the 30-day evaluation period has expired, then it is deemed that the application is refused. The process from there, of course, can be rather lengthy and costly, and that is to go to the Victorian Civil and Administrative Tribunal. I am not quite sure how that is going to flow, and I think that is something we will need to look at over time.

Preliminary Aboriginal heritage tests are a good step forward. They improve certainty for those who might need a cultural heritage management plan. These will be optional but will certainly give people a better insight as to whether they are going to need a full plan and how in-depth that is going to be. I think that is a really good idea.

Clause 50 talks about activity advisory groups, and they will be designed as a response to consult with Aboriginal people in areas where there is no registered Aboriginal party and to streamline the cultural management plan process. Anything that can streamline that is very good. Obviously all of this has remuneration involved in it. How that works out is something we will have to see over time.

There are going to be land management agreements, if you have a look at clause 58. They will be between those who have got public land, so public land managers, and they will be agreed to for a period of time so that on every new bit of ground disturbance, if you like, there will not need to be another permit put in place. They will be able to simply go along, if they are low to medium-impact land management activities.

Intangible heritage — I am going to go into that very quickly in the time that I have got left — is something that I have seen demonstrated to great effect in, of all places, Tibet. I know the Speaker and I had a look at that and explored what the Chinese government was doing with the autonomous region of Tibet. It had spent literally billions of dollars trying to preserve language and culture. It is the singing, it is the dancing — it is all the things that are not written, the things that get passed on from generation to generation. This is going to be interesting from a legal perspective. As time goes on we will see more about that, but this is to do with the collective knowledge of Aboriginal people.

There are plenty of other areas that we could talk about in this bill that are good. There are a couple of things that are of concern that I want to just bring up. On the fee structure, there has been no talk yet about proposed regulations. There will be a number of new fees

introduced, but we have no indication of how those fees will be calculated, the level of indexation or in fact how those funds will be distributed. Those sorts of fees, depending on how large they are — if there are outer urban land developments, for example, new housing estates — will obviously have to be passed on to the consumer, the homebuyer. We need to know that sort of information.

On the Aboriginal Cultural Heritage Fund, the council has some reservations as to whether it is going to have the resources to be able to administer this. It wants to know more information about this, and I think there are a few unanswered questions the council has that certainly the minister and her advisers can go back to it on. The funding and resourcing of the council is another issue for another day, but certainly it is something that I think needs to be addressed in the context of the bill before the house.

To wrap up, this is a very practical and productive piece of legislation. It is a very important step forward for Aboriginal Victorians, for their cultural heritage and for recognition of who they are and where they have come from. There are some good provisions and, as I have said, I do have some queries which I am sure other members will explore. I think any move towards more self-governance is a good thing. We need to find out more about the publication of the new regulations and get some of that information back to the stakeholders and a more detailed explanation of how the fund will be managed and reported. We also need to see if there are some answers on adequate funding and resources that should be available — rightfully so — to the Victorian Aboriginal Heritage Council.

As I have said, the coalition is not opposing this bill. We think that there are some very good, positive steps forward. There are some unanswered questions, and I look forward to receiving those answers in the near future from the minister.

Ms GREEN (Yan Yean) — I would like to begin by acknowledging the traditional custodians of the land on which we meet and where we are privileged to have these conversations in support of Aboriginal heritage. It is a great day to be debating this bill before the house, given that it is the first time that we have now enshrined in our standing orders that we have an acknowledgement of country at the beginning of our sitting day. It was really fantastic to see many Aboriginal elders in the gallery to witness this, just as it was last year when we raised the Aboriginal flag on this Parliament as well. But I would suggest to the Presiding Officers and to the Standing Orders Committee that we review the standing orders. I think that just like we

stand for the Lord's Prayer we should actually stand for the acknowledgement of country in this chamber. I think it was a respectful thing to do, but I felt very uncomfortable personally to have stood for the Lord's Prayer and then sat down for the acknowledgement of country. I think that both those acknowledgements are equally important.

I have spoken on this before. When the original act was proposed by the Bracks government during my first term, I got to speak on that bill. I have been reflecting this morning on what has occurred in my lifetime and why this legislation is so necessary, on how far we have come but also on how far we still need to go. What is proposed in this legislation is light years away from what governments did in my early life. I do not think that I and my sisters are old. We all went to school in the 70s and 80s, and given the birthdates of every single one of us, had we got in the lottery that we were born of Indigenous parents — and who knows whether we had that in our background or not? — we could easily have been forcibly removed. I know that there were people that I went to school with who did suffer that indignity. I grew up in Gunditjmara country around near Warrnambool and then I moved to Mildura at 16. I know that there were people in my era at school who had been forcibly removed.

Archie Roach, that fantastic Australian, is only a couple of years older than me. He was forcibly removed from his beautiful Gunditjmara country. We owe him a debt of gratitude for continuing to tell the stories. I want to thank people like him who have told those stories, and in particular Uncle Banjo, who said to him, 'Mate, you know how to tell those stories. You can tell those stories; you can sing them'. It was people like Uncle Banjo that talked to Indigenous kids and white teenagers like me outside the surf club along the beach in Warrnambool and started to raise our awareness and understanding that all Australians were not born equal, that there was a debt in our history that needed to be rectified and to be paid back and that there needed to be some acknowledgement.

It was Uncle Banjo and others that made us understand as surfers. I spoke about this when the Bracks government proposed the first bill. There was a surfing spot near Peterborough called Boneys. We ignorant white kids, who loved our surf, thought that this place was called Boneys because it had the human remains of people who had lost their lives in shipwrecks along the Shipwreck Coast along the Great Ocean Road. Imagine my horror when I discovered that those bones were actually there as a result of a massacre. That massacre was not long ago; it was only a little over a century ago. There were people in my life that actually knew the

truth about that, that women, children and men were driven off those cliffs to their deaths. So for me it is a deeply personal thing and a deeply personal debt.

I feel as a legislator that we must right those wrongs, that we must ensure that there is respect paid to our Aboriginal heritage, not just because of righting wrongs but also because there is such a rich culture that our Indigenous community deserve to have preserved and supported, and they deserve to have a say in how that story will be told. But for the rest of us who have come to this country as migrants in one way or another or in one generation or another, we should know about this, not so much because we deserve to but because we are missing out by not knowing about this rich Indigenous culture, about the stone houses in the villages in Gunditjmara territory that really give the lie to terra nullius. The British had said that this was a land untouched by human beings or that there was nothing in the built environment. That could not be further from the truth. It was very sophisticated, and there was farming and food production and a shared role in that.

The bill before the house is key to recognising, protecting and celebrating Victorian Aboriginal culture and its cultural heritage as a priority for the Andrews government. The bill ensures that Aboriginal Victorians will have a greater say in the protection of cultural heritage. The bill builds on the \$20.9 million invested in the Victorian Aboriginal cultural heritage strategy through the 2015–16 budget. The bill will reduce red tape and improve the efficiency of Victoria's best practice management system for Victorian Aboriginal cultural heritage.

The bill amends the Aboriginal Heritage Act 2006 to strengthen some key elements of the act, including the role of the Victorian Aboriginal Heritage Council (VAHC) and respectful processes for dealing with Aboriginal ancestral remains. Key changes include improving the act's transparency around determining when cultural heritage management plans are required; reducing red tape and improving relationships between public land managers and registered Aboriginal parties (RAPs); improving the efficiency of RAP appointment processes; improving the enforceability of the act; and increasing the transparency, accountability and effectiveness of RAPs and the VAHC.

For far too long we as a government have spoken for the Victorian Aboriginal community and have told them what to do and when to do it. Listening to the member for Bayswater, she seemed to indicate that the royal we, the coalition government, had done it all and there was nothing more left to be done for our Indigenous people. Well, there is still more to be done

and the royal we should not be what overcomes the debate in this. This is about our Indigenous people, not which government was best — that 30 minutes of FIGJAM that we heard from the member for Bayswater.

The member for Bayswater mentioned issues around the fee structure and concerns that the charges around this may be passed on to new home owners. I represent an area that has an enormous number of new houses being built. I would like to say to the member for Bayswater: there is a great deal of respect within the schools in these communities and a great desire to know about this. If there is a small cost that is passed on to these home owners, it will be a cost that benefits not only Indigenous children but also the children growing up in this area.

I want to thank other Indigenous leaders that have inspired me over time. There is my great friend Mark Grist, who I have been out with on the banks of the Plenty River. He has been educating me about the Aboriginal heritage that is found along the banks of this fantastic river. I want to thank Uncle Ian Hunter, who has told me so much about the Indigenous name of the seat that I represent, about localities like Mernda and Wollert. I commend the bill to the house — and we still have much more to do.

Mr T. BULL (Gippsland East) — It is a pleasure to rise to make a contribution on the Aboriginal Heritage Amendment Bill 2015. I would certainly like to commence my contribution by acknowledging the traditional owners of the land on which the Parliament sits, the Wurundjeri and Bunurong people of the Kulin nation. I pay my respects to elders past, present and also future.

The preservation of our Aboriginal cultural heritage, not only in this state but right across our country, is very important. It was a pleasure in my relatively short time as the Minister for Aboriginal Affairs to release an exposure draft in relation to a bill seeking comment from a lot of agencies and stakeholders within the Aboriginal community.

The very basis of this bill is making sure we not only preserve our Aboriginal cultural heritage in this state and pay it the respect it deserves but also deal appropriately with those people who do not observe that and make sure that they are educated at the same time as being held responsible for their actions. This bill will improve the reporting requirements in relation to Aboriginal cultural heritage. It includes provisions regarding Aboriginal intangible heritage, which I will talk a little bit about later, it establishes an Aboriginal

Cultural Heritage Fund and, as I said, it generally improves the preservation of our cultural history.

This bill is essentially a revised version of the exposure draft that was released in 2014. There are some changes, and I know the previous speaker from this side gave credit and thanks to Angela Singh; I certainly endorse those comments. Credit also goes to all the other members of the departments, some of whom are in the gallery, who did an extraordinary amount of work in what is a very, very sensitive area. I think that what we have before us today, as the member for Yan Yean spoke about, is certainly a step in the right direction, but there is also a lot of educating to be done within our community groups and a lot more to be done to make sure that our Aboriginal cultural heritage receives the respect and recognition it deserves across all elements of the community.

Having said that, there are a couple of elements of the bill that I think require further explanation from the minister in time. Perhaps one that leaps off the page from my perspective is that the Victorian Aboriginal Heritage Council (VAHC) needs adequate resourcing and funding now that additional powers and functions have been placed upon it as part of the bill. I have met with VAHC members on a number of occasions, and I am sure a discussion will take place around the additional resourcing and support they will need to undertake these duties. If that has not already happened, I would certainly like to think it will happen very soon. The minister spoke of these increased duties in her second-reading speech, and I certainly hope that backup resourcing has been a strong consideration.

There also needs to be some clarity around how the proposed Aboriginal Cultural Heritage Fund will be distributed, and I know there was some brief explanation given about that in the second-reading speech. We were advised that this fund will work similarly to the Victorian Heritage Fund, established under the Heritage Act 1995, and that the fees and charges collected under the bill will be deposited into this fund for use by the department in consultation with the Victorian Aboriginal Heritage Council, but I think we need some more detail around that in relation to the types of projects that will be supported and how the fund will be distributed evenly across the length and breadth of the state, particularly in areas where we do not have registered Aboriginal parties (RAPs) or perhaps a united voice in relation to some aspects of cultural heritage.

Some of the changes proposed in this amendment bill were the work of the previous government, and I would like to recap a couple of those. I take on board what the

member for Yan Yean said — that this is a bipartisan contribution — but there was a lot of work done by the previous government that needs to be recognised. Included in that are a number of new offences that are being created by the bill to allow greater enforcement in relation to those who do not respect Aboriginal heritage and those who do not comply with the cultural heritage management plans.

There is a new preliminary Aboriginal heritage test that will be available to allow industry to have greater certainty about when a cultural heritage management plan is required. I think this step will be of great assistance to all parties. It will allow them to sit down and determine more quickly and more readily whether that next step in the process has to be taken. Public landowners will now be able to enter into land agreements with registered Aboriginal parties rather than having to apply for a permit for what might be deemed to be low or medium-impact land management activities. This will achieve, hopefully, some good outcomes where all parties are in agreement without having to go through this additional step of red tape that has been frustrating for many. The bill also allows for cultural heritage management plans to be amended rather than whenever there is recognition that change needs to be made having to scrap all the work that has been done and go back to square one. To allow these plans to be amended with the agreement of all parties working towards an appropriate resolution and allow the process to continue I think is something that will be welcomed by all parties.

Another aspect is that the secretary will be provided with the opportunity to establish an activity advisory group in areas where registered Aboriginal parties currently do not exist. This will enable sponsors to meet with the various stakeholder groups and work out the appropriate outcomes. It is a point that I very strongly support. Where there is no RAP in place — and that is still the case in a large percentage of our great state of Victoria for various reasons — this process allows stakeholders to come to the table to discuss their Aboriginal cultural heritage but it also gives the sponsors or developers or whatever you want to call them the opportunity to sit down with that one group and sort through any issues. The bill provides a lot more clarity by both sides being able to come together and find a way forward.

Aboriginal people have lived in Victoria, as previous speakers have recognised, for 50 000 years. It is a very, very proud history that needs appropriate recognition. My electorate of Gippsland East, down the pointy end of the state, is Gunaikurnai country, and it is one such area of our state that is extremely rich in Aboriginal

history. To correct one small point the previous speaker made in relation to the governance of Lake Tyers, that has been progressed and the governance of Lake Tyers is now back in the hands of the local shareholders and the residents of Lake Tyers Aboriginal Trust. It is something that has been welcomed by that community.

Over the years the fact is that we still hear stories about the mistreatment of Aboriginal cultural heritage where the right thing has not been done. This bill takes a very important step to not only contribute to the increasing recognition that is already there but also open the door for a better level of consultation between parties. It also takes a step towards making those who do not do the right thing, who do not abide by the rules, who do not show appropriate respect, accountable for their actions. For that reason this bill takes another step in the right direction.

As I said, the exposure draft was released by the previous government. There have been some changes made. It came about largely as a result of an inquiry into the establishment and effectiveness of registered Aboriginal parties of which I was a part. A whole range of submissions were received, and the exposure draft was largely born out of a lot of those recommendations. There have been some changes made — some very slight changes — and I would like to see some clarity from the current minister around those so that everybody and all involved have a clearer understanding.

Ms THOMAS (Macedon) — It is a great privilege to speak today on this important bill, the Aboriginal Heritage Amendment Bill 2015, in the week that the Parliament takes yet another important step forward in the appropriate recognition of Aboriginal Victorians and towards full reconciliation between Indigenous and non-Indigenous Victorians. Today the Speaker acknowledged the traditional owners of the land on which this Parliament meets. This acknowledgement of traditional owners will occur every sitting week, and I congratulate the minister and the Presiding Officers for their leadership on this and also in determining to fly the Aboriginal flag permanently over Parliament House.

Again, each of these important steps recognises that while our state, our nation and our parliaments are very young, we have the privilege of meeting on the lands that are home to the world's oldest continuous culture. That indeed is a great honour. It is incumbent upon us as leaders in this state to ensure that we are driving our communities and building their understanding and their knowledge of the rich cultural traditions of Aboriginal people — not just their history but their place in our

society now and well into the future. While I congratulate the minister on bringing the bill to the house, I also acknowledge the minister in the former government for the work he did in his time.

The bill before us seeks to make amendments to the Aboriginal Heritage Act 2006, an act that was introduced to this Parliament by the Bracks Labor government in 2006. At that time it was considered a groundbreaking piece of legislation and was regarded as best practice when it came to the protection of Victorian Aboriginal culture. This bill continues the Victorian Labor Party's commitment to recognising, protecting and celebrating Aboriginal culture. The bill has three overarching objectives. They are to improve the protection and management of Victoria's Aboriginal cultural heritage; to maximise the efficiency of Victoria's best practice Aboriginal cultural heritage management system and further reduce red tape for industry and government; and to amend the Aboriginal Heritage Act in accordance with the conclusions of the review of the act and the parliamentary inquiry into the establishment and effectiveness of registered Aboriginal parties (RAPs).

It is clear, as the member for Yan Yean has noted, that for too long white people have spoken for and have told the Victorian Aboriginal people what to do and when to do it. This has to stop. The amendments that this bill introduces will empower Victorian Aboriginal traditional owners and their communities to determine what is best for their community and to make decisions about their cultural heritage. This is done by empowering registered Aboriginal parties to determine cultural heritage permit applications, empowering registered Aboriginal parties to make Aboriginal cultural heritage land management agreements with public land managers, involving Aboriginal people in enforcement by establishing Aboriginal heritage officers, providing additional roles and reporting functions for RAPs and the Victorian Aboriginal Heritage Council, enabling the Victorian Aboriginal Heritage Council to establish and call upon its own advisory committees as required and providing the Victorian Aboriginal Heritage Council greater flexibility in the registered Aboriginal parties appointment process.

The bill will improve the protection of Aboriginal cultural heritage by allowing the registration and protection of Aboriginal intangible heritage. Aboriginal intangible heritage is currently not protected adequately by our existing intellectual property laws, patent laws or copyright laws. Examples of this very important intangible heritage include stories, songs, dances, language, manufacturing techniques and knowledge

about the properties and management of plants and animals.

This bill provides a process for registered Aboriginal parties and other eligible traditional owner organisations to nominate particular intangible heritage for registration. I think this is a fantastic step forward — a very important one. Once registered, anyone wishing to use that intangible heritage for their own purposes will require a formal agreement with the relevant traditional owner organisation.

The bill also will improve protection of Aboriginal cultural heritage by introducing a comprehensive Aboriginal ancestral remains process, increasing the enforceability of the act by modernising existing offences and penalties and introducing new offences, introducing different types of cultural heritage permits and improving the security of the Victorian Aboriginal Heritage Register.

The bill will also improve the clarity, transparency, efficiency and effectiveness of the act by providing certainty for when a cultural heritage management plan is required through an optional preliminary Aboriginal heritage test. It introduces efficiencies in cultural heritage management plan evaluation requirements, including an ability to amend a cultural heritage management plan after it has been approved. It establishes a clear traditional owner consultation process in non-RAP areas by convening activity advisory groups and introducing evaluation time frames for cultural heritage permit applications.

The bill will support the sustainable funding of RAPs and the Aboriginal cultural heritage management system by introducing the Aboriginal Cultural Heritage Fund to support RAPs and the protection and management of Aboriginal cultural heritage and by establishing additional opportunities for RAPs to increase revenue through participating in new processes, such as Aboriginal cultural heritage land management agreements.

My electorate of Macedon is home to Wurundjeri, Jaara and Taungerong peoples, and has many sites of deep cultural significance to those Aboriginal people. I take this opportunity to acknowledge a proud Jaara man, Uncle Gene Roberts, who, through my time as both a candidate and subsequently as the elected member for Macedon, has taken the time to introduce me to so much of his story and the story of his people, and as I said, the rich cultural traditions and sites for the Jaara people within my electorate. Again, I think that as a member of this house it is incumbent upon me to do all that I can to actively seek and build my knowledge and

understanding of the rich cultural and historical traditions of the people who have lived on the land in my electorate for the last 50 000 years or so.

This bill builds on many significant changes that the minister has made in her first year, and I congratulate her on all that she has done. In particular I have had the opportunity — and I am probably not going to get the pronunciation of this right — to look at the Maggoollee website. It is a fantastic website and a great resource for local councils. I will be encouraging the five shires in my electorate to make sure they use this fantastic resource.

I note that the minister, together with the Premier, has a new engagement framework for working with Victorian Aboriginal people, and that includes the Premier's gathering with Aboriginal leaders, a new Victorian government ministerial forum and a new Aboriginal Victoria forum. I note also that the minister has released an Aboriginal affairs report which gives a warts and all account of what needs to be done in this state to ensure that Victoria's Aboriginal people have access to all that is great about this state and that their children have opportunities to develop to their full potential. I would also like to congratulate the minister on the appointment of Jason Mifsud as the executive director of Aboriginal Victoria. Jason, as many people in this chamber will know, has been a tireless advocate for Aboriginal people over 20 years or so and I think, as the minister noted, the AFL's loss is the Victorian government's gain. We wish Jason all the best when he commences in his role on 29 February.

In conclusion, I congratulate the minister. This is a very important bill. I cannot finish without saying that I am extremely disappointed that the Prime Minister of this nation, Malcolm Turnbull, in the months since he has taken over from Tony Abbott, has failed, in my opinion, to address the needs of Aboriginal reconciliation and Aboriginal people in this country.

Ms SANDELL (Melbourne) — I too would like to acknowledge that we stand today on the land of the people of the Kulin nations and I pay my respects to their elders, past, present and future. I also congratulate the government on introducing an acknowledgement of country every week in this Parliament. I was really pleased to be here for that, although it would be great to see that happen every day, rather than just every week, perhaps in place of the Lord's prayer, as the Greens have suggested before.

Our approach to this bill as Greens members is informed by the Victorian Greens policy on Aboriginal and Torres Strait Islander peoples, which focuses on

self-determination. Victorian Aboriginal people should be partners in government processes that affect them. Victorian Aboriginal people have been dispossessed without their consent of their land, their resources and their waters. The Greens will support any government measures which respect the right of Aboriginal people to self-determination and the right to participate in decisions that affect them, and their aspiration to improve their social and economic conditions.

The Greens policy includes strengthening the Aboriginal Heritage Act 2006 to ensure three things: that heritage decisions are made by the relevant registered Aboriginal party; that items of Aboriginal cultural heritage are returned to and managed by traditional owners; and also that Aboriginal Victorians play a fundamental role in land and heritage management. As far as we can tell, this bill generally works towards these aims and the Greens will be supporting it, but it is difficult for me to respond to this bill in detail until the government completes an open consultation process with all the traditional owner stakeholders and responds to some of the issues raised in that consultation.

A key theme of this government's intention for the bill is that the Victorian Aboriginal community should be at the centre of decision-making and we absolutely agree with that, but the minister's media statement included this line:

When it comes to protecting and preserving Aboriginal cultural heritage, it's only right that we are listening to Aboriginal voices.

We absolutely agree. However, after this bill was tabled Native Title Services Victoria wrote a letter to the minister that noted it had not been consulted by the government on the development of this bill. I ask the minister to address the reason Native Title Services Victoria was not consulted and to consider what the government intends to do now. It was the second occasion in a month that Native Title Services Victoria wrote to the minister about the lack of consultation on legislation which was already tabled. Traditional owners stakeholder groups should not be finding out about legislation that directly affects them after it has been tabled in Parliament. It is not respectful, and it does not create good public policy.

The letter from Native Title Services Victoria includes a range of helpful comments on the bill. It was supportive but also critical in some parts. The fact that the group made such a detailed and helpful submission speaks to its willingness to work cooperatively with the government and to achieve outcomes that are good for everyone. It speaks volumes about the group's

professionalism and also demonstrates its patience and willingness to work constructively.

Therefore the Greens will not seek to delay passage of such an important bill, but we do ask that the minister responds to Native Title Services Victoria's letter in a really meaningful way. I ask that the minister addresses each of its concerns and informs Parliament about what changes, if any, are to be contemplated for this bill or in any future legislation to respond to the concerns that the group has raised. If the minister is not ready to make those responses right now, I ask that she addresses these issues before the bill goes to the Legislative Council and is voted on.

The letter from Native Title Services Victoria includes four pages of notes on provisions in the bill that are not currently supported by Native Title Services Victoria. Some of these could be addressed with just some amendments. Some of them could be addressed with the amendments that are consistent with the current purposes of the bill, but some of them relate to deeper problems. One of the themes in the letter is that there are too many provisions in the bill about which Aboriginal voices have not been sufficiently heard.

For example, under the proposed reforms, the Secretary of the Department of Environment, Land, Water and Planning appoints an Aboriginal advisory group in relation to a cultural heritage management plan for an area where there is no registered Aboriginal party, but why is the advisory group appointed by the secretary and not the Victorian Aboriginal Heritage Council? Why is there no requirement for the secretary to consult with the Victorian Aboriginal Heritage Council and Native Title Services Victoria about those appointments? Why should there not be a requirement for those appointments to be traditional owners, since those are the voices that really should be being heard in relation to cultural heritage? This is just one example of a chance and an opportunity to actually improve the bill by incorporating some relatively minor changes that would make a big difference.

There are other new processes set up by the bill where the secretary has arbitrary powers to make decisions without consulting with traditional owners and without any power for traditional owners to appeal these decisions. In this context the Greens are concerned about the minister's statements that the bill will provide 'greater certainty for Victoria's land use and development industries' and reduce red tape for applicants. Certainty for land use and development industries should not be achieved by denying or curtailing traditional owners' self-determination over the management of their cultural heritage, or even by

avoiding cultural heritage management provisions completely at the discretion of the secretary. If that is not the government's intention — and I hope it is not — there is still time for it to act and still time for it to make some changes.

I note that this bill is broadly similar to the former government's exposure draft, except for the new elements about intangible heritage, which have been welcomed by Victorian Aboriginal peak bodies. There also are a number of other small differences between the 2014 exposure draft and the current bill. There were a number of stakeholder submissions to the 2014 exposure draft, including many submissions by Aboriginal groups. Some of those submissions have been reflected in the 2015 bill; however, some of them, particularly ones from Aboriginal communities and stakeholders who raised significant concerns about the bill, do not seem to have influenced this bill, which is a little bit concerning. The stakeholders have also asked for clarification of some of the ambiguous provisions in the bill, so I ask the minister to make those clarifications so they can be recorded and exist in the interpretation of the act. If the minister is not able to do this, my colleagues in the other place will take that up through questions in the Legislative Council.

We do not want to delay passage of this bill, as it is an important bill, and many of the reforms that it creates will be well supported and are very valuable. But we do ask the minister to complete the community consultation between now and when the bill does reach the Legislative Council and to make good on her promise to listen to Aboriginal voices by acting on the expert advice of all Aboriginal stakeholder groups, particularly those who have raised concerns about the bill.

Ms WARD (Eltham) — Acting Speaker Thompson, it is a delight to see you in the chair this afternoon. I also rise to speak on the Aboriginal Heritage Amendment Bill 2015, and like my colleagues I acknowledge the people of the Kulin nation, the traditional owners and custodians of the land on which this Parliament stands and on which we meet. I pay my respects to elders past, present and future.

I congratulate the government on the vision that it is showing and the ongoing journey towards reconciliation that we are walking together on with great determination. I am very pleased to be part of a government which has raised the Aboriginal flag above our Parliament for the first time and especially glad for this very progressive government, which has also introduced the welcome to country as part of our parliamentary procedures. It is something that should

have happened a long time ago, and I am glad that we are finally there.

As has been mentioned earlier in other speeches, Aboriginal people have lived on this land for at least 50 000 years. It is almost beyond comprehension that for that amount of time people have lived, have worked, have celebrated the community and have covered this country. We have evidence in my community of Eltham and within the Diamond Valley of Indigenous history. We have Watsons Creek, which has a fantastic path that travels through and talks about Indigenous plants and foods, as well as materials used for weeding and so on. We also have the memorial tower at Kangaroo Ground, which, while a memorial to the fallen of the Kangaroo Ground community in World War I, is also a sacred site to Aboriginal people, and we have a platform there that commemorates that. It is a really nice binding of two histories that that place is so important to modern Australian culture as well as to Indigenous culture, and I am glad that the people in that community have started to make progress towards acknowledging the Indigenous history of that area.

I also want, with the indulgence of the house, to read from Isabel Ellender's study in 1994 titled *The Aboriginal heritage of the Shire of Eltham*. In it she wrote about the things she discovered, and she talked about the 1850s and the steady decline of the Aboriginal population of the district. She wrote:

The massive influx of people in response to the gold rush severely accentuated this trend. Intensive agriculture was established in Kangaroo Ground by the 1840s. Dutton records the destruction of the vegetation: bark slabs were used to make squatters' and settlers' homes. Two men could remove 35–40 slabs a day, and it was recommended that the removal of bark should be carried out at some distance from the home since the ring barking resulted in the death of the tree — up to 40 a day (Dutton 1985:37). Many Aborigines moved away ahead of the frontier, many died as a result of the ravages of European diseases to which they had no immunity and the effects of alcohol because they lacked a vital enzyme to digest it. Malnutrition and starvation took their toll because tribal lands were alienated, fenced off and guarded. The paddocks were overrun with cattle and sheep which pushed out the native animals and plants. But when hunters speared sheep and cattle for food, they were shot at and arrested. Aborigines were driven to beg at the doors of settlers and along the streets of Eltham; they appeared at the Kangaroo Ground school to demand food, tobacco and rum ...

That is awful, that is really awful, and that is a part of the history that we walk. It is a part of the history that we now have to acknowledge and accept and work with our Aboriginal community towards reconciliation on.

I also want to let the house know about a really wonderful event that was held at Montsalvat in Eltham quite recently, where we celebrated the artistic history

of the artist-in-residence program at Laughing Waters Road. In that history is the discovery of eel traps in the Yarra River, just down from where the artist-in-residence houses are.

This is something that, until recent times, people did not know was there. This was a history that was lost and a knowledge that was lost. When these rocks were discovered and the shires of Eltham and then Nillumbik were trying to work out what the rocks symbolised — who put them there, were they part of a garden, were they part of market garden, what was going on — it took them a few years to get in touch with the Wurundjeri people and have a chat with them. They came and they had a look at them, and this history was told to us by Wurundjeri elder, David Wandin. It took them a little while to realise that they were eel traps.

It was really heartbreaking to think that a meeting place and a place of hunting and cultural significance had been lost for so long and that even the people whose history it was did not instantly recognise it. They did not instantly understand what it was. I am very happy to say that it is now being acknowledged, that it is being respected and that it is being saved, if you like. It is heartbreaking to know that such important things are lost to us, and it is really good that we are creating legislation that can acknowledge this and can protect them. This is something that is deeply important. We must protect our Aboriginal history. We must celebrate it, we must acknowledge it and, most importantly, we must protect it, because it has to be there for all Australians to understand and for all Australians to respect.

I was not surprised to learn in the research on this bill that there are over 36 000 Aboriginal places and objects listed on the Victorian Aboriginal Heritage Register. It is a really good step this government is taking in giving traditional owners the ability to nominate sensitive information on this register. This respect for culture is something that is incredibly important, and it is something that modern Australia has been missing for a very, very long time.

I am glad that we are continuing to take steps to acknowledge that history, to respect that history, to respect the sensitivities around that history and what it means to people and to understand that modern Australia may not understand that history or understand how important it is. That does not mean that it is any less important or any less significant. It is important to create legislation and improve legislation that does do that. To make it law is very important, and it is a great marker of the Andrews government that we are in fact doing that. To continue to empower Aboriginal people

to make decisions about their own heritage is absolutely important. We cannot have modern Australia dictating to our Aboriginal community how they should measure their culture and their history or how they should protect their culture and their history.

This can be an incredibly fragile cultural history and, as we heard earlier, it can be lost so quickly and never be recovered. We know that this has happened; we know that some languages have disappeared; we know that words have disappeared; we know that stories have disappeared; we know that people's stories can be fragmented. We cannot tolerate this. We must change, and this legislation helps us to continue on that journey of change, of trying to gather together and protect Aboriginal stories, Aboriginal culture and Aboriginal history. It is a living culture and it is a fragile culture, but we need to legislate to ensure that we do not have increased estrangement from culture and country.

I want to go back to the conversation we had at Laughing Waters Road. One of the really wonderful things that David Wandin talked to us about was that in that part of Eltham houses no longer exist other than as artist-in-residence places which are only used during the winter months because of bushfire risk. Over the last few years a relationship has developed between former landholders in that area, people who lived and grew up there, and members of the Wurundjeri community. Together they are working towards restoring the history of that place — both the people who lived there recently and the people who lived there a much longer time ago.

As David Wandin said, it is a really important part of reconciliation to continue that marrying of two cultures, to recognise that we are walking in the same places — we are on a different journey, but we are walking in the same places — that we love these places, and that these places, these cultures and these histories have to be celebrated and shared by all of us. They have to be treated equally and with an equal amount of respect. I commend the bill to the house.

Ms McLEISH (Eildon) — I rise to speak on the Aboriginal Heritage Amendment Bill 2015. As we have heard, this bill amends a number of acts, but principally the Aboriginal Heritage Act 2006. It also makes amendments to the Cemeteries and Crematoria Act 2003, the Coroners Act 2008 and the Borrowing and Investment Powers Act 1987.

The work that is being done here today continues the work of the former coalition government. I note that that government did quite a lot of work and provided an exposure draft in 2014, which is now being revised. I

want to commend the work of former ministers the member for Gippsland East and Jeanette Powell, who grew up in Aboriginal communities in East Gippsland and Shepparton respectively. They, like me, have a strong connection to the Aboriginal areas in their electorates. Within my electorate I have the Taungurung to the north of the Divide and the Wurundjeri to the south of the Divide. They are both part of the Kulin nation, and I often pay my respects to their elders, past and present, and I certainly admire a lot of the work they are doing to continue and preserve their culture.

It is a lot harder for the Taungurung than it is for the Wurundjeri. They are not as high profile and there are not as many living in the area now because of the awful circumstances where they were herded from their areas down to Coranderrk at Healesville. I guess that is probably why the strength of the Aboriginal community in my electorate is in and around Healesville and is focused more on the Wurundjeri.

We grew up with the Franklins, one of the older families, and the elders of the Taungurung in and around Yea. Auntie Bernadette Franklin in Mansfield was known to my father when she was a tiny girl because he was friends with her dad. Bernadette is doing a lot to try to preserve the Taungurung heritage up in that area.

As a coalition in government we did a lot of work here. I mentioned the exposure draft, but we also had the inquiry into the establishment and effectiveness of registered Aboriginal parties, which was welcomed, and the establishment of the Aboriginal honour roll, among the many things the shadow minister outlined very well.

The purposes of this bill include the protection of Aboriginal cultural heritage, and I will talk about this quite substantially in a moment. They are also around empowering the traditional custodians to be the protectors of that cultural heritage for all people and improving the reporting requirements in relation to Aboriginal cultural heritage. Reporting requirements can often be quite a drag, they can be quite cumbersome, but it is important that they, I guess, reflect what it is that they need to reflect.

The purposes also look at strengthening the ongoing right to maintain the distinctive spiritual, material and economic relationship of the custodians with the land, water and other resources from which they have been disconnected for so long that we cannot get our heads around the length of time.

Also one of the key purposes here, as you preserve, is to promote respect for the cultural heritage. It is about preserving it so that the next generation and the generations after can really understand and respect it. Also around all this sits the establishment of an Aboriginal Cultural Heritage Fund. As we know, the Aboriginal culture is one of the oldest continuous cultures in the world, and it is really staggering to think that here in Australia we have that, and we have a responsibility to look at how this is protected and preserved. I think the member for Eltham mentioned that there are things that have not been passed down, and it is really important that those sorts of things are documented and characterised and that what can be — and it is hard to do some of this — does get passed down and preserved. I know certainly in my community there are a lot of people of Aboriginal heritage who do not know a huge amount, who do not understand, and who are now learning and becoming very engaged, but it is not a speedy process.

How this is done is important and the role of the government in this process is extremely important. It really needs to be balanced: how much do we do as parliamentarians and how much do the Aboriginal leaders do themselves? They are the leaders in the community, they are the elders, and it is important that what the government does certainly provides them with the responsibilities and the accountabilities necessary so that they make sure that within themselves they are doing the right thing. Also we need to make sure that where things are not happening properly, we are looking out for it.

I do want to comment on the return of Aboriginal ancestral remains. This is really important, especially how it is done. I have the Coranderrk cemetery at the end of Barak Lane. William Barak himself is buried there. Even around that cemetery there is controversy about access and who can get into it. So when we are looking at trying to put some parameters in the guidelines, I suppose the legislation around the Aboriginal ancestral remains, it certainly is tricky. I like the amendment that mandates that public institutions — all the universities that have collections, all the museums — actually report to the Aboriginal heritage council within two years about the remains that they have in their possession; then it will be the determinant of what happens. I think that is great, but also we need to make sure that that actually is what does happen.

I want to talk about the importance of the protection of the culture. There are the tangibles and the intangibles here. We see the rocks and the drawings, and we see the scarred trees. In fact, it surprises me sometimes; you will be somewhere and you just think, 'Oh, look,

there's a scarred tree'. I saw one recently, I cannot remember where, and it was not signed anywhere, and I could quite distinctly see that it had a canoe carved from that.

What is also important are the intangibles. We have the storytellings and the totems and the dancing and the Dreamtime, and we need to have the processes in place so that this area is also protected, because that is a very important part of the culture and has lived for so long — for the 50 000 years. We want to make sure that these things continue to be passed down. I think it is important that when this is looked at, we perhaps look at it in its entirety, not pick and choose what we really think should be passed down. I know, for example, there is land management. Aboriginal people have lived in harmony with the Australian landscape for millennia. They have been fire farming for 50 000 years, and early settlers in Victoria learned from them. But now the fire farming and the techniques that they have used and how they did it are being essentially ignored, and this is one of the intangible parts of the culture, of the Aboriginal heritage, that is not being passed down.

I noticed the Gunaikurnai down in Gippsland were going to be part of a trial which did involve the management of the land. It included cattle grazing, but that was passed over and seen to be not important. I think that on one hand we cannot be saying how important it is to respect and preserve the traditions and the cultures of the Aboriginals, and then on the other hand say, 'Well, we don't want to preserve this bit'. I think the language is so important. If anyone has visited Worawa college in Healesville, they would understand that there are so many different languages from around the country that are spoken at that school. When you have a look at the girls who attend there — and they are mostly not from Victoria — you see they speak so many different languages and they all have different totems. I know that Aunty Lois Peeler does a lot of work to preserve the languages.

I also want to mention Aunty Dot Peters at Healesville, because she has worked for years and years — some 35 years — to try to educate those younger people and has taught Aboriginal studies at local primary schools to help preserve the culture. But she herself learnt from her grandmother the art of basket weaving and coiling and catching the eels. She is unable to do that now, but for a very long time she taught that on weekends. She had workshops, and she taught it at festivals and at schools and community events and even to overseas delegations — because it is so important. I have had a go at basket weaving, and I have had a go at making a bracelet out of some long, skinny leaves. We still have

them. My daughter and I had a go at doing that, and it was really quite simple. It was amazing how sturdy they were. It is so important that these skills are preserved and handed down from generation to generation.

I think this legislation remains silent on funding, and there are a few unanswered questions. There is a little bit to go, but I will not hold it up.

Ms EDWARDS (Bendigo West) — Can I just say from the outset that it is a real privilege to be able to speak on the Aboriginal Heritage Amendment Bill 2015. It is a rare opportunity for members of this house to actually get up and speak about something that is so important. Sometimes I think we forget just how fortunate, and indeed how privileged, we are to live in a country that we share with the world's longest and oldest living culture. Over the many, many decades of this country's history — of white history — we have seen Aboriginal culture ignored, we have seen Aboriginal culture separated, and we have seen Aboriginal people stolen and disrespected. I think that we are in a time right now where we can make amends, and I think that legislation such as this goes a long way towards making amends. It is particularly important, because it is about self-determination, and that is what I know many Indigenous leaders have been calling for for a very, very long time.

I want to congratulate the minister for her unwavering commitment to supporting our Indigenous communities. I know for a fact that she has engaged widely with Indigenous communities right across Victoria and indeed has visited those in my own electorate, and as part of those visits has been in consultation and discussion around this particular amendment. I think one of the things that is important about this bill is obviously the preservation of Indigenous culture. But one of the unfortunate things about Indigenous culture is the loss of language. As we know, language carries cultural knowledge, so the loss of language means the loss of culture, and particularly of Aboriginal people's connection to their ancestors. Before invasion there were around 250 known Aboriginal languages in this country, and I believe that there are now only around 60. The loss of language, of course, in turn has the potential to impact on Aboriginal people's health and wellbeing, and research clearly shows that strong culture and identity helps develop resilience.

In my electorate the Dja Dja Wurrung, also known as the Jaara people and the Loddon River tribe, is the native Aboriginal tribe which occupied the watersheds of the Loddon and Avoca rivers in the Bendigo region

of central Victoria. They were part of the Kulin alliance of tribes, and there were 16 clans, which adhered to a patrilineal system. Like the other Kulin peoples there were two moieties, Bunjil the eagle and Waa the crow, and these are still very much revered by the Dja Dja Wurrung.

The Dja Dja Wurrung in my electorate were bound to their land by their spiritual belief systems deriving from the Dreaming, as many Indigenous cultures of course are. This is when mythic beings had created the world, the people and their culture. They were part of the established trade networks which allowed goods and information to flow over substantial distances. Indeed the tachylyte deposits near Spring Hill and the Coliban River may have been important for trade, as stone artefacts have been located around Victoria from the rivers.

There are also significant scar trees across my electorate, and they have all been identified. It is important that they are retained and protected. As I mentioned, there were 16 separate clans across the Loddon area, including at Bealiba, Natte Yallock, Mount Bolangum, Bridgewater, Burnbank and Mount Mitchell, north-west of Kyneton, Mount Franklin, Richardson River, Mount Tarrengower and Maldon, Daylesford, Avoca, Mount Moorokyle and Smeaton, between Carisbrook and Daisy Hill, the upper Avoca River near St Arnaud and Mount Buckrabanyule.

The Dja Dja Wurrung territory extended from Mount Franklin and the towns of Creswick and Daylesford in the south-east to Castlemaine, Maldon and Bendigo in the east, Boort in the north and Donald in the north-west, with Navarre Hill and Mount Avoca marking the south-west boundary. Their territory encompassed the Bendigo and Clunes goldfields. They were called by white settlers the Loddon River tribe, as the Loddon and Avoca river watersheds were most of their territory.

When foreign people passed through or were invited onto Dja Dja Wurrung lands, the ceremony known as tanderrum — freedom of the bush — would be performed. That is indeed still the welcome to country that is performed across my electorate. This allowed safe passage and temporary access and use of land and resources by foreign people, and it was a diplomatic rite involving the landholders' hospitality and a ritual exchange of gifts.

Something very important happened in this area in my electorate back on 28 March 2013. That is when the state of Victoria and the Dja Dja Wurrung people entered into a recognition and settlement agreement

under the Traditional Owner Settlement Act 2010 which formally recognises the Dja Dja Wurrung people as the traditional owners for part of central Victoria. I acknowledge the important groundwork done on this agreement by the former Attorney-General in the Bracks government, the Honourable Rob Hulls.

The agreement area extended from north of the Great Dividing Range near Daylesford and included part or all of the catchments of the Richardson, Avoca, Avon, Loddon and Campaspe rivers. The ceremony to mark the settlement agreement of 28 March 2013 was held in Bendigo on 15 November, following the registration of the Indigenous land use agreement. That ceremony was a very emotional and moving ceremony that clearly reflected the importance of this agreement not just to the Dja Dja Wurrung people but to the broader community right across my electorate.

There is nothing more important than retaining culture and recognising, protecting and celebrating Victorian Aboriginal culture. It is part of our cultural heritage too, whether we like it or not, and it must be a priority not just for this government but for governments in the future. I think that this bill will ensure that Aboriginal Victorians have a much greater say in the protection of their cultural heritage — and it is not heritage that you can put your hands on. It is spoken, it is about the Dreaming and it is about all of the stuff that we know comes through language. I hope that we have at some point an opportunity to fund some research that perhaps looks into how we can restore some of the lost Aboriginal language.

The bill also amends the Aboriginal Heritage Act 2006 to strengthen some key elements of the act, including the role of the Victorian Aboriginal Heritage Council, and puts in place a respectful process for dealing with Aboriginal ancestral remains. This is so very, very important. I think that anyone who knows anything about Aboriginal culture would understand the importance of the ancestral remains and that speaking about and referring to Aboriginal elders who have passed is a deeply respectful moment for most Aboriginal people.

The amendments also empower Victorian Aboriginal traditional owners and communities to determine what is best for their communities, and I think, as I said at the beginning, this is about self-determination. This is also about respect, and it is about acknowledgement. I think all of us here in this place today have spoken very much about how important this bill is and how important just simple acknowledgements like flying the flag from the Victorian Parliament for the first time are. But it is 2015, and it has taken us this long to get to that point.

Then of course today — it is 2016 — having the acknowledgement to country in the Parliament, you think, ‘Why haven’t we been able to do this before?’. It is a measure of the respect of this government towards its longest living culture, and, as the Premier would say, it is just the right thing to do.

I want to commend the bill to the house, and I hope that this is just a starting point for further opportunities for this government to put in place measures that will enable greater self-determination in the future for all Aboriginal people across Victoria, because I cannot think of anything more important. As the member for Macedon related, I think it is extremely disappointing that we currently have a federal government that does not seem to think that Aboriginal reconciliation and the betterment of the social and economic circumstances of Aboriginal people is a priority. I commend the bill to the house.

Mr CRISP (Mildura) — I rise to make a contribution on the Aboriginal Heritage Amendment Bill 2015. The Nationals in coalition are not opposing this bill. I would like to pay tribute to the Latje Latje and their near neighbours, the Barkindji, who are the main Aboriginal groups in my electorate. Although Aboriginal people in Victoria account for around 1 per cent of the population, their number is certainly much higher than that in the electorate of Mildura, particularly in the areas of Mildura and Robinvale. In working with those communities I pay tribute to the services provided by Mallee District Aboriginal Services to those Aboriginal communities, and to the board and staff of that organisation, which has done much to improve the health and wellbeing in particular of Aboriginal people.

The purpose of the bill that is here today is to amend the Aboriginal Heritage Act 2006 to improve the reporting requirements in relation to Aboriginal cultural heritage, to include provisions regarding Aboriginal intangible heritage and to establish an Aboriginal Cultural Heritage Fund. It also provides for the protection of Aboriginal cultural heritage. It empowers traditional owners to be the protectors of Aboriginal cultural heritage for all their people, and I will talk a little more about that in a moment. It strengthens the ongoing right to maintain the distinctive spiritual, material and economic relationship of traditional owners with the land and waters and other resources and the connection they have under traditional laws and customs; and it promotes respect for Aboriginal cultural heritage.

This bill has had a reasonably long gestation. Work was done in 2014 following a review of the Aboriginal

Heritage Act 2006 and a parliamentary inquiry into the effectiveness of registered Aboriginal parties (RAPs). The bill reflects work that was begun under the previous government. There were a number of provisions added when the bill actually came to the house, particularly around intangible heritage and the Aboriginal Cultural Heritage Fund.

The bill deals with such things as the return of Aboriginal ancestral remains and the establishment of the Aboriginal Cultural Heritage Fund, and some work has been done on enforcement, compliance and improvement for the industry. A number of new offences have been created in the bill to place greater enforcement procedures on those who harm Aboriginal heritage and for those who do not comply with Aboriginal cultural heritage management plans. The new preliminary Aboriginal heritage test will be available to allow industry to have a greater certainty as to when an Aboriginal cultural heritage management plan is needed. I think this is an important aspect of the bill, particularly as it gives industry the confidence to know when and what it can and cannot do.

Also public landowners will now be able to enter into land agreements with registered Aboriginal parties rather than having to apply for a permit for low to medium impact land management activities. The departmental secretary will also be provided with the opportunity to establish advisory groups where no RAP currently exists. That is where I would like to look at a number of concerns in a little more detail.

I looked at the second-reading speech. On page 3 the third paragraph under ‘Increasing Aboriginal self-determination’ states:

First, it provides registered Aboriginal parties with the power to evaluate cultural heritage permit applications, removing government from the process and placing this function squarely —

with traditional owners. There are certainly some issues, when we refer to the bill, about just those words. The words are fair enough, but when we look at the bill clause by clause we see a lot of references to the secretary being involved in this process. I presume that that secretary is the departmental secretary responsible for the act. An example of that is clause 42. The second paragraph relating to that clause in the explanatory memorandum states:

A person may apply to the secretary for certification that the secretary agrees with the conclusions reached in a preliminary Aboriginal heritage test.

Throughout the bill — and I will quote loosely from some parts — we have statements such as the secretary

will 'determine the need', 'the secretary to certify', 'the secretary must decide' and so on. Although this function rests squarely with Aboriginal people, it does retain considerable authority for the secretary, whoever he or she may be.

It is also interesting that under clause 42, again, the second last paragraph of the explanatory memorandum states:

This process is optional, therefore no appeal to the Victorian Civil and Administrative Tribunal of the secretary's decision is intended.

Despite this function resting squarely with Aboriginal people, the bill reads very much to me like it rests very squarely with the secretary of the department. Whether the secretary is the government or not is something we could debate here at some length and for some time into the future.

Again, in areas where we have no RAP, this leaves the secretary in the position of having to establish a consultative committee on a particular issue. My experience with this is that it will not be without its difficulty, because the reason we do not have a RAP is that the communities have not decided on where boundaries will be and who should be involved. So the secretary will wade into a long and ongoing dispute that will bring forth a whole lot of issues from the local community that have been aired for some time. This then has the risk of spiralling out of control and making it more difficult and perhaps not achieving what the act has set out to achieve, which is to have harmony and clarity amongst everybody about where people stand on some of these heritage issues. They could well be diverted into partisan positions. We have got that concern. We also have concerns about how the Victorian Aboriginal Heritage Council will be resourced and funded in relation to the additional powers and functions it will have under the bill and how it will work with the secretary of the department. That is something we are going to have to learn as we go. Again, there are some risks in doing that.

There are also some concerns over the fee regulations and structures that will be involved in this, particularly if it gets bogged down in dispute. There are concerns also about the impact such fee applications will have on those people wishing to undertake development, which will no doubt cause issues over what it costs, particularly, as I said, if there are disputes involved.

Added to that is the responsibility that the Victorian Aboriginal Heritage Council has to distribute the funds that do come from the fees and charges that have been raised. Again, if you are working in an environment

where you do not have a RAP or you do not have community unity, then there will be finger-pointing about who is getting what, and we will get bogged down in disputes between various groups. This is something we all want to avoid as much as possible, because it does nothing to progress any project or any advancement of Aboriginal people if we all get bogged down in arguing over resources.

The bill is a step in the right direction, but I have concerns about the risks to it running smoothly, and I think that is going to take a fair bit of work. It is important, and we are not opposing it. We need to do this, and we need to do it well and in a way in which we do not actually make things worse in those Aboriginal communities despite our best intentions, because that has happened in the past. I commend the bill to the house, but I also fully realise that there may well be issues in its implementation.

Mr PEARSON (Essendon) — I am delighted to make a contribution to the debate on the Aboriginal Heritage Amendment Bill 2015. I wanted to focus my comments mainly around clause 12 of the bill, which inserts new section 14 relating to the reporting and transfer of Aboriginal ancestral remains in the custody of public entities and universities.

As has been outlined, this bill will introduce additional offences related to failing to report Aboriginal ancestral remains to the Victorian Aboriginal Heritage Council. This is important because it will encourage these institutions to investigate, report and return any ancestral remains held in their possession. These improvements to the enforcement and compliance tools will result in stronger protection for Victoria's Aboriginal cultural heritage.

This leads me to Samuel George Morton. Mr Morton was an American physician and natural scientist born in 1799. He studied in Edinburgh, which was at that stage at the centre of the Scottish Enlightenment and had a very good medical school. Morton returned to the Americas with a thesis that the difference between humans was one of species rather than variety. He learned this through studying the mummified remains of Egyptian pharaohs, and he argued that the pharaohs were not African but in fact Caucasian. He further argued that the differences in race between Africans and Caucasians were present 3000 years ago and said that, given that Noah's Ark had come to rest on Mount Ararat 4000 years ago, Noah's children could not account for the racial diversity in the world. Morton basically pursued a theory of polygenesis, arguing that God had created a number of different racial creations and that each was given a number of set characteristics.

In order to develop this hypothesis Morton collected a series of skulls from around the world. He was a prolific writer. Where Mr Morton provided a serious disservice to knowledge, to the west, to America and to race relations was in his argument that the intellectual capacity of an individual was determined by the capacity of the skull. Of course, what would a privileged, white male from a slave-owning country determine? Surprise, surprise! Mr Morton determined that whites were at the pinnacle of intelligence and that Africans and Afro-Americans were at the bottom. Many of his theories were published in three volumes between 1839 and 1849, titled *Crania Americana, An Inquiry into the Distinctive Characteristics of the Aboriginal Race of America* and *Crania Aegyptiaca*. In 1850 he also published an essay titled 'Some remarks on the infrequency of mixed offspring between the European and Australian races'.

Mr Morton — not content with his determination to work out who the outliers of human intelligence were, based on racial profiling — decided that he would go further and develop a hierarchy of order. Of course he said that the highest brain capacity belonged to the Europeans, with the English the highest of all — no surprises there. He said the second highest were the Chinese, the third were South-East Asians and Polynesians and the fourth were the American Indians, and the smallest brain capacity, according to Mr Morton, was assigned to African and Australian aborigines.

Morton was a scientist, but he also used his political influence to argue a case for the inferiority of Afro-Americans to bolster the efforts of the US Secretary of State, John Calhoun, to negotiate the annexation of Texas as a slave state. Calhoun was a pro-slavery advocate from South Carolina.

Mercifully Mr Morton died at a relatively young age. When he died the *Charleston Medical Journal and Review* noted:

We of the South should consider him as our benefactor for aiding most materially in giving to the Negro his true position as an inferior race.

Morton used pseudoscience to clothe his deep-seated bigotry and racism. His malignant and destructive views were subsequently used to decimate cultures and civilisations. His victims were the generations of Indigenous people from around the world, as well as the Afro-Americans who were enslaved in poverty and disadvantage for generations, long after the Emancipation Proclamation.

Why is this relevant today? Well, Mr Morton collected some 4000 skulls and they are now known as the Samuel George Morton Cranial Collection, which is held at Penn Museum in the University of Pennsylvania. The University of Pennsylvania is a fine establishment because among its alumni is one Donald Trump. Consulting the museum's homepage, it is clear that a number of these skulls are from the east coast of Australia. You have to ask yourself: in 2016, for what purpose does a museum at a university still have the need to house these skulls? What benefit is derived? Zero. I have contacted the museum, advising them of this bill, indicating the nature and intent of the proposed legislation and asking whether it can confirm if it has any skulls belonging to any Kooris. I sincerely hope that if this is the case, Penn Museum will return them.

I would also like to use this opportunity to call on the Minister for Aboriginal Affairs to inquire into this matter and ensure that any remains of Kooris that are in this collection are brought home. It is 2016. Why on earth a university like the University of Pennsylvania thinks it is right, fit, proper and appropriate to hold these remains is just astounding. It is shameful in this day and age. If people want to take photos or take measurements and put them on some database for future posterity for whatever reason — and I do not quite know why anyone would be particularly interested in measuring the skulls of people long deceased — then they should do so, but they should respectfully return these remains to where they belong. They do not belong there, and it is disgusting that an academic institution would think it is appropriate. It is just appalling.

The reality is that back in the 1800s these body parts were highly sought after. People were digging up graves for payment, and they were paid quite well. The worrying thing is that often there were those who were not satisfied with digging up the remains of those who had died, and they shot people for their bones to add to these collections. By not insisting that these remains be repatriated, we are perpetuating these great crimes, and that should not be allowed to occur.

I think as a society and a community we really must do more to assert our rights as a sovereign nation, and we should be making every effort to approach other nations, such as the United States.

We should be thinking about making an approach to Ambassador John Berry, who is a thoroughly decent man, basically saying, 'Look, we know that Victoria doesn't have any jurisdiction in the state of Pennsylvania. We know that we can't turn around and impose sanctions on the United States of America while

it holds these remains in its possession'. But we should be prepared to ask, request, enforce the fact or seek to remonstrate with the United States of America and other nations that hold the remains of Indigenous people in their collections that it is time to bring them home. They do not belong offshore. They belong here and deserve to be treated with the respect that I think all of us would want to see for our remains when we pass on.

This bill is an important piece of legislation. I acknowledge the contributions that many others have made on both sides of the chamber in relation to righting this wrong. It is an auspicious day with the fact that we have had our first welcome to country as part of the formalised arrangements and the fact that we have got the Aboriginal flag permanently flying over Parliament House. This is an important piece of legislation that has come before the house, and it will right a wrong. But we must also make sure that we encourage all public institutions both here and offshore to comply with the legislation and to return the remains of those Indigenous Australians that they have in their possession. I commend the bill to the house.

Debate adjourned on motion of Mr FOLEY (Minister for Housing, Disability and Ageing).

Debate adjourned until later this day.

EDUCATION AND TRAINING REFORM AMENDMENT (VICTORIAN INSTITUTE OF TEACHING) BILL 2015

Second reading

Debate resumed from 25 November 2015; motion of Mr MERLINO (Minister for Education).

Opposition amendments circulated by Mr WAKELING (Ferntree Gully) under standing orders.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to rise to speak on behalf of the coalition on the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015. From the outset I would like to acknowledge the work that is provided in this state by all teachers, and I commend the work that they do in teaching and educating our young Victorians.

The main purpose of this bill is to amend the Education and Training Reform Act 2006 to allow the Victorian Institute of Teaching (VIT) to suspend the registration of registered teachers if there is an unacceptable risk of harm to children. It will also seek to change the

membership requirements of the council of the institute. With respect to the current arrangements regarding the suspension of teachers registration, and by way of background, the Victorian Institute of Teaching is the regulatory body that was established in 2001 and auspiced under the act to regulate all teachers in Victoria, which covers both government and non-government schools. Its functions include registration, investigation, professional development, ensuring standards of professional practice are met, program accreditation and stakeholder education.

The organisation does important work, and I would like to also place on record my thanks to not only the members of the board but also the staff of the organisation for the work that they do. I know that just recently my office had dealings with the institute assisting an affected teacher whose registration had inadvertently lapsed and who was technically unable to teach for this year. It ably assisted that person to ensure that that was fixed.

Currently though under the act the board only has the capacity to suspend the registration of a Victorian teacher in the event that a teacher has been charged with a sexual offence. Whilst it appears appropriate for somebody charged with a sexual offence to have their registration as a teacher suspended, what it in fact does is place the board in the invidious position of having to deal with those teachers who are under investigation for potentially committing an offence. This matter came to light most recently in a situation regarding a teacher, Marinko Jankovic, at the Berwick Secondary College. I mention this because this is a matter of public record. In that situation the said teacher was charged by Victorian police with 70 counts of child sex-related offences which involved inappropriate filming up female students' skirts, known as upskirting. This Parliament dealt with that offence in a previous session. These events occurred between the years of, allegedly, 2009 and 2013.

As heinous as those allegations are, VIT was in a difficult position because it did not have the power under the legislation to suspend the registration of the said teacher when the allegations came to light. In fact when the allegations came to light, those matters were then investigated as a natural course by the Victorian police. After an extended period of time of investigation, Victoria Police then took it upon itself to charge Mr Jankovic with the offences. However, the VIT did not have the capacity to suspend the registration of that teacher.

Whilst the school concerned obviously has the power to terminate the employment of a teacher, as any

employment relationship will allow an employer to do, the fact that Mr Jankovic was still a registered teacher during the period of the investigation meant there was nothing preventing him from actually being employed as a teacher at another institution in the state of Victoria. Whilst obviously employment practices would hopefully pick these issues up by way of reference checking, if in such instances the reference checks did not occur, then in fact the said teacher would be allowed to continue to be employed within the state, despite the fact that he was under investigation for a criminal offence. The bill provides the institute with the capacity to suspend the registration of a teacher in those instances.

Given the fact that the current act only allows for suspension when a teacher is charged with a sexual offence, that obviously does not apply more broadly to other offences that the community may deem inappropriate for the purposes of the registration of a teacher continuing. For example, if a teacher was either under investigation or potentially being charged with an offence of glassing, that in and of itself would not prevent the person from being registered as a teacher. The purpose of the legislation before the house is about broadening the powers of the board of the institute to suspend the registration of a teacher.

New section 2.6.28(1) indicates that for the board to suspend the registration of a teacher there are two criteria that must be met. Firstly, the board has to form a reasonable belief that the teacher poses an unacceptable risk of harm to children, and secondly, that a suspension is necessary to protect children. As part of the proposals under the legislation, there will be protections built in, which include the teacher being provided with the capacity to make submissions about the continuation of the suspension at any time after being suspended; a requirement that the institution immediately commence an investigation into the substantive allegations and that the investigation be conducted as quickly as practicable, having regard to the nature of the matter being investigated; a requirement that the institute immediately revoke the suspension if it no longer holds the reasonable belief that the teacher poses an unacceptable risk of harm to children and the suspension is necessary to protect children; and the requirement that the institute review the suspension at least once every 30 days.

Whilst there are built-in mechanisms for review of suspension — namely, the board being required to review the decision on a 30-day basis — there will still be some requirement for the government to provide some greater clarity as to how this will apply, with specific reference to how VIT will apply the criteria

that the teacher will pose an unacceptable risk of harm to children and the suspension is necessary to protect children. On the face of it that would seem a reasonable proposition, but again there are obviously questions that will be asked as to what in fact will be defined as posing an unacceptable risk of harm to children. It may purely be of a criminal nature, but it could then be potentially broader than a criminal act being performed by a teacher. Does it in fact fall into the area of the way in which they are delivering classes? In curriculum, does it involve their own thoughts about curriculum et cetera? These are some of the questions that people have asked, and this will ultimately be a definition for the institute to have to apply, but again I think there is an opportunity and a requirement for some clarity to be applied to this definition which VIT is going to be seeking to apply in its assessment.

I was advised during the briefing — and I thank the department for the briefing — that this situation is not going to arise on a regular basis. I think there are probably a handful of cases a year that would potentially fall into this situation, if any at all. But again this is certainly something the government will need to provide some certainty and some clarity around.

The second part of the bill on which I wish to make some comment is with regard to the membership of the council of the institute. Currently under the act the council is responsible for the management of the affairs of the institute. It consists currently of 12 members, 11 of whom are appointed by the Governor in Council, and they are based on recommendations from the Minister for Education. The Secretary of the Department of Education and Training or a nominee of the secretary performs the role of the 12th member. When recommending persons for appointment, the minister is required to consider certain classes of people specified in section 2.6.6B of the principal act, which include registered teachers in government, independent and Catholic schools, registered early childhood teachers, parents of children in schools or early childhood services, employers of teachers, employers of early childhood teachers, and providers of education to registered teachers.

On the act, the bill does two things. Firstly, it increases the total number of council members from 12 to 14. It is purported that this will include both an employee and an employer representative from the early childhood sector, as advised to me by the department. Further, the bill requires the minister to recommend five registered teachers, of whom at least one must be an early childhood teacher nominated by the Australian Education Union (AEU) and two must be registered teachers nominated by the Independent Education

Union of Australia (IEU). The nominees of both unions will be required to have the necessary skills, experience and qualifications to enable the council to exercise its powers and perform its duties and functions in accordance with existing section 2.6.6AA of the principal act. Furthermore, section 2.6.6AB of the act will continue to require the minister to ensure that the council will include persons with knowledge of or experience in management, finance, law and corporate governance.

Of the remaining six government-appointed members, the minister will continue, I am advised, to consider recommending people from the classes set out within the act, to ensure that a cross-section of the education sector is represented on the council, including registered teachers from government, independent and Catholic schools, registered early childhood teachers, employers of teachers and early childhood teachers, higher education providers, and parents.

By way of background, the board of the Victorian Institute of Teaching had 20 members. Back in 2008 the then Labor government and the then Labor minister commissioned FJ and JM King and Associates to undertake a review of the Victorian Institute of Teaching. The King report in its background summary highlighted the fact that the VIT had been established in 2001 by the Bracks government and had been based on a similar body in the health sector. Given the fact that there had been changes at that point in the health sector, which saw that the legislation upon which the original bill relating to the creation of the VIT had already been amended, it seemed appropriate for a review of both the functions of the VIT and its enabling legislation.

The King review was then provided to government in March 2008. The comprehensive review provided a number of recommendations — 38 in total. They covered a vast array of issues in terms of the operation of the VIT and provided to government a road map of potential changes for efficiencies in the operation of the institute. Recommendation 32(i) indicates that consideration should be given to:

Modifying the governance structure of the council and consider options such as: a) establishing a board comprising no more than 12 members ...

That option was considered by the government, and the government accepted that recommendation, which was to reduce the overall size of the board from 20 members back to 12.

The report also went on to provide a series of other recommendations. Recommendation 32(iii) says that

consideration should be given to appointment of individuals to the council being:

... based on the skills and experience required to direct the strategic direction and operations of VIT. That there be no explicit organisational or positional representation requirement for council membership.

That was consistent with a policy approach which saw board members on Victorian government boards being considered on the basis of merit and also, more importantly, on the level of skill and respective experience that they brought to their respective boards to ensure there was a broad range of views and a broad range of significant life experiences that would enable and enhance the operation of the board.

As I indicated, the Brumby government accepted the first recommendation, which was a reduction in the number of board members from 20 to 12, but the then government rejected recommendation 32(iii) regarding the composition of the board. Given the fact that the recommendation of the King report, put in place by the then Labor government, was being rejected, it was then picked up by the coalition government, and the Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Bill 2014 was passed by the previous Parliament. Reading from the second-reading speech, it indicates that:

The King report (March 2008) recommended further that there be no explicit organisational or positional representational requirement for council membership.

It also says:

It is now appropriate to legislate to implement the other recommendation of the King report and provide for council composition that is consistent with modern regulatory practice.

In effect the provisions that were put in place by the previous Parliament were enacting the provisions that were provided to the government back in March 2008 by way of a recommendation to ensure that the governance arrangements of the board met modern regulatory practice. This bill seeks to reverse that change. This bill seeks to reinstate the previous arrangements for the automatic inclusion of representatives of the IEU and the AEU on the board.

It should be indicated that in a practical sense the current board still has members who are directly nominated or approved by the IEU and the AEU because the changes enacted in 2014 by the coalition have not taken effect. The 'new board' has not in fact been constituted under the changes that were brought in in 2014, so we are effectively currently operating on a

pre-2014 board arrangement. This legislation is seeking to enshrine the arrangements that applied prior to the 2014 changes implemented by the coalition, and I have circulated amendments to the house that seek to remove those sections of the bill that relate to this provision.

Members of Parliament have been contacted — certainly I know I have and my colleagues have, and there may well be members on the other side who have — by a number of principals who are concerned about these changes, so there is widespread concern regarding the inclusion of the IEU and the AEU. Teachers have the right to be members of any institution, employee association or union they choose. It is the right of teachers to be a member of a union, and it is the right of teachers to not be a member of a union. That is the strength of our democracy in this state and across the nation.

The view of the coalition is no different to the view that was put forward by FJ and JM King and Associates in their recommendation to the previous Labor government — that is, that modern practices of boards include that they do not have specific organisations represented on them. Modern practice indicates that all people who can provide benefit to a board should be considered to ensure that the best arrangement is put in place to meet the specific needs of the relevant board.

Recommendations go to the minister — and the Minister for Education is in the house — and then obviously the minister has the capacity to decide upon the recommendations put to him or her, as the case may be. They will then put the applicable names to cabinet and then obviously go through the Governor in Council process.

It is interesting to note operations in other states, and I was interested to look at the board arrangements in other states. Under the Victorian model the IEU and the AEU will effectively have 50 per cent representation on the VIT board. When you look at similar agencies around the country, you are looking at figures in New South Wales of under 10 per cent; Queensland, 12 per cent; the ACT, 18 per cent; the Northern Territory, 25 per cent; and Tasmania, 17 per cent. You see that in fact this is going to place Victoria significantly out of kilter with the operations of other states.

As I said, concerns have been indicated by many within the education sector regarding these changes. But I come back to my original position, which is consistent with that purported by King and Associates — that is, that modern practices for the operation of boards do not relate to particular organisations being represented. It obviously then begs the question: on what basis are

some representative organisations selected for inclusion and others excluded? I will be interested to hear the government's response to this, because the question has been raised that other organisations have sought membership of the VIT and have been rejected for inclusion. It is up to the government to determine its reasoning and to explain to those organisations why they have been specifically excluded for consideration when other organisations have been included.

Again, if I could come back to the first part of the bill, I believe the changes are important. The coalition certainly forms a view that whilst there are potential questions that would need to be answered regarding some of the definitional arrangements in terms of the way in which the VIT will have to meet some of those tests, I think it is important to provide the institute with the capacity to suspend the registration of teachers, particularly in situations like the one in Berwick. That is a gap in the system which I think a common-person test would certainly say should be remedied.

I have placed on record our concerns regarding the second aspect of the bill, hence the reason why we have proposed those amendments. I look forward to this bill being considered in detail and for us to have the capacity to discuss the proposed amendments. I may get a different response regarding that, but if we are not provided with the opportunity to consider them here, they may well be considered in detail in the Legislative Council. But having said that, I do wish to place on record that we are not going to be opposing the operation of this bill with respect to the first part of it.

Ms GRALEY (Narre Warren South) — I would like to thank the shadow minister for his contribution and that trip down memory lane about the history of the Victorian Institute of Teaching (VIT). But when I talk history, I always remember good manners also. I think it would have been helpful had those opposite informed the government that they might like to propose some amendments and at least extend the common courtesy, I would call it, of allowing us to see the amendments before they were proposed. But given the form of the opposition and the shadow minister, why did I expect anything more, because we know that opposition members are very fond of being less than helpful and very fond also, if I am talking history, of rewriting their period in government, especially around education. We actually do know that, because they certainly do not want to talk about their record on education.

We have before us this bill, which is a very important bill, and I notice that the shadow minister has left the house. He obviously does not want to hear why this bill is so important and indeed why it is necessary to reject

the amendments he has provided to the house. As we know, this bill has two parts. The bill seeks to ensure that the VIT has sufficient power to protect children by immediately suspending the registration of a teacher against whom serious allegations have been made pending further investigation of the allegations and also to provide certainty for registered teacher and early childhood teacher representation on the council of the VIT. If the shadow minister were in the house, I would report to him that his amendments effectively do not take into consideration the fact that the VIT actually registers early childhood educators. It is very important that early educators are represented on the VIT board. For me, that is a no-brainer. It is representative democracy at work, and I think that the opposition, instead of putting up these what I consider to be ill-thought-out amendments, should take into consideration the value that early childhood teacher representation will make to the VIT.

I know that those opposite are very fond of rewriting history. I have heard all sorts of versions of what happened when they were in power, but you know: stats, rats! What is that saying about percentages? I notice that the shadow minister has been very keen to bring out percentages about union representation in other jurisdictions. We know in fact that union members, teacher representatives and professional educators — let us not get it out of proportion here — on the board are going to be from the Australian Education Union and other unions and are in fact professional educators.

I know that those opposite are not fond of supporting unions, but you really should get behind your teaching profession is my advice. In other jurisdictions this is exactly what happens. They do have teacher union representation on their registration boards. And as I said, going back to the statistics that the shadow minister has presented to the house, they could be a bit dodgy actually. We would be talking about boards in other jurisdictions being bigger than what we have here. In fact if he did his sums correctly, he would know that in New South Wales there are over 23 representatives on the board, and his percentage numbers may be a little out of skew. So back to school to the maths room, I think, for the shadow minister.

This is a very important bill. I was going to say that one of the reasons why it is so important is not just because we are dealing with some very important issues around the VIT — and I know the shadow minister was saying that he has been contacted by principals in his electorate, as indeed I suspect some of us have — but I would like to say, and I am sure my fellow MPs are going to emphasise this when they speak, that these

amendments do not prevent principal representation on the council. So just let us get that clear. In fact that is why you will hear, I am sure, from my fellow MPs endorsements from principals. I know the penny might not have dropped over on the opposite side of the chamber, but actually some principals are members of the Australian Education Union and have been for a very long time — in fact, 2000 of them. I bet that is an accurate figure in this case. I bet that is right on the ball.

These principals are very supportive of the VIT model that we have before us. I know the minister who was in the house has spent time considering who should be on this board. He will continue to talk to principals associations. You might like to wake up those opposite, although there are only three of them in the house, that the minister will have a residual discretion to recommend for appointment a member of the Victorian Association of State Secondary Principals, the Victorian Principals Association and the Australian Principals Federation, if he decides there is a need to do so. I expect that he will continue to get representations on this point on behalf of the principals' groups, and I am sure that he will use his discretion and his wisdom to make sure that their views are taken into account when he gets to make an appointment.

I would like, though, because it is very close to my electorate, to make a point about the Berwick Secondary College matter. I think when we send our kids off to school every day, we expect them to be well educated, but we also expect them to be in a very safe environment, that they are not exposed to any degree of risk or harm and that in fact they are in a secure, supported and encouraging environment, because that is the environment you need to have if you are going to teach and it is the environment that a child needs to learn. When you go back over this case and read about it in the papers, it is truly ghastly, I have got to say.

I heard some reservation from those opposite — although I think they are fully behind us nevertheless — about what degree of indiscretion may be acceptable to deregister a teacher, but I think in all these circumstances it is very important, and I know from speaking to the teachers, especially the principal at Berwick Secondary College, that this was a very stressful time for the school. The fact that they did not know what was going to happen to this teacher once he left the school, that he may in fact turn up somewhere else in some other jurisdiction, was really quite unnerving for them.

I have got to say that all the talk in the community was about where this teacher actually was and what they were up to, so it is the fact that we have taken a very

strong, deliberate, decisive way of dealing with this matter by saying straight out that the VIT will have the power to intervene in this matter. I think the government should be commended for this, rather than getting a little bit wishy-washy about it or saying, 'Maybe, maybe not'. In fact all members of this chamber who know that a safe and secure learning environment is the entitlement of every child who is in a Victorian school irrespective of their jurisdiction should be supporting this bill and not being a little bit pregnant about it.

The time is coming for me to finish. I would just like to say that as Victorian Labor government members we have made it our no. 1 priority to fix and improve the education system of the state. These are administrative matters in many respects, but they are important. They are part of the package that we are putting together to make sure that every child, every teacher, every parent, in every classroom, in every school, gets the best possible education. I know that everyone on this side of the chamber — the Labor Party side of the chamber — is behind the minister in making sure that Victoria becomes the education state.

Mr McCURDY (Ovens Valley) — I rise to make a contribution on the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015. I want to qualify some comments of the previous speaker about the education union in New South Wales. My understanding is that under this scenario 7 of the 14 or 15 members of the council would be nominated by unions compared with only 2 out of 21 in New South Wales. I just wanted to clarify that first.

As members have heard from the shadow minister, we will not be opposing this bill. The key purpose of the bill is to amend the Education and Training Reform Act 2006, which will allow for the Victorian Institute of Teaching to suspend the registration of registered teachers if there is an unacceptable risk of harm to children, and to change the membership requirements of the council in the Victorian Institute of Teaching. This is a significant step and one that I believe is necessary. As I said, the coalition certainly does not oppose this.

Currently under the Education and Training Reform Act the institute of teaching only has the power to suspend the registration of a Victorian teacher if they have been charged with a sexual offence. Therefore teachers who are under investigation for potentially having committed a sexual offence can retain their registration until Victoria Police charges them with a sexual offence. Teachers who are charged with other

criminal offences cannot be suspended, so it does make it very difficult when we want the priority in our schools to be safety first for our students. Safety should be no. 1, and this certainly compromises the ability to have that priority.

This bill seeks to expand the institute's existing powers to suspend the registration of a registered teacher or an early childhood teacher on an interim basis, pending the outcome of the inquiry, if the institute forms a reasonable belief that the teacher poses an unacceptable risk of harm to children. This is just not somebody's opinion that the teacher should be deregistered or suspended. They have to pose an unacceptable risk of harm to children. The other part of that is that the suspension is necessary to protect the children. Those are the criteria, and I think they are fair criteria to be working on.

In saying that, the suspension of a teacher will be imposed on a summary basis. The bill provides for a person whose registration has been suspended to have some protections, and I think it is important to make sure that they are covered from that perspective as well. There are four main points. Firstly, there is the requirement that the institute reviews the continuation of the suspension at least once every 30 days — and again I say that is a very reasonable time frame to ensure that circumstances have not changed in that time. Secondly, there is the requirement that the institute immediately revoke the suspension if it no longer holds a reasonable belief that the teacher poses an unacceptable risk of harm to children and that the suspension is necessary to protect children. Thirdly, there is the requirement that the institute immediately commence investigation into those allegations and that the investigation be conducted as quickly as possible, having regard to the nature of the matter being investigated — so that obviously must be done in a timely manner. Lastly, there is the ability of the person to make submissions about the continuation of the suspension at any time after being suspended.

I would like to cover off on another part of the bill — the membership of the council of the Victorian Institute of Teaching and the changes that are being made by this bill. Currently the council is responsible for the management of the affairs of the institute. It is made up of 12 members, 11 of whom are appointed by the Governor in Council, and that is obviously based on recommendations by the Minister for Education. The Secretary of the Department of Education and Training, or a nominee of the secretary, is the 12th member.

When recommending an appointment the minister is required to consider a variety of people, including

registered teachers in government, independent and Catholic schools, registered early childhood teachers, parents of children in schools or early childhood services, employers of teachers, and early childhood teachers who are registered. You would see that as an ideal mix, but the changes will increase the council membership from 12 to 14, and that includes an employee or employer representative from the early childhood sector. I think that is another significant step in making sure that the representation is quite broad and that there is a better mix, for want of a better word, in that representation.

Of the remaining six government-appointed members the minister will continue to consider recommending appointments from the classes set out in section 2.6.6B of the principal act to ensure that a cross-section of the education sector is well represented. Again I say that it is important that we have this cross-section.

The King review provided 38 recommendations to the Minister for Education, and that included that consideration be given to the appointment of individuals to the council based on the skills and experience required to direct the strategic direction and operations of the Victorian Institute of Teaching and, secondly, that consideration be given to modifying the governance structures of the council. That obviously establishes a board as well in that process.

There has been widespread consultation on this bill. The Victorian Principals Association has been consulted; so too has VIT, obviously, which I spoke about earlier, as well as Independent Schools Victoria, the Victorian Association of State Secondary Principals and many other organisations across the Victorian education sector, including the Victorian Registration and Qualifications Authority. There were some concerns, I might add, raised by some stakeholders. Both the Australian Principals Federation and individuals have raised concerns about the reintroduction of Australian Education Union and Independent Education Union representatives on the board, and many principals have requested that the Australian Principals Federation be included as a representative body on that board.

Certainly people in my electorate of Ovens Valley are primarily in favour of the changes — those whom I have spoken to throughout the region. Recently, or late last year, I have been out in a few of my smaller schools — Whitfield District Primary School, Milawa Primary School and Tungamah Primary School, the smallest primary schools. I always maintain that we have to ensure that those smaller primary schools are not disadvantaged. I for one went to a primary school of

about 17 students and have never felt that it has held me back at any stage. Certainly we want to make sure that these smaller primary schools are given opportunities just like the larger ones, like Cobram Primary School and Wangaratta West Primary School. Of course we have a P–12 school in Yarrawonga and we have Wangaratta High School. Just out of interest, they are beginning works this week using the \$4.6 million that was invested in that school by the previous government, and the school community is quite excited to be making those steps forward.

I note that the Minister for Education is in the chamber today. As we roll out the education state, I will be interested to see whether it is just a slogan or whether it will be matched with dollars. Let us hope that it is not just a slogan. The budget coming up in May will certainly tell the story, there is no doubt about that. It is one thing to have investment in education, but we also want to see that investment represented in regional Victoria and not just focused on metropolitan Melbourne. We will certainly be taking a hands-on approach to make sure that the investment in country and regional schools is just as great as what it is in the metropolitan areas.

As always, I continue to seek better opportunities for our regional schools. This legislation will improve the current system. I do believe it has its strengths on this. As I said earlier, we will not be opposing this legislation. I commend the bill to the house.

Ms EDWARDS (Bendigo West) — It is a pleasure to rise to speak on this Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015. The pleasure is because there is absolutely nothing more important than ensuring the safety and protection of our children while they are engaged in learning at school. We as parents, and I as a parent of four, entrust our children into the care of teachers and school principals for a very long time — from the age of 4 or 5 until they are around 17 or 18, although sometimes they continually stay at school, which can be a problem. We give our children over to an education system that must have quality. It must have equality; it must have trust; it must have safety. These are imperative.

Our teachers and principals across the Victorian education sector are indeed recognised as some of the very best in the world, and there is no doubt — no doubt at all — about our confidence in their abilities to educate our children. Sadly, members of the teaching profession are not often acknowledged for the enormous contribution they make to our children's futures. I want to put on the record the contribution they

make to our children's futures. I want to put on the record my thanks and my congratulations to all of them for the outstanding job they do.

However, there are always people who will take advantage of weaknesses in a system. There are always people who will do the wrong thing, and there are always people who will try to take advantage of vulnerable young people and engage in horrendous acts that are heinous and indeed illegal. This bill closes a gap and means those people will be immediately deregistered from the teaching profession should they engage in such behaviours. It empowers the Victorian Institute of Teaching (VIT) to immediately and temporarily suspend the registration of a teacher or early childhood teacher where the teacher poses an unacceptable risk of harm to children and the suspension is necessary to protect those children.

This change will of course bring the VIT in line with other teacher regulation boards across the country. It also aligns with the views of the commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse and the report of the Victorian parliamentary inquiry into the handling of child abuse by religious and other non-government organisations, known as the *Betrayal of Trust* report. In addition, this bill delivers on the Andrews Labor government's commitment to restore teacher representation to the regulatory body while ensuring the council retains its legislative function.

In the Victorian Institute of Teaching establishing legislation, one of the underlying objectives is that the institute be representative of and its strategic direction be set by a range of education sector stakeholders who are affected by and interested in the institute's functions. These amendments have resulted from extensive consultation with the VIT, the Australian Education Union and indeed the Independent Education Union. The changes to the composition of the council aim to make the council more representative for registered teachers, including principals and early childhood educators. This makes sense and will enable good governance. It ensures that the council reflects a broad cross-section of the education sector and possesses the breadth of appropriate skills and experience to fulfil its legislative functions.

Restoring teacher representation on the council rights a wrong that was done by the former Liberal government when it made amendments to the act which replaced the election of registered teachers to the council with the appointment of members by the government. Our legislation, in contrast, allows the Australian Education Union and the Independent Education Union to

nominate seven representatives between them for appointment to the council. This nomination model is consistent with teacher registration boards, again, across Australia — in most other states.

The changes made to the Victorian Institute of Teaching council by the previous government were opposed by many education stakeholders. However, this government, the Andrews Labor government, has listened, has heard and is getting on with making the necessary changes to ensure teachers are again represented on the very body that governs them. This government has shown time and time again that it respects and values the role of teachers across Victoria, including principals and education leaders. There has never been a government in this state before that has made education its major and no. 1 focus. Making Victoria the education state has meant setting ambitious targets for our students. Nevertheless, it has also been about funding education at a level that addresses student disadvantage and ensures better outcomes for students, gives our kids the best start in life and makes excellence and equity in our schools paramount.

It was interesting to hear the member for Ovens Valley talk about investment in education and about the government putting its money where its mouth is. The fact is that it already has. It has invested more in education than any other government in this state. In my electorate we have committed to the building of a new school at Kalianna, which will give kids with special needs across the region the new school facilities they need and deserve to get the education they deserve. We have also committed to building Castlemaine secondary college, and as we speak stage 2 of this important project is underway. This school is the only secondary college in the region and is the feeder school for many primary schools across the Shire of Mount Alexander. Its importance to the region cannot be underestimated. On top of this, the school is now achieving results that five years ago were inconceivable. It is punching well and truly above its weight in terms of student outcomes, student welfare and curriculum innovation.

It goes without saying that in building the education state the Victorian government has funded Gonski for 2015, 2016 and 2017. It has restored regional support and provided resources to support teachers and principals in their work — \$747 million in extra funds over the next four years, with billions of dollars already flowing into the education system to improve buildings and improve young lives.

One of the most important things about the education state and one of the most important funding

announcements we have made in recent weeks and months has been for the breakfast clubs. In every school I have been to where breakfast clubs are going to be established there is enormous relief in knowing that those kids will be able to come to school and have a decent feed before they get started on their learning for the day.

The other important announcement — I see the minister is still in the house — is of the Camps and Excursions Fund, which has also been a huge relief to many families who previously had no idea how they were going to fund their child to go on an excursion or a camp. It is heartbreaking to see a child who is isolated or stigmatised because they cannot go on an excursion or camp. From the start of 2016 we are investing in education with an extra \$566 million over four years and \$171 million ongoing in programs targeted at kids who need extra help at school. This will, as I said, give them the individual, tailored attention they need.

There is \$21.6 million to support government school teachers to teach the new Victorian curriculum, including mandatory new subjects like digital coding and respectful relationships. Again I think this government is leading the way when it comes to innovation, education and curriculum development with the respectful relationships program. This is something we have never seen before in any of our state schools across Victoria. It will hopefully have enormous benefits for children in the future because they will grow up to be adults who are respectful of different genders, diversity, cultural diversity et cetera.

Also I am very excited that Bendigo will have a new tech school in the very near future. This is another great announcement by our government. The new tech schools across Victoria are a great initiative by the Andrews Labor government. The previous government did not invest in education, and we know that. This year alone there will be not one new school opened because of its lack of investment. Nevertheless, we are getting on with investing in education and in particular are looking forward to the establishment of the new tech school in Bendigo by 2018. I commend the bill to the house.

Mr ANGUS (Forest Hill) — I am pleased to be able to rise to make a brief contribution in relation to the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015. I note at the outset, as other members on this side have noted, that the coalition will not be opposing the bill but has proposed amendments.

The purpose of the bill is a two-part one. As set out in clause 1 of the bill, the main purpose is to amend the Education and Training Reform Act 2006, in two ways: firstly, by providing:

power for the Victorian Institute of Teaching to suspend the registration of a registered teacher if there is an unacceptable risk of harm to children; and —

secondly —

to change the membership requirements of the Council of the Victorian Institute of Teaching.

Before I get into the substance of my contribution I just want to make a couple of general comments in relation to the schools that I have in my electorate of Forest Hill. I am very fortunate, as a number of members are, to have a diverse mix of schools. I have got 21 schools in my electorate: 9 government primary schools, 4 Catholic primary schools, 3 government secondary colleges, 1 Catholic secondary college, and 4 special schools or language schools. I have got the Aurora School, which is a school for deaf and blind primary school students. I have the Blackburn English Language School, the Burwood East Special Developmental School and the Vermont South Special School, so I have got a very diverse mix of schools, and they are all just wonderful places that I enjoy visiting very much.

It has been great, even in the last couple of weeks since the schools have been back, to have the opportunity to go to a number of those schools and present various leadership badges to the relevant school leaders in those environments and to be able to address the students and to speak to the staff and teachers as well. So it has been a good start to the year for schools out in Forest Hill, particularly for those young leaders who are rising up to those positions of responsibility that they and their peers and the teachers have placed them in.

I want to place on the record my best wishes to all the schools in Forest Hill — those 21 schools and their staff and the students, of course. I have been at various assemblies in the last couple of weeks and seen the foundation students sitting there so well as they get used to the whole process involved in attending school assemblies. It has been an absolute pleasure to see that and to see the year 6 students so eagerly taking on the responsibilities of leadership that are before them. It has been fantastic to see, and I look forward to catching up with them many times during the year and to seeing them continue to grow in their leadership skills and their responsibilities throughout their various school communities.

The previous speaker made a number of comments in relation to money provided by the previous coalition government. I also want to make some comments in relation to that, particularly in relation to the schools within my electorate of Forest Hill. I note, without any shadow of a doubt, for the record that the coalition government poured millions of dollars into the schools in Forest Hill. A number of those dollars were in relation to maintenance, because when we came into government there had been 11 years of neglect. I have got the spreadsheet from the department that showed that there had been virtually no maintenance funds spread through my 21 schools in Forest Hill. That was a very serious issue for us, coming in and picking up the pieces, so we put in millions of dollars for maintenance and millions of dollars of capital into the schools in my electorate of Forest Hill. So we have started to eat into that, and I am continuing to advocate very hard. I have raised matters with the Minister for Education in relation to some of my schools, where we had commitments going into the election, to try to see if he will match those. I am waiting very eagerly to see if he can do that because there is still much more work that needs to be done. As I said, after more than a decade of nothing, we had to get in there and do a lot of work. That is a bit of background there.

In relation to the bill, I turn to part 2 which deals with the interim suspension of registration of registered teachers. New division 8A, headed 'Interim suspension of registration', covers a range of the matters that I want to talk about. Currently under the Education and Training Reform Act 2006 the Victorian Institute of Teaching (VIT) only has the power to suspend the registration of a Victorian teacher if they have been actually charged with a sexual offence. Therefore teachers who are under investigation for potentially committing a sexual offence can retain their registration until they have actually been charged by the police for that particular offence. Teachers who are charged with other criminal offences cannot be suspended.

The bill seeks to expand the institute's existing powers to suspend the registration of a registered teacher or early childhood teacher on an interim basis and pending the outcome of an inquiry. There are two conditions regarding that: if the institute forms a reasonable belief that the teacher poses an unacceptable risk of harm to children and that the suspension is necessary to protect children. Those particular aspects of the bill are contained under clause 5, as I said, under the new division 8A, section 2.6.28 at subsections (1)(a) and (1)(b). That deals with those two aspects.

As the suspension will be imposed on a summary basis, the bill will provide a person whose registration has

been suspended with some protections, and again that is quite appropriate because it is going to be a summary matter and they need to be protected in relation to that as well. Some of those areas include the ability of the person to make submissions about the continuation of the suspension at any time after being suspended and the requirement that the institute immediately commence an investigation into the substantive allegations and that the investigation be conducted as quickly as practicable, having regard to the nature of the matter being investigated. That is a very good thing, because such a serious matter needs to be dealt with in an expeditious manner rather than being allowed to languish and being allowed to drag on. It is very important that that gets dealt with forthwith.

The requirement that the institute immediately revoke the suspension if it no longer holds the reasonable belief that the teacher poses an unacceptable risk of harm to children and the suspension is necessary to protect children, is a sensible inclusion as well. Finally, there is a requirement that the institute review the continuation of the suspension at least once every 30 days. Again, it does not leave the teacher in limbo land but enables them to be, on a regular basis, updated as to what the situation is.

Of course all of us who are parents and who have had children in the school system understand the absolute importance of protecting students. Obviously, as members of Parliament, as I have said before, if we go around to our schools, we expect all the teachers we have dealings with and who are employed at any of these schools to be acting in a totally appropriate manner and with the utmost integrity. So there is no place at all for any misbehaviour, certainly along these lines. This enables, under the act, the VIT to deal with these matters in a summary way.

The second major aspect of the bill deals with the membership of the council of the Victorian Institute of Teaching. I note at the outset that several of my principals have contacted me regarding the new board composition as proposed by the government, and they have expressed their significant concerns to me in relation to various aspects of this new composition. I am delighted that I am in a position now to be able to put those concerns on the public record in this place today. I do not often hear from many of my principals about these sorts of matters, but a number of them were highly motivated to contact me and say that they did not feel that the changes being proposed by the government were appropriate under any circumstances.

The essence of those changes is that of the total membership of the board there are going to be five

registered teachers nominated by the Australian Education Union and two registered teachers nominated by the Independent Education Union — that is, seven of the total composition of that board nominated by the union. They had expressed concerns in relation to that aspect and also the additional aspect of the principals themselves not having a suitable representative on that particular board.

Around any board there needs to be a diversity of skills and experience, but I think this particular aspect is providing a very narrow source, if you like, given that numbers of those people are going to be actually chosen by the union representatives there. So there are a number of concerns in relation to that. Time is against me in relation to expanding on that any further. As I said at the outset, opposition members will not be opposing the bill, but we are proposing a range of amendments.

Mr EREN (Minister for Tourism and Major Events) — I too wish to make a contribution on this very important bill before the house. At the outset I would like to congratulate the minister involved, who is doing a tremendous job in making sure that our education system is no. 1. We all know that the most important thing from when you are born until, I suppose, when you depart this place is your health and how well your health travels through that time. But it is also important to make sure that we have a healthy education system, and to that end of course we want to ensure that as a state — and we indicated that leading up to the last election — we would make our wonderful state of Victoria the education state, and we meant it, unlike the previous government.

There was a lot of talk about investment in education, and we knew there was a real lack, a lag; and you could call it a disgrace, in relation to where we were headed particularly in terms of public education. So we saw what happened in the four years of the previous government. There was a real deterioration in the system, and of course when we look at all of the changes that have taken place in the short time that we have been in government, we see that even our local areas — and the education institutions within my area in particular — are very grateful for the investments that are already taking place in our respective electorates.

This bill of course is one of those bills that will make it, as I have indicated, that all children in Victoria that are born in Victoria are entitled to have a safe, an affordable and a good quality education, particularly when it comes to public education. To that end it is very important to have in place mechanisms and

legislation — bills like this that are before the house — that will make our education system the best in the nation. It will do it in a way where it is obviously listening to the concerns of all of the relevant institutions and all of the relevant stakeholders within education.

It is important to make sure that our children are safe, because as a parent — and my wife and I have five children, and I am proud to say that all of our children attended public schools, as I did — it is important to make sure that when you drop off your children at school that you know they are going to be safe, particularly when children are so vulnerable. To that end this bill, the changes to the Education and Training Reform Act 2006, will go a long way to ensuring that our children will be safe when we drop them off at school. Of course nothing is foolproof. There are certain instances where I am sure that from time to time terrible things will happen at schools, but we have got to ensure as a government that schools are as safe as they can be. These changes are designed to ensure that the Victorian Institute of Teaching (VIT) will be able to suspend on an interim basis the registration of a teacher or early childhood teacher or a permission to teach where the VIT has a reasonable belief that the person poses an unacceptable risk of harm to children and the suspension is necessary to protect children.

I want to again point out the nature of the opposition and its response to unions. We are proud on this side of the house to be balanced in our views in relation to making sure that democracy works well in our communities. To that end we will also enable the Australian Education Union, the Victorian branch, and the Independent Education Union Victoria and Tasmania, to nominate persons for appointment to the council at VIT. I notice that the opposition is supporting the bill but is trying to make amendments to stop that democracy from happening. For some reason opposition members hate unions. They like to bully unions at every opportunity. They do not like workers, and we on this side of the house of course like workers and we like organisations that protect the rights of people as well.

In essence, this bill will ensure that VIT will have the power to sufficiently protect our state's children by being able to immediately suspend the registration of a teacher and provide some certainty for registered teacher and early childhood teacher representation on the council of the VIT. Our government, as I have indicated, is proud of the fact that we take the education of our children extremely seriously. Not only do we take it seriously, but we back it up by putting our money where our mouth is, as we have indicated

earlier. We are committed to making Victoria the education state.

Under our government, the Andrews Labor government, we have seen the single biggest injection of education funding in Victorian history, providing almost \$4 billion in additional funds in the 2015–16 budget. Of course my electorate has also benefited from this tremendous injection of funds, where we have seen in the electorate of Lara over \$10.5 million spent on our schools and kindergartens by this government. This money has gone towards the next stage of the Northern Bay education regeneration project.

I have a large area of disadvantage in my electorate. Some 35 000 people that live within the postcode of 3214 are, I think, third in terms of social disadvantage on the index. Of course we want to change that and we have come a long way with the millions of dollars that we have invested thus far in that particular area of a cluster of about six schools. We have changed and reformed that area to have better outcomes for those children that are obviously doing it very tough. I am proud that we do not discriminate as a government on where we invest the money. It is invested where it is needed, and that is why it is so important to make sure that these investments continue. That is why as a government we are keen on making sure that nobody is left behind.

Of course there are also other pressures that come to bear when it comes to other institutions. I know that the previous government had it in for — if I can call it that — our Victorian certificate of applied learning (VCAL) and TAFE education system. When you look at all of the associated problems, for those children that are not academically inclined and will not proceed to university there needs to be an avenue to go down the path of trade. That is why VCAL and TAFE are extremely important for the future of not only our manufacturing base but indeed for many businesses in Victoria.

It is no wonder that the previous government, the now opposition, had only one term — it was so incompetent. It treated our educational institutions with contempt in relation to the funding processes. If you cut back severely through the TAFE system, you will have a revolt, and that is exactly what happened at the last election. It only had one term — a record one term. Members opposite still complain today — I can hear them in the background still saying, ‘They got it wrong’. The people did not get it wrong; the people got it right. The people know that if they want investment into those essential services, like health and like

education, they will vote Labor, and that is exactly what happened.

I want to put on the record some of the comments that have been made by some of the principals and teachers in my electorate. I quote:

I am the most excited I have been about education in years and that is because of the shift in focus which is now on the children’s learning.

The progress since the change of government has been fast and that’s very impressive.

That is coming from the sector; it is not coming from us, and it is not coming from government. It is actually coming from the coalface out there in the community. They are extremely excited at the pace, the level of catch-up that we had to do once we got into government. It was disastrous. That is why we are making record investments into education. That is why we need to make the changes that we are making in relation to making children safer at our wonderful institutions.

I will take this opportunity to thank all of those wonderful teachers in our education system that make a tremendous contribution to the life that we have today, those teachers who teach our children. Eventually of course those children become decent, law-abiding citizens within our community and contribute to our economy tremendously. I thank all of the people that are involved with our educational institutions.

Our side has eloquently covered off on some of those amendments that the other side want to make, and of course there will be more contributions made, sensible contributions made, from this side of the house on this bill. I wish this bill a speedy passage.

Ms RYALL (Ringwood) — I rise to speak on the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015. I have listened to some of the contributions of those opposite, and it is interesting when you look at things in isolation and you see that in 2011 and 2012 there was a \$6 billion writedown in GST receipts that significantly affected the revenues in this state. I certainly know in my community about the neglect of schools that had happened 11 years prior to that, but interestingly, when you look at things in isolation, you do not look at revenue writedowns — you just suggest that the money was always there. That is the problem with this mob opposite — money does not have the significant meaning that it has to others in our community. There was a \$6 billion writedown. I ask those opposite to calculate that as a percentage of the revenue in this state.

We were held up in the Brumby years by the revenues in the rivers of gold sent down the way by Rudd and Gillard that actually kept this state in the black, and if you look at the national economy now, which is still reeling from those days and the expenditure, you start to see a pattern here. You start to see a pattern — Labor cannot manage money. The purpose of this bill is twofold.

Ms Ward — You cannot manage the state!

Ms RYALL — There was an interesting interjection from the member for Eltham. I challenge her to look at the \$6 billion revenue writedown and then start to wonder how she might manage the state.

This bill is about amending the Education and Training Reform Act 2006, and that will give the Victorian Institute of Teaching (VIT) the ability to suspend a teacher's registration if it is considered that unacceptable risk or harm is posed to a child or children. The bill also alters the requirements of membership of the council of VIT.

In relation to the suspension of a teacher's registration, I look at this and I think it is good where we as legislators can see that there are gaps in legislation. Closing those gaps can actually benefit our community and most certainly our vulnerable children, and it can make sure that any risk to them is identified and either eradicated or minimised to the greatest extent possible. That is obviously important, and that is what the first part of this bill does.

Currently under the act VIT can only suspend the registration of a teacher in Victoria if they have been charged with a sexual offence. Certainly there is a gap there, particularly when a teacher may be the subject of an investigation concerning a potential or a possible sexual offence. Under the current law the teacher can maintain their registration until such time as they face charges from the police. In addition, teachers who are charged with other criminal offences can still maintain their registration. So what this bill seeks to do is enable VIT to suspend the registration of a teacher or early childhood teacher while an investigation is actually being undertaken. That means that their right to teach or their ability to teach is removed until such time as the investigation is complete and the outcome known.

There is an expansion of powers there for VIT in relation to being able to do that where a teacher does pose an unacceptable risk of harm to children and the suspension is necessary to protect children. That becomes the basis of the expansion of VIT's powers.

The bill gives some additional powers to VIT to make sure that children are better protected. There are some protections that also exist for a teacher whose registration has been suspended, and these include that the teacher can have the opportunity to make submissions with regard to the continuation of their suspension at any time. VIT needs to make sure that it commences investigation immediately after a complaint or allegation has been made, and that it actually does this in a prompt manner. There is no wasting of time in there. It is immediately instigated, and it is promptly dealt with in terms of that investigation. If the institute does believe that a teacher does not pose a risk, an unacceptable risk of harm to children, the revocation is immediately rectified, if I can say it in that way. If there is no reason to believe that there is any substance to the teacher being an unacceptable risk, their registration is restored promptly. The institute must also review matters on a regular basis, so once every 30 days it must review the continuation of the suspension.

The second part of the bill relates to governance of the Victorian Institute of Teaching. The King report was undertaken many years ago, and it was provided to the then Labor government. It talked about appropriate governance arrangements to bring the governance of the institute into the modern era, into modern practice and into modern oversight and governance. The concern I have with this bill is that it reverses those governance improvements. Years ago it was about bringing governance into the modern age. Now we are debating a bill that is talking about actually reversing the modernisation of the governance structures of the institute back not just a couple of years but many years, and that is a great concern in relation to the governance of the institute.

What we do need to know and know very well — and there have certainly been some very significant governance failures that have been in the media in recent times — is how important governance is. I am on a board, and I know and understand the obligations of a board member and certainly the governance requirements of being in a situation where you need to have the right mix of people in governance roles and also the accountability and responsibility for appropriate oversight. Obviously with an organisation like the Victorian Institute of Teaching you would want to make sure that the governance is independent.

One of the findings of the FJ and JM King and Associates report was that organisations not be represented on the board. When you start to see organisations, particularly one type of organisation, being introduced under the legislation to return us to the old days of governance with the absence of other

organisations being introduced as well, it starts to raise the question of why. It is not unusual to raise that question. Why would you allow some organisations to be appointed under legislation while others are not appointed under legislation? Why is it not permissible for some organisations to join when they have perhaps been denied in the past?

Governance is not a plaything. It is about independence, it is about experience and it is about qualifications. From the chatter of those opposite, you would start to think that there was actually governance experience amongst them, but we have not seen a lot of that in the newspapers for a long time.

The member for Narre Warren South — or should it be the member for Mount Martha! — rightly talked about there being no problems with teachers. You cannot have organisations on the board. But let me say to the others, I have been a worker. Many of us on this side have been workers. There is no problem with being a worker. I come from working-class family roots.

Ms Ward — Congratulations.

Ms RYALL — Absolutely congratulations. All of my family have been workers and have worked very, very hard. There is no problem with anybody being a worker and working hard to get ahead in life. The problem is the governance failures that we need to make sure do not happen in this state.

Ms THOMAS (Macedon) — It is a dubious pleasure sometimes to rise here in the house to speak in response to the absolute drivel we have just heard, to listen to Liberal Party members purport to represent or understand the interests of working people when the amendments that they have introduced into this house seek to deny the interests of those that work in the teaching profession and have their views represented in the body that registers them.

I make the point that I am glad we are all in agreement about the first part of this bill that gives the Victorian Institute of Teaching sufficient power to protect children by immediately suspending the registration of a teacher against whom serious allegations have been made, pending further investigation of the allegations. This is an excellent and necessary step, and many speakers before me have canvassed why this is necessary. I am glad to see that common sense is prevailing on the other side of the house in the interests of children in this state.

I did want to spend some time talking about teacher representation on the Victorian Institute of Teaching. It is of no surprise to anyone on this side of the house that

this bill is being introduced, because we are a party and a government that makes commitments and delivers on those commitments. We made a commitment that we would restore teacher representation to the Victorian Institute of Teaching, and we are delivering on that commitment. Those on the other side are seeking to introduce amendments to this bill which are utterly opposed by this side of the house for the reasons that I have outlined. We made a commitment and we will deliver on that commitment, but those opposite are seeking to exclude early childhood educators from having any participation in the institute. Obviously we are opposing the amendment.

I want to talk in some detail about why I am vigorously in support of this bill. I have had the great pleasure in my career to work as a secondary school teacher in the government system.

Ms Ward — A worker?

Ms THOMAS — Yes, I have been a worker, and I have also had the great pleasure of being an advocate for teachers and school assistants in the independent sector. I want to talk a little bit about both of those roles. Both the Australian Education Union (AEU) and the Independent Education Union Victoria are, without a doubt, very effective representative bodies for their members. They are both highly professional organisations. They take the industrial interests of their members very seriously and they take the professional interests of their members very seriously.

Mr Burgess — Acting Speaker, I draw your attention to the state of the house.

Quorum formed.

Ms THOMAS — As I was saying before the member for Hastings awoke from his slumber over there, I have had experience with both the AEU and the Independent Education Union Victoria and they are both very fine professional bodies that represent very well the interests of teachers, school assistants and indeed early childhood educators. I am delighted —

Mr Burgess — On a point of order, Acting Speaker, I ask that the member withdraw that remark.

Ms THOMAS — Withdrawn.

I will resume again. Reflecting on my time as both a member of the AEU and an employee of the Independent Education Union Victoria, I make the point that both of these organisations, as I said, have worked hard and continue to work hard to represent both the industrial and the professional interests of the

teaching profession. With their representatives in the Victorian Institute of Teaching, they will make a great contribution to the VIT, which of course was itself a reform introduced by the former Bracks Labor government.

I have heard from others about the various visits they have made to their schools, how their principals have rung them, how they talked to them and so on. I have 43 schools in my electorate, and it has been my pleasure to visit almost every single one of them — not quite there yet, but I have certainly spoken to every single one of them. I tell you that when I head around to my schools and talk to principals and teachers I get a fantastic reception. When I have the great pleasure of taking the Minister for Education with me, as I have had the opportunity to do on many occasions, we are very warmly greeted because people in our community — the teachers, the parents, the school principals — know that there is only one side of politics that you can trust when it comes to delivering on education in this state, and that side is the Labor Party.

What we saw under the previous four years of chaos from the other side was a performance by someone who will go down in history as the worst education minister we have seen. We saw nothing — well, cuts or nothing — happen. As I have said on many occasions, one of the things that I talked about in the lead-up to the election was the Auditor-General's report into outcomes for students in regional schools in Victoria, and the Auditor-General was extremely concerned that under the previous government what we saw was a widening gap in the outcomes for children in country schools when compared to city schools. What the Auditor-General pointed to at that time was his grave concern that the then minister had no idea and no inclination to do anything about this widening achievement gap. So this is a really important bill.

I spent, as I said, five years working as an organiser for the Independent Education Union, and I had a fantastic time working there. It is a great organisation. It was during the Kennett years, so I can assure members that we were kept extremely busy. We were extremely busy because members will recall that under that Liberal jurisdiction the state awards were abolished and we had to work pretty quickly to protect the conditions of our members by registering agreements in the federal jurisdiction, so it was a really busy time. We also managed during the time that I worked there to do a series of fantastic campaigns including stop-works and rallies to achieve wage parity for teachers in Catholic schools compared with their compatriots in the government school sector. This was a fantastic achievement for teachers in Catholic schools.

I believe teachers are very well represented in this state by two very fine unions. We as a government will no doubt have times when we are not going to agree on everything with the unions, but we certainly respect their right to organise and represent their members. I commend the bill to the house.

Mr PAYNTER (Bass) — Thank you, Acting Speaker Pearson, for the opportunity to speak. Unfortunately someone was in my position at the time, which made it difficult. He is welcome on our side at any time. I think it is probably more appropriate that he does sit over here, and he is very welcome.

Thank you for the opportunity to speak on the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, Acting Speaker. I state from the outset that the coalition is not opposing this bill because the main purpose of the bill is to amend the Education and Training Reform Act 2006 to allow the Victorian Institute of Teaching (VIT) to, firstly, suspend the registration of a registered teacher if there is an unacceptable risk of harm to children and, secondly, change the membership requirements of the council of the VIT.

The bill seeks to expand the institute's existing powers to suspend the registration of a registered teacher or an early childhood teacher on an interim basis and pending the outcome of an inquiry if the institute forms a reasonable belief — and this is important — that the teacher poses an unacceptable risk of harm to children and the suspension is necessary to protect children. Surely there is no more important function of the VIT than to protect our children and ensure that they are not only getting the best quality education possible but doing so in a safe and supportive environment.

As a father and a current school council president, I applaud the changes to and the increase in powers of the VIT to suspend a teacher where it has reasonable evidence to suggest that a teacher poses an unacceptable risk to our children. In fact I would be appalled as a school council president if I knew of such a case in our school but was powerless to do something about it.

As parents, we place enormous trust in our education system, including our teachers. In some cases a teacher can be the main or even the most pivotal influence on a child's life. Many can spend more time with a child than the parents, sadly. Any measure therefore that increases the VIT's power to deal with a teacher breaching this trust should be supported.

Importantly, as the suspension can be imposed on a summary basis, I am pleased to see that the bill provides a person whose registration has been suspended with some protections, including the ability of the person to make submissions about the continuation of the suspension at any time after being suspended, the requirement that the institute immediately commence an investigation into the substantive allegations, the requirement that the institute immediately revoke the suspension if it no longer holds the reasonable belief that the teacher poses an unacceptable risk, and finally the requirement that the institute review the suspension every 30 days. All of these additions I support, and I think they are reasonable and fair points for both the teacher and also the school and the school community.

Of course it goes without saying that as members of Parliament it is our duty and responsibility to provide the best quality education system possible, and I am proud to say that the electorate of Bass is leading the way with our schools, including those in Pakenham, Koo Wee Rup and Wonthaggi. I wish those schools all the very best for the 2016 school year. I am pleased to say that the coalition is not opposing the bill, and I would be proud to see it go through.

Ms HALFPENNY (Thomastown) — I also have great pleasure in standing here today to speak on the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, and of course I am in total support of this amendment.

I was a member of the inquiry that produced *Betrayal of Trust*, which was a report on the handling of child abuse by religious and non-government organisations. As a Labor Party member of Parliament and a member of the government today, I am very proud to stand here to speak on this bill because I believe that these amendments continue to form part of the government response to that report and the Andrews Labor government's absolute and total commitment to ensuring that our children are given the greatest protection in this state.

The inquiry was set up by the Baillieu coalition government. It was run by government members, and the report and the recommendations that came out of that report were of course under the Baillieu government. But it is the Andrews Labor government that is doing the real work, the difficult work, the compassionate work, in making sure that children in this state are protected and that the recommendations that came out of the report are delivered in full, to make sure this state is safer for our children.

I want to go through some of the recommendations of the report and just go a little through how this amendment fits into them. For example, the previous coalition government dealt with reform of the criminal law. These are the changes and reforms that happen after the fact — after the crime and terrible things have been committed. These are the easier parts, I believe, to introduce into legislation and to implement. It has been the much harder, more difficult areas that the Labor government that we have now has dealt with. We are really doing the work to make sure that children are better off into the future and to hopefully avoid the terrible crimes and terrible injustices of the past.

If you look at things such as improving access to avenues of civil justice, it has been the Labor government that has acted on those things, such as removing the statute of limitations. In terms of alternative forms of justice, it has been the Labor government that has put out a consultation paper to ask those people that have been affected by these terrible crimes what is the redress and the way forward to ensure that they get justice for the terrible crimes that have been committed against them and their families.

Similarly, in terms of improving organisations' response to allegations of child abuse and improving the prevention of criminal child abuse, again it is the Labor government that we have now that is the one that is looking at reform around education legislation, child protection legislation and the funding models whereby non-government organisations get money from the government, but making sure that they are more accountable than they have been in the past. These are the great reforms that the Labor government of today has made. This legislation making changes to the Victorian Institute of Teaching (VIT) forms part of the ongoing commitment to protecting Victoria's children, one that continues and of course will never cease.

The Victorian Institute of Teaching, as we know, is the body that registers teachers, and of course you cannot practise as a teacher unless you are registered with the VIT. We in the inquiry that produced the *Betrayal of Trust* report heard a lot from the Victorian Institute of Teaching and the way that it operated. This of course is a good step in terms of looking at the operation of the VIT and making sure that with anything that comes to our attention, such as what happened in terms of the Berwick school, we respond and change the law to make sure those problems and those threats are eliminated.

In terms of protecting children, as previous speakers have all said, this bill is about maximising protection of children to ensure that for a teacher who may not yet

have been charged but is under investigation for crimes against children there is an ability to suspend their registration to ensure that they, one, are unable to continue to be a threat to children in a school that they are working at; and two, of course — which was a big thing that we found — making sure that other organisations, other bodies and other schools are also aware of what is going on and the status of a particular person or whether they have a history of abuse or other things. This was really an area where there was a great falling down in the information that was being provided in various jurisdictions and across areas, whether they were in Victoria itself, within the country or in fact on an international level. This is of course a great step in the direction of making sure that, one, there is the ability to suspend teachers that are under investigation; and two, ensuring that as part of that suspension that information then flows out to all other schools or other parts of society to ensure that everyone knows what is going on.

The other part of this bill, as has been said previously, is a commitment from Labor when in opposition that it would overturn the terrible changes that the former coalition government made to make organisations and institutions less democratic by taking away worker representation from various boards and organisations. On the Victorian Institute of Teaching, of course, it was the coalition's view to get rid of representation from organisations such as the Australian Education Union and the Independent Teachers Union, which makes you wonder in terms of any principles of democracy or who should represent whom.

When you look at the number of teachers in Victoria, you see that something like 50 000 teachers in Victoria are members of the Australian Education Union and, as I understand it, around 20 000 teachers are members of the Victorian Independent Education Union. I think on that basis they ought to have a very big say and strong representation when it comes to things such as their own professional organisation. This is about registering the work and recognising the skills they have and ensuring that the best possible standards are maintained as well as, of course, ensuring that any practical implementation of issues is done in a proper way that makes sense and does not make it more difficult for the practitioners but makes it better for them and provides better outcomes for the profession as well as for students and for educational standards in Victoria.

In covering those two areas it seems incredible that the opposition wants to oppose the proper representation of occupations such as teachers and early childhood workers and that they should be opposing this bill and somehow thinking that this is a bad thing rather than a

better thing, because obviously it is going to improve standards. It is good for professionalism, and it is good for education and the children in our state.

Mr CRISP (Mildura) — I rise to make a contribution on the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015. The Nationals in coalition are not opposing this bill. The purpose of the bill is to amend the Education and Training Reform Act 2006 to allow the Victorian Institute of Teaching to suspend the registration of a registered teacher if there is an unacceptable risk of harm to children and to change the membership requirements for the Victorian Institute of Teaching (VIT) council.

There are two parts to the bill, and I will deal with the suspension of a teacher's registration first. Currently under the Education and Training Reform Act the VIT only has the power to suspend the registration of a Victorian teacher if they have been charged with a sexual offence. Therefore teachers who are under investigation for potentially committing a sexual offence can retain their registration until Victoria Police charges them with the offence. Further, teachers who are charged with other criminal offences cannot be suspended.

The bill expands the institute's existing powers to suspend the registration of a registered teacher or an early childhood teacher on an interim basis and pending the outcome of an inquiry if the institute has a reasonable belief that the teacher poses an unacceptable risk of harming children and the suspension is necessary to protect children. We are dealing with very, very important issues here. As the suspension will be imposed on a summary basis, the bill will provide a person whose registration has been suspended with some protections, including: the ability of a person to make a submission about the continuation of the suspension at any time after being suspended; the requirement that the institute immediately commence an investigation into the substantive allegation and that the investigation be conducted as quickly as practicable; the requirement that the institute immediately revoke the suspension if it no longer holds the reasonable belief that a teacher poses an unacceptable risk of harm to children and suspension is necessary to protect children; and of course it must review it every 30 days. We just do not want these things dragging on, because this is fairly substantial.

Membership of the council of the Victorian Institute of Teaching is quite a bit more controversial. The council manages the affairs of the institute. Currently the council has 12 members, 11 of whom are appointed by

the Governor in Council based on recommendations from the Minister for Education. The Secretary of the Department of Education and Training or a nominee of the secretary is the 12th member. When recommending people for appointment the minister is required to consider certain classes of people, which are laid out in the principal act, including registered teachers in government, independent and Catholic schools, registered early childhood teachers, parents of children in schools or early childhood services, employers of teachers and early childhood teachers, and providers of education to registered teachers. That is currently the way the board is put together.

The bill increases the size of the board from 12 to 14 members. The increase is intended to include an employee and an employer representative. Further, the bill requires the minister to recommend five registered teachers, of whom one must be an early childhood teacher nominated by the Australian Education Union (AEU) and two must be registered teachers nominated by the Independent Education Union (IEU). This is where we come to the crux of the amendments proposed by the shadow minister, which are amendments I support. This legislation delegates the responsibility for merit assessment to a party other than the normal minister's powers of making appointments with the Governor in Council. It is not normal for the Governor in Council to delegate that responsibility. That is why the amendments seek to change that to allow the minister to remain the responsible person.

That also leads to some of the other issues around studies that were done about the VIT in 2008 by what is known as the King review. It made quite a number of recommendations, including that consideration be given to modifying the governance structures of the council and considering options such as establishing a board of no more than 12 members. The bill undoes some of the recommendations of the King review, which also stated that consideration be given to the appointment of individuals to the council being based on the skills and experience required to direct the strategic direction of the VIT and recommended that there be explicit organisational positional requirements for membership of the council. That was recommendation 32. The Brumby government accepted those, and over time the VIT has worked effectively within the structure.

There have been some concerns, and the Australian Principals Federation has been in touch with me and, I am sure, with others. It has raised concerns about the reintroduction of AEU and IEU representatives on the board. Many principals have requested that the Australian Principals Federation be included as a representative body on the board. I think this is a

reasonable request from the principals federation — that is, that if it is one in, it should be all in. However, I note that that is not in the bill.

Certainly no concerns have been expressed to me regarding the changes to the suspension of teacher registrations. The lack of a principal's voice and experience on the council is something that I think the minister should heed, because if you are going to have a balanced approach, you do need to have all at the table — particularly, as I said, with the experience of the teachers.

This is a bill in two parts. On one part I think there is no discussion; it is widely supported and accepted. The other is to meddle with something that the King review was very clear about in its 38 recommendations about what should be done, and those changes leave us with some concerns. With that, I will conclude my contribution on the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill.

Mr EDBROOKE (Frankston) — I am humbled to rise to speak on the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015. I am very proud to stand here as part of a government that has introduced the education state and that has the largest budget for education that Victoria has ever seen. It is a bit frustrating to have people on the other side of the house spruiking their achievements in education. I was a teacher and I come from a family of teachers, and I think it is no accident that most teachers in schools are Labor voters. There is a reason behind that, but I will leave that for another day. I am also on the school council at McClelland secondary college. They are a great bunch of people. I think they are right behind this amendment.

Of course the introduction of the Victorian Institute of Teaching (VIT) was a Bracks government reform, and it was designed to bring professionalism to the teaching sector. At the time I think there was a bit of consternation from teachers who thought that it was just another bill to pay, but since then we have seen bills like this coming into the house. I think it is very clear that they have got a job to do and they are actually doing it.

This bill amends part 2.6 of the Education and Training Reform Act 2006 and establishes a legislative framework for Victoria's teacher and early childhood teacher regulator, which is the VIT. There has been a lot of consultation with the sector — with the teacher and early childhood teacher unions, principals organisations, non-government schools, early childhood

services organisations and also parents. I think every parent would be behind the changes in this amendment.

I will just flick to an article in the *Age* of 20 March last year, which was written by Henrietta Cook. It talks about a Melbourne school which was the centre of an upskirting scandal. Members in the house might be very familiar with this, but there was a teacher who was brought up on 70 counts of child sexual-related offences in January. He was 61 years old and was apparently, or allegedly, filmed upskirting. If there is anything we can do to prevent this kind of behaviour in schools, we need to do it. That being said, I think the majority of people that work in schools — 99.99 per cent — do the right thing. I would like to acknowledge the hard work they do. People think teachers have two weeks holiday when the kids are off, but I can tell you from personal experience that it is not quite like that. At university you are taught that there are ways to appropriately handle children — not to pick up preps even though they are cute and they do silly things and also not to close doors behind you when you are with students so there can be no accusations made against you. I think teachers fairly well look after themselves, and so do principals, but we really have to have some kind of increased security. Parents need to have faith in the people who are taking care of their kids.

This bill really builds on something that happened in early 2000, which was to close the gap on teachers only having statewide police checks. There was an example down in the Latrobe Valley where I grew up, where a teacher was actually up on charges in New South Wales for inappropriate behaviour with children. He was babysitting there but teaching in a Victorian school. What happened there was that the government decided to make the CrimTrac register a nationwide register, and essentially we are just building on that here.

The primary purpose of this bill is to empower the institute to actually suspend the registration of a teacher or an early childhood teacher on an interim basis and pending an investigation where the VIT holds a reasonable belief that the teacher poses an unacceptable risk of harming children and a suspension is necessary to protect children. I think everyone in the house can agree that we need to step very, very carefully here, and if there is any doubt that there is a risk to children, we actually need to protect them. Teachers do not mind the fact that they are suspended until they are proven innocent.

The new suspension power seeks to close a gap in the institute's existing powers aimed at ensuring Victorian schools and early childhood services are safe and protective environments, which we all expect them to

be. Currently the institute may only suspend the registration of a teacher or early childhood teacher if they have been charged with a sexual offence or after the institute has conducted an investigation and hearing into the teacher's conduct or fitness to teach. This is just common sense — this is a common-sense change. We need to change that, and this amendment does that. We need to take these people out of the classroom if there is any doubt as to their behaviour with children. Whether it be early childhood, primary school or secondary school, it needs to be done. Another part of this bill creates a register of disciplinary action, which teachers can be listed on, and taken off, at the VIT's discretion.

I would like to finish by talking about the last part of this amending bill, which is a change to how the board is selected for the VIT. There are about 120 000 teachers in Victoria, and about 70 000 of them are union members, so it is only fair that those teachers be represented on a board that makes changes to their profession. We trust these teachers with our kids and we trust them to make changes. If we use them correctly on boards, they can make the system better. They can make it more efficient, and they can redress obvious issues. They know what is right. They work in the industry. They are very valuable. With the amount of consultation that has gone into this bill — it has received broad support from the sector and the institute supports the proposed new suspension power — I have got confidence that this will work well in the sector, and I commend the bill to the house.

Mr WATT (Burwood) — I rise to speak on the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015. Noting the member for Frankston's contribution, he stated that the primary purpose of the bill is actually to deal with teachers who are accused or teachers that pose an unacceptable risk to children in the opinion of the Victorian Institute of Teaching (VIT). I do not think there is much dispute about that. I do not think that anybody in this chamber would argue for a person who is an unacceptable risk to children. I do not think that anybody in here would dispute that that should be dealt with, and I look at this and I say, 'Yep, not a problem. Let's deal with that'. What my issue is, and it is a classic tool of government, is that you take an indisputable fact and take an indisputable concept and then you bundle it up in a bill with another more contentious concept, one that the opposition may not necessarily agree with, in the hope that you can wedge the opposition to support the whole thing, otherwise you will just bash them over the head.

While I do not disagree with the ability to suspend teachers if they do pose an unacceptable risk, and knowing that currently they have to be charged with an

offence, certainly we do not want to wait until they are necessarily charged. If there is clear evidence that they pose an unacceptable risk, they should be able to be suspended, so we agree with that. But where we probably do diverge a little bit — which is why we have an amendment to the bill that effectively removes all of part 3 around the membership of the council of the Victorian Institute of Teaching — is where I would like to spend a little bit of my time.

The background to this is that the VIT's board, size and membership was examined by FJ and JM King and Associates as part of the broader review of the Victorian Institute of Teaching by the Minister for Education in 2008. The then Brumby Labor government actually had this review. The King review provided 38 recommendations to the Minister for Education, which included that consideration be given to modifying the governance structures of the council; that there be consideration of options such as establishing no more than 12 board members, which was recommendation 32(i); that consideration be given to the appointment of individuals to the council being based on skills and experience required to direct the strategic direction of the VIT; and that there be no explicit organisational or positional representation requirement for council membership, which was recommendation 32(iii).

The government at the time, the Brumby government, accepted recommendation 32(i) and reduced the board membership from 20 to 12 by legislative amendment in 2010. The government at the time rejected recommendation 32(iii). Accordingly, when we were in government, we actually took up that recommendation in the Education and Training Reform Amendment (Registration of Early Childhood Teachers and Victorian Institute of Teaching) Act 2014. The reason I point that out is that I would have thought that what you should be putting on any board is the right mix of skills to allow the board to do its job. The King recommendations clearly saw that as a direction that we should be taking — the right mix of skills — and that mix of skills may or may not include teachers, but to actually legislate that you have to have a union representative on the board does not fit well with having the right mix of skills to be able to do the job, and that is why the member for Ferntree Gully has proposed amendments, and I will be supporting the amendments.

Other than this particular part, part 3, I certainly endorse the bill. I am a little disappointed that the government has tried to bundle it up to try to wedge the opposition. As I said, I certainly do not believe in allowing people to pose a risk to children. I have kids of

my own at school. Most of us have kids and all of us as members of Parliament want to protect them, but we also want to make sure that we have the best governance structures around the Victorian Institute of Teaching, and that is why we are taking the position that we are.

Mr PEARSON (Essendon) — I want to make just a very few brief comments in relation to the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015. This is an important piece of legislation. It is about improving quality in our education sector. Education in reality is one of the three great economic drivers for this state. It is a quality game. It is about education, it is about health and it is about food and fibre. It is also about making sure that our children have the very best start in their early years in an educational facility, and so this bill is important because it is about making sure that early childhood educators are brought into that frame.

It is particularly important because we need to make sure that if a child is in a dysfunctional home environment, they have a quality early years environment. I think I can safely say that this will be the one and only time that I will ever quote the Bible in this chamber but Matthew 25:29 states:

For to all those who have, more will be given, and they will have an abundance; but from those who have nothing, even what they have will be taken away.

This is the Matthew effect. It is about what happens where a child has got very good foundation skills compared to those who are bereft of those skills, for whatever reason. The reality is, all the evidence shows, that if you can put a child, even from a dysfunctional home environment, into a safe, quality, early learning environment, it maximises their chances of having a high quality of life. Again, this bill is about quality and it is about ensuring the quality of the education profession. It is about making sure that we have a very strong sector for our economy. I commend the bill to the house.

Ms WARD (Eltham) — I rise also happily, as have my colleagues, to speak on the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015. It is worth noting when we discuss this bill that it contains the following rights under the Charter of Human Rights and Responsibilities Act 2006, which is that:

... every child has the right ... to such protection as is in his or her best interests and is needed ... by reasons of being a child ...

I think this is particularly important to note when we look at our responsibilities as a government and the need to protect and look after children. We do need to do it in our schools, and in fact we need to do it across our state. This is why it was such a great thing that our Premier wrote his letter to the Prime Minister supporting keeping refugee children in Australia and not sending them to Nauru. I hope the coalition MPs who spoke in support of this bill and the need to protect children also support keeping children in Australia rather than sending them to Nauru, where we know there is no guarantee that they will be kept safe. Again, I draw to the attention of the house section 17(2) of the Charter of Human Rights and Responsibilities regarding children having the right to be protected.

I also want to note the importance of unions and teacher and principal representation on the board. I find it amazing that yet again we have got the opposition going down the track of the terrible nature of unionists and the people who support unions. Having lived with a teacher for a very long time, I can tell you he is not evil but he is a member of a union, and he does take his role as a teacher incredibly seriously. This is also supported by many in my schools, including the principal of Eltham High School — a fantastic high school with its principal, Vincent Sicari — who supports this bill and sees the strategy as one which allows him to feel better represented on the board of the Victorian Institute of Teaching than the previous method of selection. I think it is incredibly important to listen to our educators and what they identify as their needs.

While I am talking about Eltham high, I want to congratulate it on its ongoing presence at the Pride March, which it was at the other week, again, and which it has been attending for over a decade. This is a great inclusive school which embraces diversity. A few people in this place could learn from the generous spirit of many of these Eltham high kids who take people as they are, do not judge them and do not discriminate either. Is important to have diversity on our boards, as it is important to have diversity in our schools, in our Parliament and in our community. I commend this bill to the house.

Mr STAIKOS (Bentleigh) — It is a pleasure to speak on the Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015. The bill is all about teacher representation on the Victorian Institute of Teaching (VIT) council, and it is about the safety of children. It is a bill that will amend the Education and Training Reform Act 2006 to empower the Victorian Institute of Teaching to immediately and temporarily suspend the registration of a teacher or early childhood teacher where the teacher

poses an unacceptable risk of harm to children and the suspension is necessary to protect children. The bill also alters the number of members and the composition of the VIT council and the method by which members are appointed to the institute.

This government values our teachers. Some of the most dedicated, selfless people you will find are in our schools, both teachers and principals. It was and continues to be our teachers who are fighting for Gonski and fighting for needs-based funding for our schools. That is not about them. That is not about their working conditions. That is not about their wages. That is about the welfare and education of their students. It is our teachers that are constantly campaigning in our local communities and to us as local members for capital improvements for their schools. A number of my schools have celebrated their centenaries. The school buildings are old and are in need of attention. Rarely does a day go by that a local teacher does not talk to me about some capital improvements that their school needs. Again, it is not about the teacher but about the welfare of their students.

I have to say that in times of family tragedy it is the school community that rallies around the family. I have seen that time and time again or whenever I visit Bayside Special Developmental School, where I see the dedicated teachers who provide education and care to children with very significant special needs. Our teachers are very dedicated people, and they should be supported as such.

I think the first thing that is on the minds of our teachers is the safety of children. The safety of children is paramount. This bill in part responds to a frankly disgusting incident that took place in 2013 where the teacher involved was suspended but his registration was not, which could have allowed him to have been employed in the non-government sector until he was charged. It is a loophole that we are closing in a move that is in line with the views of both the commonwealth Royal Commission into Institutional Responses to Child Sexual Abuse and of course the *Betrayal of Trust* report that we are all very familiar with.

The other part of this bill, of course, is restoring teacher representation to the Victorian Institute of Teaching council. The bill increases the number of council members from 12 to 14 and allows the Australian Education Union and the Independent Education Union to nominate 7 representatives between them. This is consistent with other states and territories and has broad support in my electorate. We need to stress that these amendments do not prevent principal representation on

the council; indeed many principals are members of the Australian Education Union.

I consulted with my school principals, and this bill has broad support in the Bentleigh electorate. Pitsa Binnion is the principal of McKinnon Secondary College. She said:

I wholeheartedly support this bill. We have to make sure that the VIT have the power to ensure that every person in every classroom throughout Victoria is safe: that each teacher is professionally registered and appropriately qualified. It is essential where a serious allegation is made against a teacher that the VIT have the authority to suspend the teacher, thoroughly investigate the allegations and take appropriate action. I also support the AEU and the IEU in nominating people for appointment to the VIT.

Michael Juliff is principal coordinator at Holy Trinity Parish, a large Catholic parish in my electorate which includes St Peter's Primary School, where I went to school, as well as St Paul's Primary School in Bentleigh and St Catherine's School in Moorabbin. Michael said:

The amendment is in line with the absolute commitment of Catholic principals and teachers to provide a safe and secure environment for students at all times.

Every person involved in education should understand the important individual and collective role they play ... in the area of student wellbeing.

Empowering the VIT to act towards this goal and also better align with educators on the ground has my personal support.

So this bill and these amendments do have widespread support. The bill is about the safety of children, which is paramount and which is very important to teachers themselves. It is also about teacher representation. I commend the bill to the house and wish it a speedy passage.

Debate adjourned on motion of Ms RICHARDSON (Minister for Women).

Debate adjourned until later this day.

BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015

Second reading

Debate resumed from 10 December 2015; motion of Mr WYNNE (Minister for Planning).

Mr CLARK (Box Hill) — The Building Legislation Amendment (Consumer Protection) Bill 2015 is a bill that sets out to introduce a range of measures that seek to improve the operation of the Victorian building industry and better protect consumers. This is a very

important issue and a very complex area. It is important because for most Victorians their home is the biggest investment of their lifetime, and when they invest in a new home and something goes wrong, that can be extraordinarily distressing.

We are also very fortunate that in Victoria we have a vibrant building industry which is a substantial contributor to the Victorian economy. It is important that that industry be effectively regulated and regulated in a way that both protects consumers and encourages and promotes its efficient operation. The reform of the domestic building sector was something that the previous coalition government gave a lot of attention to, bringing together the Minister for Planning, the Minister for Consumer Affairs and the Minister for Finance. We introduced major reform legislation in 2014, and as I said then in the second-reading speech that was incorporated into *Hansard* on my behalf by the then Minister for Innovation, Services and Small Business, the member for Brighton:

The majority of domestic building projects in Victoria are completed to a high standard and to the satisfaction of consumers. However, if things go wrong, the regulatory system needs to respond quickly and in a fair and balanced way for both consumers and building practitioners. For these reasons, we have committed to support both consumers and builders through improvements to the consumer protection framework and the regulatory system.

It is pleasing that the Labor government has picked up on some of those sentiments, and indeed the minister echoed in December last year much of what I said in 2014 in that regard, and I quote:

Most domestic building projects in Victoria are completed to a high standard and to the satisfaction of consumers. Our building industry would not be as robust as it is, if this were not the case. However, things do go wrong, and when they do, the system fails consumers. This cannot continue without putting at risk one of the main strengths of Victoria's strong economic performance, our construction industry.

So there is a high degree of congruence across the chamber in terms of the objectives of improving the domestic building industry and protecting consumers. The key issues for this house to consider are: what are the measures that are in the bill before us? How effective are they? How do they compare and contrast with the measures that were put forward under the previous government? What is not in this bill, what areas still remain to be tackled and what does the government intend to do about them?

The minister in his second-reading speech identifies a number of objectives that he refers to as practitioner registration and discipline, governing the engagement of building surveyors, dispute resolution and consumer

education. The minister in his speech starts off by referring to measures to improve the resolution of domestic building work disputes, measures which are in many respects, but not all respects, in similar terms to those that were put forward by the previous government in 2014. They are similar in that there are provisions for conciliation and then for mandatory dispute resolution.

They are different on my reading — and I stand to be corrected if necessary — in that the conciliation process is to be made mandatory in the sense that the certificate is needed prior to a party being able to take proceedings at the Victorian Civil and Administrative Tribunal. They are also different in that the operator of the conciliation service is to be a body known as Domestic Building Dispute Resolution Victoria, which the minister refers to as being administratively linked to Consumer Affairs Victoria, although it will reach its decisions independently from the director of consumer affairs. In contrast, the model proposed under the previous government was that this function be carried out by the Victorian Building Authority (VBA) but with many of the current service providers within Consumer Affairs Victoria transferred over to the VBA.

The essential thing with whoever handles the dispute resolution process is that that body can command the respect and confidence of both builders and consumers. That will be the test of whether or not Domestic Building Dispute Resolution Victoria is successful. I am sure it is an issue the minister is aware of, and there are different ways of achieving that objective. But it will be important to ensure that the personnel, how the system is managed and how it engages with consumers and builders can command that confidence. There are two key parts of this process are, first of all, as far as possible to bring about the resolution of disputes through conciliation.

That conciliation needs to be timely, it needs to be effective and it needs to be conducted by someone who is sufficiently familiar with the industry that they can understand what the issues are in dispute and propose what are hopefully sensible conciliated resolutions to builders and consumers. Then if that does not work and if we proceed to a mandatory assessment through a dispute resolution order, which under the model in the bill is to be issued by a chief dispute resolution officer, that order needs to be well grounded and well constructed and builders and consumers must respect the competence and the effective running of the system when someone does come out on site, works out what the problem is and issues a dispute resolution order accordingly. If that system can work well, it has the potential to be an enormous boon both for consumers and for builders.

One of the aspects of the now very old Housing Guarantee Fund regime — even though it had many problems — that seemed to have universal respect was the on-site inspector, who would make a low-cost, authoritative determination of a dispute between a builder and a consumer. If the consumer said that the wrong sort of tiles were being put on the wall or that the structure was not being done in accordance with the building regulation, somebody who knew what they were talking about but was independent would come along and sort that out and make an order appropriately, be it an order to the builder to rectify the problem or an order to say to the consumer, ‘Well no, your objection is not well founded; the builder is entitled to be paid a certain amount and you are directed to pay it’. If that system can be effectively put in place, which was the objective of the previous government and I think is the objective of the current government, then that will be a great benefit for consumers. The test of that will be in the implementation of what is in the legislation that is before us.

The bill goes on to provide for the regulation of building work and building practitioners and, as in the 2014 legislation, the bill abolishes the Building Practitioners Board and transfers the board’s registration and disciplinary functions to the Victorian Building Authority. That is part of seeking to ensure that the authority has a greater integrated responsibility for different aspects of the regulatory regime for regulation, for registration, for discipline and hopefully to be well informed about when there is a record of disputes and problems that have been identified within the conciliation and dispute resolution order system.

The bill also proposes greater powers for the authority to direct builders to fix non-compliant or defective building work. This would be alongside the power of Domestic Building Dispute Resolution Victoria to make orders. There is perhaps opportunity to explore in more detail exactly how the two sets of powers will sit alongside each other, when they will respectively be triggered and how they will integrate with one another.

The bill makes provision for changes to the registration of building practitioners, seeks to provide for improved registration standards, including the introduction of time-limited registration, allows the authority to attach conditions to registration, including providing for registrations to restrict what work an authority considers a practitioner is competent to perform, and provides for scopes of work for registration categories and classes to be prescribed. The bill also replaces the current good character test with what is referred to as a ‘fit and proper person’ test.

As was identified in the 2014 legislation, the current good character test is limited in its scope and is not functioning adequately. The 2014 bill proposed to strengthen this situation in a somewhat different way, through introducing personal and financial probity tests, but it would seem that the objective of the 2014 bill and the 2015 bill is similar, which is to identify that it is not just a question of the honesty and good character of a builder that is important; it is a question of whether or not a builder is actually capable of delivering what he or she commits to do. That depends on their technical competence, which has been a large part of the regulatory regime over many years, but it also depends on their ability to manage a business, to organise a workforce, to organise the delivery of material and the timely completion of work.

I am sure many members have heard horror stories of builders whose word as to timeliness can never be relied upon. Works just stop for weeks on end while the builder and his crew are attending to some higher priority project, and the consumer just cannot get a straight answer. It is important therefore that a builder have the capability of organising himself or herself to manage these issues. While one suspects that sometimes unfortunately a minority of builders are quite happy to say whatever they think they can get away with without any belief in its truth, there are other builders who honestly take on more than they are capable of managing and, with all the good will in the world, are incapable of delivering what they commit to deliver to consumers. So broadening the registration requirements and ensuring where necessary that practitioners who need to can be limited in the scope of the works that they are allowed to undertake are all measures that can potentially ensure better regulation of the industry.

As in the 2014 legislation, this bill has provisions for codes of conduct and for limited periods of registration. There are also, as with the 2014 bill, provisions to improve the operation of disciplinary processes and sanctions. Both the 2014 legislation and this legislation provide for a show-cause regime in which, where there is a prima facie case that a disciplinary sanction should be imposed, a show-cause notice can be served on the practitioner who then needs to respond and demonstrate why the prima facie case established by the authority should not be confirmed. This should improve the operation of the disciplinary regime, as it is the broadening of grounds for disciplinary action. There is not a complete correlation, as far as I can see, between the 2014 grounds and the grounds in the current bill, but they certainly appear to be similar.

Another key issue that is being addressed in this bill, and again picking up on a lot of what was done for the 2014 legislation, is the improvement of the provisions relating to building surveyors. As the second-reading speech identifies, it is a common misconception or practice that the building surveyor is engaged by the builder, and the potential for conflict of interest there is obvious. The 2014 bill sought to make it clear that it was the owner who was responsible for engaging the building surveyor, and the current bill also makes provisions in that regard. As with the 2014 bill, this bill goes on to provide situations where there can be a statutory manager who can step in where the building surveyor folds or has some difficulty in continuing to carry out his or her functions. That also is important to ensure continuity.

There are also provisions for checklists and greater guidance and greater requirements on building surveyors in relation to the information that they are required to lodge and the diligence and meticulousness with which they are required to check various important details in relation to the paperwork and the carrying out of works. There are also provisions relating to the powers under section 37 for the building surveyor to direct a person in charge of building work, such as the building practitioner, to carry out the work in conformity with the act. This is designed to strengthen the existing provisions where the surveyor can already issue instructions to building owners. It is clearly more effective if instructions can be given directly to the building practitioner concerned.

There are a range of other measures that are set out in the bill, some of which are additional to those in the 2014 bill. There is a provision relating to prohibiting an owner of land from permitting any building work to be carried out on their land which requires a building permit, unless a building permit has been issued and is in force, and that the building work is carried out in accordance with the Building Act, the building regulations and the building permit. However, importantly, there is a provision that the owner of land will not commit an offence if the owner engages a building practitioner or architect to carry out the building work on their land. Similar obligations are then imposed on others. Building practitioners or architects engaged to carry out building work are required to ensure that the necessary building permit has been issued and is in force and that building work is carried out in accordance with the Building Act.

The bill also contains provisions relating to the regulation of owner-builders, which is another important and vexed area. It has been accepted in Victoria for a long time that someone who is genuinely

an owner who wants to build their own home should be entitled to do so, but it is also important that this not be available to be used as a backdoor way of avoiding compliance with the requirements that are imposed on professional building practitioners. In other words, someone who is really carrying on a business of being a builder should not be able to avoid regulatory requirements by claiming that they are an owner-builder. It will be important to examine exactly how the new provisions proposed in this bill will operate, and whether they are well targeted to achieve the right balance between stopping abuse of the owner-builder provisions while still allowing bona fide owner-builders to build their own home.

However, as I said at the outset, what is important about this bill is not just what is in it, but what is not in it. To be fair, the government quite openly admits that this is the first stage of what it is doing, and it flags a range of other measures that are still to come. Let me make the point that those measures are very important measures and we will look forward with great keenness to see when they do eventuate, particularly given that a number of the provisions that were in the 2014 bill — on which a lot of work had been devoted under the previous government — are missing from the current bill and there has not been much explanation from the government as to why those fully drafted and developed provisions in the 2014 bill have been omitted. Whether there are policy objections to them or other matters, I hope during the course of debates either in this house or in the other place that some further light will be shed on that.

Let us look at what is still to come. The government says measures under consideration include expanding the registration requirements to corporations and making information on building practitioners registration and disciplinary history more accessible to consumers. A fair bit of that was in the 2014 bill; it is not quite clear why it is not in this bill. The speech also refers to issues about the building permit levy system and the role of local government. Again, that is an issue on which there were provisions in the 2014 bill that are missing from this bill, and my understanding is there is something like \$18 million a year of building levy disbursement involved. We need to get a better understanding — and the community is entitled to a better understanding — of what the government's thinking is in that regard, how those flows are being handled at the moment and what the government intends in terms of any changes.

The minister also refers to the building permit system needing more flexibility to stop any unnecessary delays in building work. In a sense that is a statement that is

self-evidently worthy of aspiration; the question is, what exactly is going to be done about it. The second-reading speech simply says that measures to respond to this issue will also be brought forward, and I would be very keen to hear what those measures are going to be.

Last, but certainly not least, the elephant in the room, as it were, is that of insurance. As best I can see, it is not mentioned in the speech, but I understand that is something the government is still considering. It is a very important issue, because I doubt if there would be many members in this house that would stand up and defend the current regime. It was a regime that was put in place in effect during the course of the last decade, with various changes being made in response to the public liability insurance crisis. It is a regime that I have characterised in the past as being a lose-lose-lose regime. It is certainly a lose for consumers who rightly believe that they are not getting the coverage that they expect and that they are being left in the lurch. There are a range of improvements of the coverage that were made under the previous government, but there is potentially a lot more that ought to be done there.

It has been a lose for building practitioners, because they have found that their livelihood can be dependent on an insurer's assessment, without much recourse for them if an insurer says, 'Well, you are not a good risk'. Where do they go from there? It has even turned out to be a lose for insurers, because many of them have found that it is not a sector in which they believe they can carry on an effective business. They have progressively dropped out, leaving the Victorian Managed Insurance Authority to be the dominant insurer in the state. The government certainly cannot be saying that it is satisfied with the current regime. The community is entitled to ask the government what its thinking is on that, where its thinking is at and when it intends to bring forward to the house whatever it does intend to do to deal with the issue of domestic building insurance.

In conclusion, Acting Speaker, the coalition parties do not oppose this bill. We do believe that many aspects of the detail of it deserve close examination. As I indicated earlier in the debate on the government business program, it is regrettable that the Leader of the House does not see fit to comply with the government's election policy in relation to making consideration in detail a standard feature in the Assembly.

Honourable members interjecting.

Mr CLARK — It would be much better for a minister such as the Minister for Planning to have

consideration in detail in this house where he could personally respond to those issues, but when the Leader of the House fails to allow him to do so, it means that these issues will need to be dealt with in more detail in the other place and potentially, if amendments arise out of that consideration, it requires a bill to be brought back here. It would have been much better if we had had the opportunity to consider this bill in detail, and we will look forward to hearing what government members have to say in the course of the debate.

Mr McGuire interjected.

Mr CLARK — The member for Broadmeadows keeps on saying, ‘Why don’t you ask?’. The position we have put repeatedly is that we believe the government’s commitment to make consideration in detail a standard part of the passage of bills means that the obligation is on the government to come to this side of the house and say, ‘We do not believe this bill needs consideration in detail’. I made it very clear over the course of my contribution to the government business program debate that I believe that this bill and the others that are on the government business program should be considered in detail, and if the Leader of the House cannot get her act together to make the program operate effectively, then that is on the government’s head. We cannot take it any further to try to help the government honour its own election commitments.

That is unfortunate. We look forward to hearing what government backbenchers have to say over the course of this debate and to finding out whether the minister is given any opportunity to respond in summing up the debate. To the extent to which those issues cannot be dealt with in this house, they will have to be dealt with in the other house to ensure that this government is held to account and that the legislation that is passed by this Parliament is in the best possible shape to protect the consumers of Victoria and to give the best possible support to our domestic building industry.

Mr BROOKS (Bundoora) — It is a pleasure to be able to join the debate on this bill. While those opposite would like to see legislation drag on and things slow down, this side of the house, the Andrews government, is getting on with the job; it is pushing legislation through the house to ensure that this government is getting on with the job. In particular the Minister for Planning is having to clean up the mess in which the former planning minister left our planning system. Members should just think about the work he is having to do in cleaning up the residential zones — the botched and rushed consultation process around residential zones. There is the planning process around that area that will not be mentioned. It has been

described as the wild west, and it is just on the edge of the CBD. The minister is working through that process methodically to ensure that there are proper community facilities planned.

This bill is around getting on with the job of ensuring that consumers in the building sector have the appropriate protections. The previous government brought legislation into this place and never acted on it. It was unable to bring itself to do what has to be done in terms of consumer protection for people who are purchasing building services. It is worth pointing out that this is an industry that is so vital to our state’s economy. That is the first point. In 2014–15 there was \$28 billion worth of building permit activity. Over 105 000 building permits were issued. The majority of those were domestic building permits. So the domestic building industry is an important part of our state’s economy. There is no doubt that it provides many jobs for people, including many jobs for people in my electorate. The economic activity, the jobs that they provide, is absolutely crucial for Victoria’s future, and indeed for Australia’s future.

I would argue that what is crucial for this particular industry is that consumers have the utmost confidence in the sector. When they engage a building practitioner they need to know with some confidence that that builder will do a good job, that the workmanship will be of a good standard and that if they have a problem with that building work they will be able to find an effective remedy through the statutory processes — and that in part is what this bill delivers. In his second-reading speech the minister clearly articulated that this is the first step in providing even further protection for building consumers and, I would argue, in getting the balance right.

It is often said that purchasing a new home or engaging in building a new home, or even entering into a large costly renovation or extension, can be one of the biggest financial decisions that a person or a family can make. So it goes without saying that if you end up having substandard work done and if you have problems with the building practitioner, you can have a very traumatic experience. What would compound that anxiety, that stress and the depression people would suffer from being in significant financial difficulty because of a dodgy builder would be not being able to remedy that through the processes the government has in place. That is what has happened in the past. We have a system that in many cases has failed consumers. So it is a really good thing that we have seen this government so early in its term get on with the job and bring this bill into this place. This is the first step in a reform process to —

The DEPUTY SPEAKER — Order! The time has come for me to interrupt the proceedings of the house. The honourable member will have the call when this matter is next before the house.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Bungower Road–Nepean Highway, Mornington

Mr MORRIS (Mornington) — I raise an issue for the Minister for Roads and Road Safety. It is an issue regarding the intersection of Nepean Highway and Bungower Road in Mornington. The action I seek is that the minister require VicRoads to install right-hand turn signals to control vehicles turning right from Bungower Road into Nepean Highway northbound and to also control vehicles turning right from Shandon Street into Nepean Highway southbound — that is, both incoming lanes at the intersection. This intersection has had quite a long history of incidents, and it has actually been a work in progress. At one stage it was one of the busiest speed camera sites in the state. There were some difficulties with the cameras, but they have been resolved, and certainly the bad behaviour that was causing difficulty for some motorists has been ameliorated as well.

The intersection has complicated geography. Nepean Highway and Bungower Road are both major arteries. Bungower Road terminates at Nepean Highway, but it has come all the way across the peninsula from Yaringa boat harbour at Western Port, running east–west. On the other side of the intersection — the western side — there is a smaller local road, Shandon Street, which takes traffic through from Bungower Road. The bulk of traffic turns right or left to enter Nepean Highway.

As I said, this has long been an issue. The lights have been changed. We have had improvements in the signalling sequence — adjustments to that. We have had the construction of a slip lane from Shandon Street. All those things have improved the operation of the intersection, but traffic volumes continue to grow. Certainly with the opening of Peninsula Link we have seen significantly increased traffic in the area and an increase that was far in excess of that anticipated by VicRoads when the estimates were done.

Also, on the corner there is a fairly busy Bunnings store, and surrounding that Bunnings store on two

sides, with frontages to both the Nepean Highway and Bungower Road, is the Mornington homemaker centre, which is busy in its own right. There is an Aldi under construction as well, which will just add to the traffic volume.

A local resident has advised me that in recent weeks there have been a series of incidents. It appears to be getting worse again. There have been either actual incidents or near incidents at the intersection. I am seeking the assistance of the minister, before we have a serious incident — hopefully not a fatality — to resolve the issue at this intersection; I seek his assistance in getting those right-hand turn indicators installed.

Brooklyn industrial estate

Ms THOMSON (Footscray) — My adjournment matter is for the Minister for Environment, Climate Change and Water, and the action I seek is that she visit the Brooklyn industrial estate and meet with the community reference group. The industrial precinct has long been of concern to the neighbouring community, and a recent fire at a Brooklyn tip has only highlighted this concern. The member for Williamstown spearheaded the establishment of the community reference group, which involved the Environment Protection Authority, local council and the community. The aim of the community reference group was to improve conditions for residents by ensuring that the community is not subjected to dangerous pollution. Recently this work saw the sealing of roads, which has had a significant effect on dust levels, but there are still ongoing issues with dust, air pollution and odours. Therefore the action I seek is for the minister to come out to see the precinct and to meet with the community reference group about these issues.

Morwell Primary School

Mr NORTHE (Morwell) — I raise an adjournment matter for the attention of the Minister for Education. The action I seek is for the minister to make plans for the Morwell Primary School regeneration project publicly available to our community. This project, to which the coalition had committed \$13 million, seeks to consolidate on the one site three primary schools, those being Commercial Road Primary School, Tobruk Street Primary School and Morwell Primary School. Through this project the coalition also aimed to assist with the redevelopment of Morwell Park Primary School. Labor had committed only \$12 million to the project. It certainly acknowledged the fact that \$10.45 million was provided in the 2015–16 budget for this purpose.

However, the scope of works excluded Morwell Park Primary School, which caused particular angst for that school community. We currently have work activity on the site, and many curious members of our local community have sought to access plans to see what the completed school might look like. There have been previous discussions around the integration of preschool services, including the possibility of maternal health services and even educational and training opportunities for parents. Therefore the final detail of the plan is very important for understanding what is included and what is not.

Government members have been undertaking media events around this project and have made quite a fuss about the fact that they have visited the region and viewed the plans. It is simply not good enough for Labor members of Parliament to access the plans in lieu of our local community members. I note a web page has been set up which gives an overview of the project, and it states:

Planning for this exciting project has been completed and construction is now underway.

Again there is no absolutely no detail on the final plans. With respect to the development of the school and other infrastructure projects, such as the \$73 million that the coalition allocated to redevelop the Latrobe Regional Hospital, we want to make sure that local people have opportunities for participating in these local works. Concerns have been raised with me on a number of occasions about the lack of information coming from government about local people being engaged and local businesspeople being able to participate in these projects. That information appears to be lacking.

We want to also make sure that the government is aware of the major private projects that are occurring in our region, such as the Esso pipeline replacement project. Again, it is frustrating for many local contractors who are qualified to participate in this work but simply do not seem to be provided with the opportunity. These projects are important to our local community as well. I call upon the Minister for Education to make publicly available the plans for the Morwell Primary School regeneration project.

Bendigo Primary School

Ms EDWARDS (Bendigo West) — My adjournment matter is for the Minister for Education. The action I seek is for the minister to provide information to me on the status of the Bendigo Primary School's application under the Inclusive School Fund for the development of a semi-enclosed verandah. The school is seeking funding for its verandah project,

which will be a space within the school to accommodate a sensory garden, low-level play equipment, textured pathways, cultural murals and specific play stations, including a water play area, quiet spaces as well as a discussion amphitheatre.

All of the students of Bendigo Primary School at various stages of the day need quiet spaces or places that allow them to be free of the constraints of the classroom. Conversely, some of these children also need a space where they can fully and positively experience physical challenges and social challenges that are not easily accessed in the school's current setting. I believe the school's proposal will address this.

Narre Warren ambulance services

Mr BATTIN (Gembrook) — My adjournment matter is for the Minister for Health. The action I seek is for the minister to review advice and confirm in writing that the Narre Warren mobile intensive care ambulance (MICA) unit will not be relocating from its current location. A relocation of the MICA unit in Narre Warren to an address in Hampton Park will increase the response times for people within my electorate. It will also increase the response times for people in the gateway to Gippsland.

It is a concern that the current site of the MICA unit in Narre Warren was placed there for ease of access to the highway and the freeways. It gives direct ease of access down towards the Warragul direction, where it services the areas of Nar Nar Goon et cetera, which are just outside my electorate but within Pakenham. Moving the MICA unit to Hampton Park will remove that direct access to freeways and highways, and this could increase response times by up to 15 minutes. We understand that the relocation to Hampton Park was put in place as a potential rent-saving mechanism to reduce the current rental costs in Narre Warren. However, the cost of saving rent would, in my view, create an undue risk for the residents of my community and those of the gateway to Gippsland.

My request is for the minister to reply and confirm in writing — to ensure that we have it in our possession — that the Narre Warren MICA unit will not be relocated and will remain where it is.

Chelsea Heights Primary School

Mr RICHARDSON (Mordialloc) — I raise a matter for the Minister for Education. The action I seek is for the minister to visit Chelsea Heights Primary School to hear about its application for an Inclusive

School Fund grant and the important work the school is doing to support all students.

The grants program provides schools with funds for innovative projects that promote inclusive school environments and support the social and educational needs of children with disabilities. Chelsea Heights Primary School is in a period of significant growth, with student numbers edging closer to 400 students on site. This is testament to the work of the principal, Jane Satchwell, and her assistant, Pia, who have a wonderful vision for the school. One of the key attributes of the school is the promotion of excellence in everything it does in all areas. The school is striving for excellence in all areas and particularly in supporting children with special needs or with learning difficulties. It is about the needs of each individual student and how the teaching group can maximise the educational outcomes for the kids to allow them to reach their potential.

Last year I had the opportunity to visit Chelsea Heights Primary School and receive a comprehensive briefing on the support its teachers and teaching assistants are providing to all students, with increased focus on children who need additional support and assistance. As an overview the school has undertaken an innovative project around the sensory experiences and responses of the students. The notion put forward by the school in this initiative is to try to assist students who have difficulties regulating their sensory experiences, which ultimately affects their education, and other students, with targeted and tested strategies. The teachers at Chelsea Heights Primary School have established sensory rooms which can help children to regulate their emotions and behaviours by providing them with the tools or activities in a targeted sensory environment. This is complemented with an approach to all the senses — being auditory, visual, smell, taste and touch.

Hearing about the personal experiences of teachers and the benefits they have been able to achieve in the classroom was inspiring. I left thinking of the benefits that could be derived from rolling out these projects across all schools. However, to take this initiative forward the school has submitted an application to the Inclusive School Fund to establish an indoor and outdoor area which will support sensory activities and incorporate teachers and support staff, including psychologists, speech pathologists and occupational therapists, in a multipurpose learning area for all students. I fully support this concept and will do all I can to make this a reality.

I was hugely impressed by the school's innovative approach and the benefits to learning this could provide to other schools across Victoria. As a government we

should be looking towards initiatives like the one being put forward by Chelsea Heights Primary School. In conclusion, I seek that the minister visit Chelsea Heights Primary School to hear more about its application for an Inclusive School Fund grant and the important work it is undertaking.

Mansfield Secondary College

Ms McLEISH (Eildon) — My adjournment matter is for the Minister for Education. The action I seek from the minister is that he make available funds in the coming budget to allow for the development of new facilities at Mansfield Secondary College. I would like the minister to take some positive steps to show that this is not a city-centric government.

Block B needs to be demolished and replaced, the cost of which is likely to be somewhere around \$5 million to \$6 million. The coalition certainly recognised this and prior to the election committed \$2.8 million to get the project moving. The teachers and the leadership team have continued to focus on the provision of a high-quality education experience for all their young people, despite having to work in some fairly ordinary conditions.

I understand that the minister has not visited the school. I am not sure whether he has ventured into the town of Mansfield at any time, but I have been to the school on quite a number of occasions. I have met with a lot of kids, teachers and staff, and just in the town there are many people who want to talk to you and engage with you on the conditions at the school.

When you walk around the school or talk to the young people, they are very active in coming forward with what their views are. They love the school and they are very positive about the teachers and the dedication of the teachers and their colleagues, but they always say, 'Pity about B block; it needs to be replaced'. The minister would be very familiar with what B block looks like because it is one of those buildings that was established in the 1950s, with long hallways and classrooms to the side.

The school does have some good facilities, but there are 450 students there. The secondary college is the only secondary school in the Shire of Mansfield. The town itself is thriving. It has a wonderful community that really gets behind projects and needs within the town strongly. There is a community heart, and pride in the town is really quite outstanding. It is certainly very much a 'can do' town.

The school reflects the needs of the town. It runs the Mount Buller annexe, and it is involved with the Mansfield Armchair Cinema and also agribusiness. The work that it has done in agribusiness has been highly regarded and acclaimed. I know how important this is to the township and the area of Mansfield. New families want to move to the town, and one of the first things they do is go to the school. They might see a couple of great-looking buildings and then they see this huge B block in the middle which is really a blight on the premises. They know, as we know, that modern facilities are very important for learning, so I urge the minister to show that he is not a city-centric minister and that he supports the redevelopment of B block.

Riddells Creek Primary School

Ms THOMAS (Macedon) — I wish to raise a matter for the attention of the Minister for Education, and the action I seek is that the minister join with me in supporting the application by Riddells Creek Primary School for a \$100 000 grant from the Inclusive School Fund. I was delighted to accompany the minister on a visit to Riddells Creek Primary School last year, and I know he was impressed with what he saw. Riddells Creek Primary School delivers a first-class education to the children in this growing township, with a fantastic focus on the creative and performing arts.

I know the minister enjoyed meeting Rupert the rabbit. Rupert plays an important role in the school's support for children experiencing anxiety or stress, a particular challenge for this community, which faced fires at its doorstep in 2014. With the recent Lancefield fires and the Kyneton fires in January, children in my electorate need some special care at this time.

Last week I visited the school to learn more about the school's Inclusive School Fund proposal. In a word, it is brilliant. The school is seeking funding to develop an outdoor learning space which incorporates a purpose-built freestanding shed and shade awning. The school has a vision to transform its schoolyard into a creative and restorative learning landscape that has positive influences on the health and wellbeing of all students and where all students have an equal opportunity to learn and play. The vision entails children being able to grow and harvest fruit and vegetables, explore sensory experiences through colours, sounds, textures and scents, communicate their discoveries in a variety of ways, build their fine and gross motor skills through a range of activities and easily find peaceful places that can give them a sense of quiet and reflection, and an art area where children can create outside with different sensory inputs and in a more open and unconstrained space. This will be a

therapeutic place where conversations and play can happen individually or in small groups.

It is a brilliant proposal, and I acknowledge school principal Kim Ryan, assistant principal Amelia Desormeaux, school council president Jude Ellis and parent and landscape designer Sam Crawford for all of their work. Again I urge the minister to get behind this great proposal.

Kindergarten funding

Ms STALEY (Ripon) — My adjournment matter is for the Minister for Families and Children. The action I seek is that the minister respond to me about the serious risk to kindergartens in the Ripon electorate highlighted in a letter sent to her by the YMCA of Ballarat dated 10 December 2015. The CEO of the YMCA, Stephen Bendle, wrote to Minister Mikakos. That letter was cc'd to the member for Mildura, the member for Gippsland East and me as the local MPs with YMCA kindergartens in our electorates. As the member for Ripon, I am particularly concerned about four kindergartens operated by the YMCA — those of Talbot, Charlton, Donald and Dunolly.

The letter from the YMCA says:

We have been assured repeatedly by DET that we were to plan to deliver 15 hours in 2016 and not to close services but rather to work with the regional office staff to determine the resources required to deliver these programs. We have provided information to DET regarding our enrolment numbers and predicted deficits to inform discussions regarding funding shortfalls.

Unfortunately Ballarat YMCA are not operating kindergartens for benevolent reasons. I cannot recommend to the Ballarat YMCA board that we deliver these 10 kindergarten programs for a combined deficit in excess of \$160 000. I could not imagine any responsible board endorsing that proposal.

We do not believe it is reasonable to ask these isolated, small rural communities to fundraise up to \$30 000 to support their kindergartens operations. These communities are already recognised as being highly vulnerable, have difficulty accessing children's services elsewhere and many are suffering financial hardship as a result of drought.

...

The care and education of children living in rural communities is no less important than for those living in regional and metropolitan centres. Ballarat YMCA seeks your urgent assistance in addressing this continued funding shortfall before we have to make some difficult decisions regarding our ability to operate these services for next year.

Now, I am aware of the government's announcements for small rural kindergartens on 8 December 2015. However, these announcements only relate to

kindergartens with eight or fewer students. Only one of the small YMCA-run kindergartens in my electorate is in this category. As a result the other kindergartens continue to face substantial deficits which the YMCA is unable to continue to fund. These kindergartens are therefore at risk.

This is an outrageous situation for communities in the grip of drought and is further evidence that this Andrews Labor government does not understand the specific issues facing rural communities such as those of Talbot, Charlton, Donald and Dunolly. It is time the minister helped these small kindergartens to survive.

Valkstone Primary School

Mr STAIKOS (Bentleigh) — My adjournment matter is for the attention of the Minister for Education. The action I seek from the minister is that he visit Valkstone Primary School to discuss with parents and teachers the school's master plan. Clearly after this adjournment debate the minister will be very busy, given the number of members referring matters on to him.

There is no sugar-coating this. The former government has a woeful record when it comes to investing in schools in my electorate of Bentleigh. The 2011 budget passed, 2012 passed, 2013 passed — not a cent for schools in the Bentleigh electorate. When 2014 came we thought, 'Well, an election is just around the corner', and we saw a bit of money in there for Valkstone Primary School. To rebuild the entire school there was \$3.5 million, but what the former government did was it handed over the money, \$3.5 million, and then thought it would check to see how much the redevelopment would cost. It turns out that they are short by \$2.5 million.

It is an absolute disgrace that this school with more than 700 students, a growing school, was treated in this manner by the former government — short-changed. It has meant that it has had to split what is a fairly modest upgrade in the grand scheme of things into two phases, which in turn means that possibly indefinitely under the former government it would have had a temporary toilet block with very poor security in an inappropriate location in the school. It is something that is concerning the school council, which I met with recently, and indeed the principal, Marilyn Koolstra. I think that we need to step in and fix this terrible mistake of the former Liberal government. That is why I am asking the minister to visit Valkstone Primary School and meet with parents and teachers on this matter.

I also take the opportunity to convey the thanks of the Bentleigh electorate to the minister for the \$9 million we have invested in McKinnon Secondary College and the \$9.6 million we have invested at Bentleigh Secondary College, because this is a government that is building the education state.

Responses

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I thank the member for Footscray for raising this matter with me and for her commitment to that community, but particularly, in his absence, I also want to acknowledge the great work that the member for Williamstown has done in supporting the Brooklyn community. I am very aware that this is a community that has over a number of years been very concerned about dust and pollution issues. I was very pleased last year to provide funding to enable the sealing of the road out there, which I know has made a lot of difference. Of course there continue to be issues, and over the summer we saw the fire that occurred out there and the concern that raised.

I indicate to the member that I have asked the CEO of Environment Protection Authority Victoria to attend the March meeting, but I will be indicating to the community that I would be very pleased to also attend a further meeting with that community to continue to drive improvements in relation to pollution issues in the Brooklyn community.

A number of other members have raised a number of other issues for different ministers. I will certainly pass those matters on to those ministers to respond to.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 7.23 p.m.

WRITTEN RESPONSES TO QUESTIONS WITHOUT NOTICE

Responses are incorporated in the form provided to Hansard

Construction, Forestry, Mining and Energy Union

Question asked by: Member for Croydon
Directed to: Minister for Ports
Asked on: 8 December 2015

RESPONSE TO SUPPLEMENTARY QUESTION:

The Government is not aware of any organisation that intends to ‘wreak havoc’ on the state’s waterways.

Wednesday, 10 February 2016

The SPEAKER (Hon. Telmo Languiller) took the chair at 9.33 a.m. and read the prayer.

Mr Clark — On a point of order, Speaker, yesterday after question time you rightly provided an opportunity to the Minister for Public Transport to correct the record in relation to an error she had made in informing the house regarding V/Line bus services. Checking the *Hansard* record overnight, though, confirms that the minister also made incorrect statements to the house regarding the removal of level crossings under the previous government in which she claimed none had been removed, whereas crossings such as those on Mitcham Road, Rooks Road and Springvale Road, Springvale, were all removed under the previous government. Clearly, Speaker, it is longstanding practice —

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition was warned yesterday, so was the Minister for Roads and Road Safety and the member for Warrandyte. I remind them they have been warned. The manager of opposition business to continue in silence.

Mr Clark — Speaker, it is longstanding practice that if a member of this house misleads the house inadvertently or otherwise on a material matter, the record should be corrected at the earliest available opportunity. We assume this incorrect information was provided to the house inadvertently. If it were deliberate then of course that would be a matter of privilege. I therefore submit you should accord an opportunity to the minister to correct her incorrect statements to the house.

Ms Allan — On the point of order, Speaker — goodness me, they hate us getting rid of level crossings, don't they? They hate us getting rid of level crossings!

Honourable members interjecting.

The SPEAKER — Order! The opposition raised a point of order; the opposition will allow the minister to make a contribution to the point of order. The Minister for Roads and Road Safety has been warned. I will not warn him again. The minister, to continue.

Ms Allan — Speaker, if the member would look at *Hansard*, he would see that indeed I corrected the issue of the costs of the V/Line buses provided. I did initially say on a per week basis and following the point of order raised by the Leader of The Nationals I corrected the record in the running of the house. I said if it were

different, I would come back to the member. It is not different. As I said in the house, it was between \$250 000 and \$300 000 per day —

Mr Clark interjected.

Ms Allan — Well, perhaps you were not listening. You did say that at the start of the point of order. I corrected that in the running of the house yesterday.

Honourable members interjecting.

Ms Ryall — On the point of order, Speaker, I support the point of order made by the manager of opposition business. No attempt to airbrush history can detract from the lie perpetrated in this house by the minister. The Rooks Road and Mitcham Road level crossing removals were planned, funded, executed and completed under the former coalition government. It is a fabrication of the truth to suggest otherwise and misleads the house.

Mr Walsh — On the point of order, Speaker, the point of order raised by the manager of opposition business was about correcting the record about comments the minister made about level crossing removals. It had nothing to do with the record that she corrected quite appropriately in question time yesterday about the cost of buses to V/Line. Can I ask you to give the minister another chance to actually correct the record on that particular issue?

Honourable members interjecting.

Mr Merlino — On the point of order, Speaker, the fact is that when the Liberal Party was in government all it did in four years was open projects that Labor started.

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition has been warned, and so has the Deputy Premier. The Chair has heard sufficient on the point of order. Members understand that the Chair cannot direct the minister to correct the record. Should it be the case, it is up to the minister to make a contribution, should she want to. In the absence of that, there is no point of order.

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition! We have heard sufficient from all members on the subject.

CRIMES LEGISLATION AMENDMENT BILL 2016

Introduction and first reading

Mr PAKULA (Attorney-General) introduced a bill for an act to amend the Sentencing Act 1991, the Crimes Act 1958 and the Summary Offences Act 1966 in relation to certain persons performing custodial functions or exercising custodial powers, to amend the Criminal Procedure Act 2009 to provide for the admission of recorded evidence of complainants in proceedings for certain sexual offences heard summarily by the Children's Court and related proceedings, to amend the Crimes Act 1958 to provide further for the making of regulations under that act, to make minor amendments to the Children, Youth and Families Act 2005 and for other purposes.

Read first time.

PETITIONS

Following petitions presented to house:

Christmas carols in schools

To the Legislative Assembly of Victoria:

The petition of residents in the Mildura electorate draws to the attention of the house that the government has imposed the ban on singing traditional Christmas carols in Victorian government schools.

The petitioners therefore request that the Legislative Assembly of Victoria ensures that the Andrews government reverses this decision and allows students attending government schools to sing traditional Christmas carols.

By Mr CRISP (Mildura) (911 signatures).

Christmas carols in schools

To the Legislative Assembly of Victoria:

The petition of residents in the Ripon electorate draws to the attention of the house that the government has imposed the ban on singing traditional Christmas carols in Victorian government schools.

The petitioners therefore request that the Legislative Assembly of Victoria ensure that the Andrews government reverses this decision and allows students attending government schools to sing traditional Christmas carols.

By Ms STALEY (Ripon) (296 signatures).

Special religious instruction

To the Legislative Assembly of Victoria:

The petition of residents in the Ripon electorate draws to the attention of the house that the government has scrapped

voluntary special religious instruction (SRI) in Victorian government schools during school hours.

Prior to the last election, Daniel Andrews and Labor said they would not scrap SRI during school hours in Victorian government schools. Daniel Andrews and James Merlino have announced that as of next year they will break this promise.

The petitioners therefore request that the Legislative Assembly of Victoria ensure that the Andrews government reverses its broken promise and allows students attending government schools to attend SRI during school hours, as has been the case in Victoria for decades.

By Ms STALEY (Ripon) (71 signatures).

Public holidays

To the Legislative Assembly of Victoria:

The petition of certain residents of Victoria draws to the attention of the house that the new grand final eve and Easter Sunday public holidays will result in both lost productivity and higher wage costs for small business at a stage when many are already facing difficult times. At a time of high and rising unemployment, and where there was no pressing need or compelling argument for their introduction, imposing these two new major costs on Victoria's businesses damages them and their employees, consumers and our state's economy without justification.

The petitioners therefore request that the Legislative Assembly of Victoria call on the state government to reconsider its decision to introduce two additional public holidays in Victoria.

By Ms STALEY (Ripon) (26 signatures).

Tabled.

Ordered that petitions presented by honourable member for Ripon be considered next day on motion of Ms STALEY (Ripon).

Ordered that petition presented by honourable member for Mildura be considered next day on motion of Mr CRISP (Mildura).

INDEPENDENT BROAD-BASED ANTI-CORRUPTION COMMISSION COMMITTEE

Strengthening Victoria's key anti-corruption agencies?

Mr WELLS (Rowville) presented report, together with appendices and transcripts of evidence.

Tabled.

Ordered that report and appendices be published.

DOCUMENTS

Tabled by Clerk:

Auditor-General:

Administration of Parole — Ordered to be published

Hospital Performance: Length of Stay — Ordered to be published

Hazelwood Mine Fire Inquiry Report 2015–16 Volume 3 — Health Improvement — Ordered to be published

Members of Parliament (Register of Interests) Act 1978 — Summary of Primary returns December 2015 and Summary of Variations notified between 13 October 2015 and 8 February 2016 — Ordered to be published

DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2015

Council's amendments

Returned from Council with message relating to amendments.

Ordered to be considered later this day.

RULINGS BY THE CHAIR

Statements on parliamentary committee reports

The SPEAKER — Order! I wish to make a ruling in response to a point of order raised by the member for Eildon on 10 December 2015. The member's point of order related to a statement on a parliamentary committee report made by the member for Bendigo West on the previous day.

The member for Bendigo West's statement related to the Family and Community Development Committee's inquiry into abuse in disability services. Members will be aware that an interim report on phase 1 of this inquiry was tabled in August 2015, and then the committee proceeded to phase 2 of the inquiry. The final report is due in coming months. The point of order centred around whether the member's comments related to a committee report that had been tabled or related to the committee's current inquiry work. The member for Eildon did not allege that the member for Bendigo West had disclosed committee deliberations or confidential matters currently before the committee.

Standing order 41 enables members to make statements on parliamentary committee reports other than Scrutiny of Acts and Regulations Committee *Alert Digests* tabled in the house in the current Parliament. Therefore any member may speak on the Family and Community

Development Committee's interim report on the inquiry into abuse in disability services, as that report was tabled in August. In doing so, members may address specific issues raised in the report, indicate policy actions that could be taken as a result and outline future directions they would like to see.

Where an inquiry has two phases, as the abuse in disability services inquiry does, I understand that members, while commenting on an interim or first report, may wish to foreshadow issues the committee will need to address in the second phase. However, those comments should be made in passing only, and members should relate the substance of their statement to the report that has already been tabled. On balance, the member for Bendigo West's comments related mostly to the second phase of the committee's inquiry and not to the interim report tabled during the first phase.

I remind all members, particularly those making statements on inquiries with interim reports, that the substance of their statements must relate to a report that has been tabled and not work currently before a committee.

MEMBERS STATEMENTS

Werribee electorate Endeavour Award

Mr PALLAS (Treasurer) — With the start of a new parliamentary year, I would like to acknowledge to the house the students of my Werribee electorate who received my Endeavour Award for 2015. Six secondary school students and nine primary school students were each selected by their teachers to receive the award. Some of these students may have been the school's highest academic performer or others may have been acknowledged for always striving to make the most of the educational opportunities that have been made available to them. The nominations received were outstanding, and they reflected on the students' endeavours and efforts displayed towards their studies.

In January I had the pleasure of hosting the secondary students and their parents for lunch and taking them on a tour of our wonderful Parliament House and gardens. I thank the staff of Parliament House for both the tour and the catering service provided that helped to make this day special for the award recipients. It was an absolute privilege to celebrate with the students reflecting on their achievements after the completion of the long road through their formal education years.

To the house I acknowledge Ebony Biden, Suzanne Cory High School; Anee Dainer, Manor Lakes College;

Joseph Guo, Werribee Secondary College; Justin Sanseviero, MacKillop Catholic Regional College; Laxmi Singh, Wyndham Central College; and Tiffany Wasnig, Heathdale Christian College. My best wishes go to them as they move forward to the next stage of life — young adults ready for a new life ahead.

Warrandyte Bridge

Mr R. SMITH (Warrandyte) — I rise today in regard to the Warrandyte Bridge and the ongoing delay and obfuscation from the minister in providing my community with a satisfactory outcome in relation to traffic congestion and fire safety. While the minister was finally pushed, kicking and screaming, into reallocating the funding the previous coalition government had set aside for work to be done to provide options for the traffic problems in Warrandyte, he has not provided Warrandyte residents the opportunity for input, nor has any funding been allocated for a solution to be implemented. VicRoads spoke at a community forum last November, saying that the timeline for community feedback would be between November and February this year. There has, so far, been no opportunity for that to occur.

The Andrews government has in its possession advice from the emergency management commissioner which states, and I quote:

Traffic management in and around Warrandyte is problematic, with potentially critical implications during bushfire emergencies.

If these critical implications are realised and the minister is seen to have sat on his hands, then the consequences will be severe. Fed-up residents have now formed the Fix the Warrandyte Bottleneck group and are demanding that the minister take action. I ask the minister to provide my community with the opportunity to work with VicRoads to settle on a solution that is the right one for Warrandyte and give them certainty by committing to funding that solution.

Bushfires

Ms HUTCHINS (Minister for Local Government) — Every year the community prepares for the harsh realities of fire season. Unfortunately this year it was a situation faced by those in the Otway Ranges. As we are all aware, bushfires on Christmas Day and beyond had a tremendous impact on the community and across the region, particularly those in Wye River and Separation Creek. Last month I met with the Colac Otway Shire Council and Surf Coast Shire Council and was briefed on the challenges facing those stricken areas.

At the same time, I was also briefed on the strength and resilience displayed by these communities. I was moved to hear about the support shown to these councils by other councils. Without hesitation, surrounding councils such as Surf Coast offered support to the Colac Otway shire, its people and councillors. Also Corangamite Shire Council, Golden Plains Shire Council and Greater Geelong City Council, along with a number of other councils from further afield, such as Yarra Ranges Shire Council, Monash City Council, Nillumbik Shire Council and Wyndham City Council, freely offered their time, services and support. These councils need to be commended for their outstanding assistance, not only in assisting Colac Otway so willingly, but also in dispensing much-needed support to the individuals affected by these events. Local government was working at its best over January. I thank all the individuals working at Colac Otway Shire Council, who came back from leave to support the community. I know that the months ahead will continue to be difficult as the community rebuilds, but I congratulate them on their fantastic work and effort.

Peter and Angela Thiveos

Ms HUTCHINS — I acknowledge the 25th wedding anniversary of Peter and Angela Thiveos, and offer my congratulations.

Green Lake project

Mr CRISP (Mildura) — It was with great fanfare that the government announced a \$10 million drought package in Birchip last year. Sea Lake is a community affected by drought in the central Mallee. The community has identified the upgrade of Green Lake as a priority project for community spirit and strength in difficult times. Community members have spent considerable amounts of their money for the project to be shovel ready, and now they have engaged in OurSay with considerable success. I urge the minister to support the Green Lake project.

Australia Day

Mr CRISP — I was delighted to celebrate my first Australia Day in the town of Robinvale this year. Robinvale is a close-knit community with a diverse mix of nationalities, and cultures and it was incredibly rewarding to watch them all work together to celebrate what Australia Day means to them. Congratulations to Dougal Leslie and his team for a fantastic breakfast.

Willowfest Australian Cricket Club Championships

Mr CRISP — The Willowfest Australian Cricket Club Championships are part of Mildura's Christmas-New Year celebrations for cricket devotees. From a wide range of areas they converge on Mildura for competition and comradery. This year's guest speaker was Trevor Chappell, and at the presentation dinner the first question was of course about the great underarm incident. Willowfest attracts many visitors to Mildura and is an organisational challenge. Well done to Anthony Telfer and his team.

Queensland fruit fly

Mr CRISP — Queensland fruit fly has given Mildura a very difficult summer and most of our gardens, and some of our orchards have been affected. The only way to control this pest is with a combined effort from growers, community and government — the growers through their levies.

Sunbury recycled water treatment plant

Mr J. BULL (Sunbury) — It has been terrific to hit the ground running in 2016 with some fantastic announcements in my electorate. I recently joined the Minister for Environment, Climate Change and Water to announce a \$53 million upgrade to the Sunbury recycled water treatment plant. This upgrade will increase the volume of wastewater in the plant from 5.9 million litres to 9.2 million litres per day, catering to the high population growth expected in Sunbury and Diggers Rest.

Sunbury electorate roads

Mr J. BULL — I am also very pleased to announce that work on the \$2.3 million upgrade to improve safety on Riddell Road is finished. It is a project that I announced last year. The upgrade has included the installation of 3.8 kilometres of guard rail and 1.1 kilometres of wire rope safety barriers, as well as improved line marking and drainage.

On top of this, I joined VicRoads to announce that work has finally begun on the \$3.1 million upgrade to boost safety at the Mickleham Road and Melrose Drive intersection in Tullamarine. Many residents have raised this issue with me a number of times. I know the member for Broadmeadows is also concerned about this intersection. I consider this roundabout to be extremely dangerous.

We are getting on with it and we are fixing this intersection, much to the delight of residents who rely

on this intersection to get to and from work, home and local events. The upgrade includes widening the approaching lanes around the roundabout, an additional lane north of Melrose Drive and improved street lighting, signage, line marking and skid resistance. It has been a great start to 2016, and I look forward to the year and delivering in spades for the community.

Electricity prices

Mr SOUTHWICK (Caulfield) — Victorians will be slugged with higher power bills after the Premier walked away from energy reforms a few days before Christmas. Families who are already struggling with cost of living pressures will now have to pay the price because of the Premier's decision.

In September last year the Auditor-General slammed Labor for massive blowouts in the cost of smart meters — from \$800 million to \$2.23 billion. He also said that Victorians had not realised any real benefit from smart meters. Labor's \$2.23 billion smart meter cost now risks becoming a massive white elephant after Labor's decision to again slug householders, who again will pay the price.

The Grattan Institute energy director, Tony Wood, said on 4 February:

This decision —

by the Minister for Energy and Resources —

is a setback for electricity tariff reform. Not only does it lock in unfair tariffs, it sends the wrong signals for new investment. Most of the cost of smart meters will be wasted and an opportunity for lower prices for all Victorians will be missed.

In September last year the Victorian Auditor-General also slammed this process, and a 2014 report for the Grattan Institute entitled *Fair pricing for power* found that cost-reflective pricing would have saved network businesses nearly \$8 billion in reduced investment over five years, with savings passed on to consumers in the form of lower bills. This explains why tariff reform is a key objective on the Council of Australian Governments reform agenda, which the Andrews Labor government has walked away from. I call on the Minister for Energy and Resources to do something about reforming the energy resource sector rather than waiting for it to fix itself.

Cardinal George Pell

Ms KNIGHT (Wendouree) — The decision by the Royal Commission into Institutional Responses to Child Sexual Abuse to allow Cardinal George Pell to

give evidence by video link is a great disappointment, to say the least. However, that disappointment should not be directed at the commission that is undertaking important work in investigating historical child abuse.

The royal commissioner found that, based on a medical report, there is a risk to George Pell's health if he travels at this time. I can assure George Pell that any discomfort he may be feeling does not go anywhere near the pain and agony experienced by the victims of clergy abuse. I can, hand on heart, guarantee that it does not go near the agony and anguish of those families who have lost their children to suicide because those children have been unable to deal with the pain of their abuse for 1 minute longer.

Importantly, the royal commissioner found that Cardinal Pell's health is not expected to improve, so the risk of his travelling is removed. So I say to George Pell, 'Stay right where you are. I do not ever expect to see you back in this country. I do not expect that you will set foot in Ballarat ever again'. One thing I will say to him is this: 'George Pell, if you cannot travel for this royal commission, then you cannot travel. And if we do ever see you back in this country, then we will know that everything you have said about your health — everything that you have said to avoid personally appearing at the hearings — is an absolute sham'.

Synthetic drugs

Mr THOMPSON (Sandringham) — I place on the record the profound grief and the advocacy of the George and Wilson families. Jennifer Wilson lost her only brother, Daniel George, after trying a synthetic drug called Kronic, which was bought over the counter at a business premises in Frankston, Naughty Games. It is advertised as a safe legal high. Jennifer Wilson made a promise to herself that her brother's death would not be in vain, and she is seeking help from across Australia for a campaign to make synthetic drugs illegal and to stop retail stores from selling them in-store and online. A gala is being conducted at the Woodlands Golf Club to raise funds and awareness to address this tragic issue, and Jennifer seeks the support of people across the Australian nation.

Life Saving Victoria

Mr THOMPSON — I congratulate Life Saving Victoria on its achievements, outlined in its 2014–15 annual report. The organisation coordinated 500 rescues. There were 113 306 preventive actions and 1688 first-aid actions were undertaken with 109 major first-aid actions. There was an overall

participation of over 13 000 people to make Victorian waters safer.

Lunar New Year

Ms THOMSON (Footscray) — I have had the pleasure of attending three separate Tet festival celebrations in the past few weeks to celebrate the Lunar New Year. On Saturday, 16 January, I attended the Vietnamese Community in Australia Victorian chapter's Tet festival. Following a successful 40 years of commemorating settlement in Australia, the Vietnamese Community in Australia paid tribute to Vietnam veterans on the 50th anniversary of the Battle of Long Tan. It was an enjoyable and memorable day, and for the first time in a long time the event was held in the western suburbs.

In addition, representing the Premier, it was my great pleasure to attend the Footscray East Meets West Lunar New Year Festival on 31 January for the 10th time to celebrate the 25th year of the festival. The East Meets West Lunar New Year Festival brought the streets of Footscray to life with the sights, sounds and smells of Vietnamese culture. My electorate of Footscray really is a place where east meets west, and it is a hub of multiculturalism. This year representatives from the Chinese, Thai, Cambodian and Philippines communities celebrated together. This year, 2016, we celebrated the Year of the Monkey with a festival parade as well as cultural dances, musical performances, food stalls and carnival rides.

I also attended the Quang Minh Temple on 7 February to celebrate the Tet festival, and I ushered in the new year with my colleague the member for St Albans at midnight along with many members of the temple and the venerable. It was great to see so many people out together to welcome in the new year. Congratulations to all who organised the celebrations.

Albacutya Bridge

Ms KEALY (Lowan) — The load limit of the 90-year-old Albacutya Bridge has recently been significantly reduced due to age-related structural damage. This bridge is a critical link for farmers, gypsum pit operators, school buses and tourists, and it is vital infrastructure for a rural region already suffering from the ravages of drought. Surely this bridge is a far better fit for the country bridges fund than the 10 bridges committed to by the Labor government in the Premier's own electorate of Mulgrave in Melbourne. I therefore ask the government to put country people first for once and provide immediate funding for this vital infrastructure.

Country Fire Authority Dimboola brigade

Ms KEALY — Country Fire Authority (CFA) volunteers have been locked out of the Dimboola fire shed communications room due to open asbestos, presenting the untenable situation of volunteers not having a central communication point. This shed is simply too small to house their vehicles and equipment safely. To ensure we provide the best possible support to the amazing volunteers who give their personal time and energy to protect the people and property from the ravages of fire, I urge the government to immediately fund a new fire shed for the Dimboola CFA brigade.

Country Fire Authority North Hamilton brigade

Ms KEALY — As a result of recent damage to the North Hamilton Country Fire Authority (CFA) shed door, there is an absurd situation where the North Hamilton appliance cannot be stored in the shed as the door will not open. To ensure we provide the best possible support to our amazing volunteers who give their personal time and energy to protect people and property from the ravages of fire, I urge the government to immediately fund a new fire shed for the North Hamilton CFA brigade.

Horsham Arts Council

Ms KEALY — I recently attended the Horsham Arts Council's 50th anniversary spectacular. This production was not only a fabulous tribute to the fine history of the success of the council over the years but also an amazing showcase of the stellar talent of our local people. I congratulate all involved with the Horsham Arts Council over the years for helping to achieve its outstanding reputation, and chookas for all future productions.

Wimmera cancer centre

Ms KEALY — After an outstanding \$600 000 was raised by the community for the Wimmera cancer centre, surely it is time for the Andrews Labor government to stop dithering and immediately provide funding for this vital health facility for our region.

Ellen Smiddy

Mr BROOKS (Bundoora) — I rise today to congratulate one of my constituents, Ellen Smiddy, who on Australia Day this year was awarded the Order of Australia Medal. Appropriately, it was in the subcategory of service to children and the community through social welfare organisations.

Ellen grew up in Greensborough and attended local schools. She went on to become a teacher herself, starting at St Pius X in Heidelberg West with a class of over 80 grade 1s. This was a result of the population explosion after the Olympic Games.

Ellen has been involved in a number of local organisations. She was a founding member of the Citizens Advice Bureau, now known as Diamond Valley Community Support, a fantastic organisation which provides referral, advice and emergency support services to residents within the Diamond Valley area. She worked as a volunteer there as well, serving on the board for 12 years. She was involved with the Watsonia North Primary School and Watsonia High School councils. She was appointed to the council of Preston Technical College, which later became the Northern Melbourne Institute of TAFE and now Melbourne Polytechnic, where she served as president for four years.

Ellen joined the committee of management at the Norparrin early childhood intervention service. She also worked as an electorate officer for the Honourable John Cain and a former federal member for Scullin, Harry Jenkins, where she originally took up a six-month vacancy and ended up staying for 12 years.

The list of Ellen's service and achievements is too long to do justice to in a 90-second statement. She has never been a person to seek recognition for her work, but it is great to see such a worthy person who has contributed so much being acknowledged. Well done!

Police numbers

Ms RYALL (Ringwood) — Daniel Andrews has cut the number of sworn police in Victoria since coming to government. There were 13 151 in November 2014 compared to 13 042 in September 2015. Our population increased by an MCG full of people in that time, so comparatively there has been a significant reduction per capita across Victoria also. During this time Victoria has seen rising crime. We have heard of the enormous challenges of ice to our police resources, tying them up for a huge proportion of their shifts.

The impact of family violence on police resources is also significant. We have seen the concerns of terrorism, which demands extra vigilance and police resources to ensure our safety, and we also know that they need to work in pairs.

The police minister guaranteed in April last year that no police station would be forced to close. In July 2015 my

community was advised that the Andrews Labor government was ending 24-hour policing operations at Nunawading police station but that a counter service would continue. Now we find, without notification, that our police station in Nunawading has had its counter service closed.

The coalition government put 940 protective services officers (PSOs) at our railway stations and over 1900 more police on the beat in the four years it was in office. This was to catch up on the degradation of the police numbers to the lowest per capita police numbers of the mainland states under Labor when it was last in government. Now Victorians are watching and are greatly disturbed by the Andrews government's running down of our police numbers — in true Labor character. We are watching crime rise, while the Premier hopes that the crime numbers just decline, because there are inadequate police numbers to detect and report it. Daniel Andrews has his priorities all wrong and cannot be trusted with community safety.

Cadel Evans Great Ocean Road Race

Ms COUZENS (Geelong) — On the weekend of 29 January Geelong really turned it on for the Cadel Evans Great Ocean Road Race. Geelong was on show to the world, with a global audience of millions across 140 countries, and we loved it. Cadel Evans should be very proud of the legacy he will leave, not only to cycling but also to Geelong. I also want to congratulate and thank the Minister for Sport on his work in making this event a success. The feedback from elite riders and commentators I spoke to was that this race was just as good, if not better than, those in some European countries.

Presenting the elite women's trophy with Deakin University vice-chancellor, Professor Jane den Hollander, was a highlight of the weekend. The Geelong waterfront was jam-packed with Geelong families and visitors all weekend. Families had picnics on the grass while watching the race on the big screen. Geelong was booked out, and it was a great boost to business.

The weekend started with a family ride on Friday, and Saturday was the people's ride, with a record number of entries — over 3500 — and of course the elite women's race. On Sunday we saw thousands of spectators line the 174-kilometre course to watch the elite men's race. This was the second year of this event, and Geelong is looking forward to many more events to come.

Geelong floods

Ms COUZENS — On another matter, I want to thank the emergency services who dealt with the floods recently in Geelong. The State Emergency Service, Country Fire Authority, police and council workers did an extraordinary job to help the people of Geelong who were in strife.

Parkmore Primary School

Mr ANGUS (Forest Hill) — I recently had the great pleasure of attending Parkmore Primary School in the electorate of Forest Hill to present the school captains and house captains leadership badges and certificates, together with the school principal, Mr Andrew Popov. I congratulate all the school leaders on their appointments and wish them and their fellow students, together with the school principal, school staff and the entire school community, well for the 2016 year.

Chinese New Year

Mr ANGUS — I congratulate the Asian Business Association of Whitehorse (ABAW) for organising another fantastic Chinese New Year celebration at Box Hill last Saturday. As always, it was a very spectacular event with large crowds in attendance to watch the festival, especially the lion dancing. I congratulate the ABAW president, committee members and all involved in putting on this great celebration. I also wish all Forest Hill residents of Chinese descent a happy new year in the Year of the Monkey.

Camelot Rise Primary School

Mr ANGUS — I recently had the great pleasure of attending Camelot Rise Primary School morning assembly to present the school leadership badges, including to the school captains, house captains and other school leaders. I congratulate all the school leaders on their appointments and wish them and their fellow students, the school principal, Mrs Kirrily George, the school staff and school community well for the 2016 year.

Forest Hill Men's Shed

Mr ANGUS — Last Saturday I had the great pleasure of attending the public launch of the new Forest Hill Men's Shed. It was a great occasion, where all visitors could see the work that has already been done to transform the area ready for the commencement of activities. Once again, I congratulate the key people involved in this fantastic project, including Megan Stock and the team from Crossway

and principal David Rogers and the team from Forest Hill College.

Australia Day

Mr ANGUS — On Australia Day I was pleased to attend a range of events, including the flag raising and citizenship ceremony conducted by the City of Monash. I also attended the civic awards ceremony and citizenship ceremony at the City of Whitehorse. I extend my congratulations to all the new citizens as well as the civic award winners, many of whom have served the local community faithfully in various areas over many years.

Asylum seekers

Ms KILKENNY (Carrum) — This last week we saw our Premier write a letter to Prime Minister Malcolm Turnbull. It contained a simple message — a message of compassion; compassion for 91 children and 176 men and women who are facing possible imminent deportation and a life of indefinite detention on Nauru. These 267 asylum seekers were brought to Australia from Nauru for medical treatment, but following a recent High Court decision could be deported any day. Not only are they facing the prospect of deportation but it is possible that by sending them back to Nauru we might be sending these people, including children, back to a place where they have been abused.

How have we as a nation got to a point where it is even remotely okay to send vulnerable people, including 37 babies born in Australia and children, back to a place where they risk further abuse and serious harm and when we know some of them are also suffering from cancer and terminal illnesses? It came as no surprise to me that Victorians, including many in my electorate, came out in strong support of the Premier's offer to accept these 267 people, to accept them with open arms and to give them the opportunity to call Victoria home.

I was brought to tears when the Premier shared an experience he had with two of the young boys facing deportation recently. As our Premier has shown, compassion can and does have a place in politics. So we say to Prime Minister Malcolm Turnbull: show some compassion, do the right thing and let them stay.

Australia Day

Ms McLEISH (Eildon) — Adele McCormack was named Citizen of the Year at Mansfield's Australia Day celebrations. Adele has made an outstanding range of

contributions to Merrijig and Mansfield. Don Hodges was named Senior Citizen of the Year and Liam Wilson was named Young Citizen of the Year. Congratulations to them all.

On Australia Day in Yarra Glen, Brendan Murphy was named Citizen of the Year for his drive to prevent violence against women. Chenille Chandler, also school captain at Healesville High School, was named Young Citizen of the Year. Jeff Gill was awarded the Ian Del La Rue Award for Community Leadership, with Mike Baimbridge and Geoff and Margaret Daish receiving certificate of recognition awards. Congratulations.

In the Murrindindi shire, Thomas Walters was named Young Citizen of the Year. Paul Bannon, who could be described as a bit of a character — an ordinary bloke who does the extraordinary — was recognised as Murrindindi Citizen of the Year for his contribution to the RSL, community shed and firefighting, amongst other things. However, it is Paul's unmatched generosity of another kind which is remarkable. Late last year Paul became the second Victorian altruistic kidney donor. For some time Paul had been preparing to donate a kidney to a mate who ended up with a kidney from a deceased donor. Paul thought he was prepared to donate, so he still wanted to and went into a paired kidney exchange program, which matches patients with willing but incompatible donors. It is truly extraordinary. Paul's donation triggered Australia's biggest transplant process, involving six hospitals in Victoria and New South Wales, resulting in seven people getting a better chance at life.

Alexandra was well represented in the 2016 Australia Day honours. I want to congratulate Bob Dare, Roy Fox, Ron Hedger and Joy Welch, who were each awarded a Medal of the Order of Australia. They have made exceptional contributions to their local community.

Mornington Peninsula bus services

Mr EDBROOKE (Frankston) — I am proud to say that the Andrews state government has just announced that we are taking a big step forward and delivering a new bus service for students left stranded by the federal government's cutting of the PenBus service and also for residents of the Mornington Peninsula. I would like especially to point out that the public transport minister had a key role in ensuring this crisis was solved.

As well as serving our PenBus students, the 887 service adds another completely new express peninsula bus route, with 7 stops compared to the usual 50 stops on the 788 route. This gives many people another choice

rather than using public transport or finding a park for their own vehicle at a train station. From 22 February an additional bus will be marked as 887 and will complete six round trips per day. The seven stops are at Rosebud, Safety Beach, Mornington, Mount Martha, Mount Eliza, Frankston station and Monash Peninsula campus.

The new service represents a funding partnership between the government, Mornington Peninsula Shire Council and Monash University and will operate for the next 12 months on a trial basis. I would like to thank everyone involved for their patience. This has been one of many cases where we are seeking to fill huge gaps that the federal government has created by literally pulling the rug out from underneath our community and telling us it is not its issue. To the federal government I say thank you for nothing.

Chisholm TAFE

Mr PAYNTER (Bass) — I recently visited the Wonthaggi campus of Chisholm TAFE with the shadow minister for training, skills and apprenticeships, the member for Euroa, and upper house member Melina Bath. The campus is led by Paul Boys and his wonderful team of dedicated staff and course instructors. Having personally had a long relationship with Chisholm, the visit reinforced my view that Chisholm, led by quality CEO Maria Peters, provides a quality education in a supportive environment that truly does draw the best out of its students.

When it comes to education one size or style does not fit all. It was when we sat down to chat with the Victorian certificate of applied learning students that our visit was truly enlightened. For the first time in their educational lives the students were invigorated and genuinely excited to be heading off to school for the day. Gone were the uniforms, the bullying and the anxiety of attending a school where they felt they simply did not fit in.

The students were a team, and more importantly, this team included the teachers. They had formed a supportive bond with the teachers built on mutual respect, trust and admiration. When asked what they would be doing without the Wonthaggi campus of Chisholm TAFE one student replied, 'Lying in bed all day'. The students now see a future. They are excited about learning and their future job prospects, something they simply did not have before attending Chisholm. Along with the opposition I am a strong supporter of the TAFE system. I wish the TAFE system, in particular Chisholm TAFE, all the best for the 2016 school year.

PGM Refiners

Ms WILLIAMS (Dandenong) — I rise to speak about some new and innovative waste processing technology in Dandenong. I recently had the opportunity to join the Minister for Environment, Climate Change and Water on a visit to PGM Refiners in Dandenong for the launch of Australia's first automated electronic waste processing system. The Victorian government invested \$470 000 in the purchase and installation of a new state-of-the-art machine which safely breaks down and sorts for recycling the various components of electronic items like LCD TVs, monitors and tablets. This hugely innovative technology, known as the BluBox, is one of only seven machines of its type in the world. It keeps dangerous things like mercury out of landfill and makes use of valuable components that would otherwise go to waste.

I spoke with the company's chief technology officer, Karvan Jayaweera, about the emergence of this technology and its location in Dandenong. Particularly inspiring was Karvan's personal story of his transition from pushing pallets on the factory floor to managing the new waste technology. It was a great account of perseverance and application. He is a very, very intelligent young man.

This investment highlights the government's commitment to resource recovery and keeping e-waste out of landfills. It also shows the important role government can play in investing and supporting innovative and new technology to get off the ground and to market. It was a pleasure to visit PGM Refiners with the minister and to showcase Dandenong and Victoria, which are at the forefront in providing a home for emerging technologies.

Lunar New Year

Ms SULEYMAN (St Albans) — I was happy to bring in the Lunar New Year, celebrating the Year of the Monkey, with over 20 000 locals at the Quang Minh temple in Braybrook on Sunday, 7 February, together with my colleague the member for Footscray. I would like to commend senior venerable Thich Phuoc Tan and the organisers at Quang Minh for a very successful event. The Vietnamese community is very much an integral part of our community. I am very proud to be part of a very diverse and multicultural community in St Albans.

I also take this opportunity to wish the St Albans traders all the very best and congratulate them on yet again

organising very successful Lunar New Year festivities, which continue to grow each year.

St Albans level crossings

Ms SULEYMAN — In St Albans we have had a fantastic beginning to the year, and we are another step closer to getting rid of the Main Road level crossing, with the placement of the bridge that will carry traffic over the rail line. The works over the new year break have gone to plan, and locals have been keen to watch and witness the works at the Main Road and Furlong Road level crossings. The constituents of St Albans are looking forward to a very big year for the electorate, with the removal of the Main Road and Furlong Road level crossings and the beginning of the construction of the new women and children's hospital at Sunshine.

Public transport

Ms GRALEY (Narre Warren South) — I would like to congratulate all members of Parliament on returning in such good spirit. The year has begun in fine form with the Andrews Labor government announcing some terrific initiatives, especially those around public transport. I know that people in my electorate are going to be very much looking forward to the fact that they will be able to get on more trains, more often and in more comfort, because the new project will allow over 11 000 new passengers to ride.

The ACTING SPEAKER (Mr McGuire) — Order! The time for making statements has now ended.

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee: budget estimates 2015–16 (hearings alert)

Ms GRALEY (Narre Warren South) — It is a pleasure to rise to make a contribution. The committee report I am going to speak on is the Public Accounts and Estimates Committee (PAEC) report entitled *2015–16 Budget Estimates Hearings Alert Report*. The reason I am doing so is that I was prompted by a number of newspaper articles that appeared over the holidays, including one, an *Age* editorial, where the headline was 'Victoria's disgrace — no new schools as number of students surges'. I was also prompted by comments of the opposition's education spokesperson in an article that also appeared in the *Age*, where that spokesperson said that the Premier 'had no plans to build for Victoria's future education needs'.

This sent me back to looking at the PAEC report, and a contribution of the Minister for Education. I will begin

by quoting the minister, who said at the outset of his budget estimates hearing:

Every child deserves every chance to succeed in education, no matter what their background or the school they attend.

That is exactly why this government is committed to making Victoria the education state, and that is exactly why this government is undertaking the biggest investment in schools and education in Victoria's history. The reason we have to do this is that we are committed to making sure that every child in every classroom in every school gets the best education, but as the minister also emphasised at the PAEC hearing, the previous government actually chronically underinvested in education. In fact he mentions it in his report. It is plain to see from the graph in his PAEC presentation that in the previous term of office the average spend was \$278 million per year on school capital. It is no wonder we see headlines appearing in the *Age* that talk about underinvestment in schools, because that is exactly what the previous government did.

We have had to rectify that situation by providing record investment. We are up to about \$568 million this year, which will make huge difference in the provision of infrastructure. As the newspaper articles also highlighted — and the minister was aware of this when he made his PAEC presentation — we have had an extraordinary 500 per cent increase in the movement of relocatable classrooms. There are probably members in this chamber who have been concerned by the fact that certain schools have lost their relocatable classrooms to other schools. The exact reason why this has happened is that despite the previous government having four years to get this right, not one new school has opened in this school year. That is a stunning statement, and it appears in all the newspaper articles. It is an amazing statistical fact.

Not even the Premier had the joy, as one would like at the start of an education year, of being able to say, 'Look at this great new school' and welcome new students into it. No, that has not happened. It puts us very much behind the eight ball when we have to invest big dollars over and over again to make sure that this catch-up can happen in the education sphere. I noticed in his presentation to PAEC that the minister articulated exactly what we are doing.

I am sending a clear message to those in the chamber and outside the chamber that this government is committed to making sure that the school budget will deliver \$345 million for upgrades and modernisation of government schools; \$120 million for capital works at non-government schools; \$110 million to deliver new

schools; \$40 million to purchase land for new schools; \$12 million for tech schools, including one in my own electorate of Casey; and \$25 million for critical school maintenance. This is a major investment. It is much needed because of the neglect of the previous government. We have had to catch up, but I can assure the readers of the *Age* and those in the education community, especially the parents, that this government is committed to rectifying the situation and building the education state.

Independent Broad-based Anti-corruption Commission Committee: strengthening Victoria's key anti-corruption agencies?

Mr WELLS (Rowville) — I would like to rise to speak on the report of the parliamentary Independent Broad-based Anti-corruption Commission Committee titled *Strengthening Victoria's key anti-corruption agencies?*, which was tabled this morning.

In December last year the Special Minister of State, Gavin Jennings, introduced the Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015 into Parliament. The bill aims to strengthen Victoria's integrity system and respond to issues that have been raised about its operation. At the time the bill was introduced, the Victorian government also noted that the proposed legislation was the first in a series of intended reforms. Further reforms will take place over 2016–17 with the aim of continuing to strengthen the Victorian integrity system.

This report follows the introduction of the bill. It examines the current Victorian integrity system and considers issues which have been raised by the Independent Broad-based Anti-corruption Commission (IBAC), the Victorian Inspectorate and other key stakeholders such as academics, the Law Institute of Victoria and the Accountability Round Table.

The committee benefited from the considered advice, evidence and suggestions of a wide range of experts and interested parties that are involved in the integrity systems in our state and across the country. I would like to thank all those who gave their time to assist in the committee's work. There was a wide range of information and insights provided to the committee, and it was important that we read and understood this information to understand the complexities around the current legislation and what the government was proposing.

In addition to this the committee travelled to Brisbane to attend the Australian Public Sector Anti-Corruption Conference on 18 and 19 November. That was an event

hosted by the Crime and Corruption Commission in Queensland and the Independent Commission Against Corruption in New South Wales. We attended that for a couple of days, but as well we visited the Crime and Corruption Commission in Queensland. It was well worth our while looking at the legislation that was already in place in Victoria, comparing it to what Queensland had and to the proposed changes that were going to take place.

The issues which have been raised with the committee canvass a wide range of areas within the legislative framework and offer suggestions about how the system could be improved. The committee found that many of the issues which have been raised have been addressed by the proposed legislation. It was also informed of areas which would require further investigation or where further improvements to the integrity system could be made.

Accordingly the committee has made 13 recommendations to the Victorian government aimed at assisting the further enhancement and effectiveness of the integrity system here in Victoria, which should be considered in the ongoing review over the next two years. Some of the areas that we were looking at were examining the criteria for IBAC to conduct a public examination of witnesses; the issue of whether the offences that fall within the definition of 'relevant offence' which trigger IBAC jurisdiction should be expanded; providing IBAC with a power to park or suspend the resolution of a complaint or notification for a reasonable period of time; the issue of whether IBAC should be provided both additional powers to obtain evidence from individuals who are the subject of criminal charges and so-called follow-the-dollar powers — and obviously there was a strong push for the Auditor-General to have those follow-the-dollar powers which have been in the mix for a number of years — and also the issue of whether any further clarification should be given to the role of the Victorian Inspectorate in respect of its oversight of the issuing of witness summons by IBAC.

Throughout this process the committee identified a number of issues that it also intends to investigate further this year. From the outset I thank my committee colleagues: the member for Footscray, who was deputy chair, the member for Prahran, the member for Gippsland South, the member for Mordialloc, and Simon Ramsay and Jaclyn Symes, members in the Legislative Council, for their cooperative and bipartisan approach to the preparation of this report and their involvement in the committee. I also thank and express sincere gratitude to Sandy Cook, the executive officer, Kirstie Twigg, the research officer, and Stephanie

Dodds, the administrative officer, for their hard work — especially their hard work over January when most people are on leave. I extend my sincere gratitude to them.

**Public Accounts and Estimates Committee:
budget estimates 2015–16**

Mr PEARSON (Essendon) — I would like to make a contribution in relation to the Public Accounts and Estimates Committee report on the 2015–16 budget estimates of the 58th Parliament, which was tabled in November last year. I would like to focus my comments today on table 3.2 on page 50 of the report that indicates that population growth is projected to increase by 1.8 per cent per annum across the forward estimates. I find this statistic particularly important and relevant in the context of reading George Megalogenis's book over the summer break, *Australia's Second Chance — What our history tells us about our future*. For those of us with a more than passing interest in economics and the nexus of economics with politics, this book is a rollicking read.

Population growth has been a key economic driver for Victoria for the past 20 years. Population growth has driven a demand for goods and services and has stimulated our property market as well as our service industry. While some of this population growth is a consequence of natural increase, much of it is a result of migration. To quote Megalogenis:

In the second half of the 20th century, the population grew by 2.2 million per decade, and migration accounted for a third of that total, or just over 800 000. The latest available figures between 2003 and 2013 show that migration was responsible for almost two-thirds of a much larger increase in population — 2.1 million out of 3.3 million. The last decade when migration was responsible for more than half of Australia's population growth was the 1850s.

As many members would know, that massive level of migration in the course of the mid-19th century helped create Marvellous Melbourne and build many institutional landmarks, including the one we are standing in today.

There is an interesting part of Megalogenis's book where he refers to Victoria's colonial statistician, a gentleman by the name of Henry Hayter, who observed firsthand how Melbourne's population increased by more than 70 per cent between 1881 and 1891. Hayter tried to do a bit of 19th century forecasting and came up with a very bold assessment that, based upon the level of population growth for the 19th century, Victoria's population would be 133 288 495 in 1991 and a massive 189 269 663 in 2001.

As we know, the reasons we have not become a nation of that size by this time are of course the White Australia policy, tariff walls and policy isolationism, which put an end to that. While we might be happy to not be a nation of that size now, I think many of our forebears would have much preferred avoiding severe economic depressions and would have liked to have discovered the joys of espresso coffee, saganaki or pho in the 1920s.

Megalogenis also talks about the need to balance population growth with infrastructure provision. Economic evidence suggests that cities can start to have a decline in the quality of livability once they pass 4 to 5 million people. This can result in the creation of an inequitable community, which is why an investment in the Melbourne Metro tunnel is so important. It is also important to note that when Steve Bracks was asked when he retired what his greatest achievement was in office, he mentioned regional rail. I think that if we are looking at having these sorts of investments in major public transport, then we can sustain very large increases in our population, and we can start to spread that population growth over a wide area. It is about making sure that people can participate in the great growth story of Melbourne.

The reality is that — and PricewaterhouseCoopers produced a report last year on this point — the four key postcodes in Melbourne within the CBD are where all the jobs are and where all the economic wealth is being created. We have got to make sure that we have those very strong public transport linkages so that people can participate in that wealth and are able to export that wealth back out to their home communities, be it in outer suburban Melbourne or regional Victoria. So if you have not read it, as Molly Meldrum would say, do yourself a favour. George Megalogenis is a fantastic read. The wonderful thing, when you have insightful journalists like Megalogenis, is that they have got that great ability to distil complex ideas down to very simple propositions. It is a great read and again reinforces that we have got to be open and inclusive and we have got to have a growing population to become a great, progressive society.

**Public Accounts and Estimates Committee:
budget estimates 2015–16**

Mr D. O'BRIEN (Gippsland South) — I too rise to speak a little on the report on the 2015–16 budget, although unlike the member for Essendon I will not be actually giving a book report on some other book altogether. I was interested though, and I did pick up one line that he mentioned there, which was with respect to spreading the population growth around our

communities. It is an idea that is dear to my heart and something that I believe should happen. In fact there are benefits for both metropolitan areas and areas that I represent if we try to get as many as people as possible out to the regions. When I say the regions, I do not just mean Geelong, Ballarat and Bendigo, as the Labor Party tends to speak of, but right out to country areas where the living is wonderful, in places like my electorate of Gippsland South.

To do that we need to invest. Sadly, the report on the budget estimates highlights that at its first test this government has failed in relation to some of the important infrastructure that is needed. I refer in particular to roads, which is probably the no. 1, 2 and 3 issue in my electorate, where we have seen the government, through the 2015–16 budget, already cut the roads maintenance budget by 10 per cent; axe the country roads and bridges program, which was a successful program for local councils in my electorate; and also, in terms of infrastructure, deliver just 2.9 per cent of major infrastructure funding in regional Victoria. So we have seen a city-centric government in its first test, the first budget for 2015–16. There is an opportunity, I guess, coming up for this government to reverse some of those decisions and start to actually invest.

We have seen the government spruik its regional development credentials, but we are 15 months into this government's term and yet we have not seen a single project announced out of the Regional Jobs and Infrastructure Fund that the minister established after scrapping the Regional Growth Fund, a very successful program run by the former government.

In looking at the previous budget, we now look forward to the next one. In my electorate of Gippsland South there are a number of areas that do need addressing and I will be expecting the government does address come May this year. Roads, as I mentioned, is a key one. We need to reverse the cut that Labor has introduced to funding of maintenance on our roads. In my own electorate specifically, a couple of projects are extremely important. One is the final two stages of the Princes Highway east duplication between Traralgon and Sale. It is \$160 million, I am advised by VicRoads. It has been funded 80-20 by the commonwealth and the state over the past few years, so a \$32 million investment from the state, roughly speaking, will be needed to complete that project to give us a fully duplicated highway between Traralgon and Sale and therefore between Melbourne and Sale. It is a really important project that must be funded.

In addition the Black Spur section of the South Gippsland Highway between Koonawarra and Meeniyah is a very dangerous and winding section over the Black Spur Creek. This is a bizarre one — and I will have more to say about that in the Parliament later — where VicRoads had indicated that a business case was ready late last year. On raising it with the minister, I find now that the business case is not ready and now VicRoads is backtracking and saying it will not be ready until the end of the year. So we do need some answers on that, but more particularly we need that project funded.

In education the coalition provided \$5.6 million for the first stage of the Korumburra Secondary College upgrade. We need the government now to come to the party and fund the remaining stages of that to ensure that there is a full rebuild of Korumburra Secondary College. Yarram Primary School is ready and raring to go. The design and development works are done. It has been on the agenda for a long time now. My predecessor ensured that the business case for the design and development works was funded. It is ready to go. We just need the government to step up in this year's budget. In addition Leongatha Secondary College is also waiting just for a little bit of money, about \$1 million, to finish its final upgrade. I do not expect it this year, but the Foster Primary School is the one next in line.

In water there are some very important projects. The Northern Towns project for Korumburra, Loch, Nyora and Poowong, connecting their water supply to the Lance Creek system, does not require the switching on of the desalination plant. Although it connects to the desalination plant, it does not need to be switched on. We just need this project to be funded. It is very important for the water security and the growth of those towns, in particular for Burra Foods in Korumburra.

Finally, on the Macalister Irrigation District 2030 upgrade, the government has committed to doing that but subject to the port of Melbourne lease. That is yet to be seen, whether that will go through. The government should not have tied it to the port of Melbourne lease; it should have just funded it, as the previous coalition government did.

Public Accounts and Estimates Committee: budget estimates 2015–16

Ms GREEN (Yan Yean) — I rise to speak on the Public Accounts and Estimates Committee report no. 4 on the 2015–16 budget estimates. I would like to commend the chair of that committee, the member for Essendon, and other members on that committee. It is a

very good committee to be on, particularly in your first term in Parliament, because you really learn the basis of how our system works. I know that the member for Essendon has brought a lot of experience, having worked in government — and he is doing a fantastic job, as are other members. As I said, in my first term it was really part of my learning experience, and it is an important part of our parliamentary system and accountability to those we represent.

I specifically want to refer to table 6.1 on page 118, which is headed 'Borrowings and net debt, general government sector, 2008 to 2019'. The net debt there shows an increase in particular from 2008 to 2013 and we are seeing a lesser increase now in the out years. Primarily the cause of this has been the millennium drought. We are still seeing huge impacts on our regional communities in relation to this. It presents a significant risk going forward. It requires all of us as members of this place and also all three levels of government to support communities that are still suffering from the millennium drought.

In my role as the parliamentary secretary for regional Victoria I have been spending a lot of time in drought-affected communities. It has been really sad. My dad was born in Dunolly. At the original family home in Greens Lane in Llanelly when I was growing up we had the most magnificent fruit trees. It was like a secret garden at my grandparents' house. There were two dams there. It was always dry — it is a dry place — but that beautiful acre of fruit trees and the vegie garden that kept generations of our family fed is no more, and it really is because of over a decade of minimal water in that area. I also have friends who are wine producers in that area. The vines are dying.

I found it really disturbing to read in the *Weekly Times* of 27 January some quotes from the federal Minister for Infrastructure and Regional Development, Warren Truss. The article is headed 'Victoria's most remote communities not remote enough'. It says:

Victoria's most remote communities are not remote enough to get federal government drought funding.

West Wimmera and Buloke shires —

which are even further west of my dad's old property, which is in the Loddon shire —

in the state's north-west, recently applied for a slice of the government's \$35 million drought communities program.

However ... Minister Warren Truss last week told the councils they 'did not meet the remoteness criteria'.

The response has flummoxed the community, with West Wimmera shire mayor, Annette Jones, calling for the decision to be reviewed.

'We may not be remote by Queensland standards but we certainly are by Victorian', Cr Jones said.

I have been in Donald recently. I was there with some of the state government drought funding programs that have been supporting that community. They really are doing it tough, and I call on National Party and Liberal Party members in this Parliament — the member for Ripon and the member for Lowan — to stand up for them to Warren Truss. These communities need that support. If there is a bushfire or if there is a flood, wherever it is, it is a disaster. Wherever a drought is, it is a disaster. These communities are 3½ to 5 hours from Melbourne. They need that support, and it is about time the coalition in this Parliament stood up to its federal masters in Canberra and said it will support these communities in drought.

Public Accounts and Estimates Committee: budget estimates 2015–16

Ms STALEY (Ripon) — I rise today to talk about the Public Accounts and Estimates Committee's report on its inquiry into the 2015–16 budget estimates and the appearance before the committee of the embattled Minister for Public Transport on 15 May 2015. In particular I draw the house's attention to slide 7 of her presentation, which was to do with delivering for our regions. Of course there is not much delivering going on, is there? The first task listed on the slide that the minister presented reads:

Commission the \$4 billion dollar project funded by Labor.

I note that, typically, the arrogant minister airbrushed out the achievement of the previous coalition government in fixing the regional rail link project so that in fact it won infrastructure project of the year.

If we go back to slide 7, where the minister notes the commissioning of the regional rail link, just how is that working out for her? I looked today at the *Courier*, as I always do, and I saw that it reports that:

V/Line's punctuality reached one of its lowest points in January, with the embattled regional rail provider struggling to cope with a debilitating wheel fault that is yet to be solved.

...

Services on the Ballarat line also experienced a remarkable drop in reliability, with just 87.5 per cent of services reaching their destination — down from 97.9 per cent on the Ballarat line —

when the coalition was in government.

We have a parliamentary inquiry going on in the upper house that has showcased just how appallingly this government has botched the commissioning of the regional rail link. Public transport chiefs are admitting to the parliamentary inquiry that they are unsure as to what the total cost of the saga will be or how it will be paid for, and of course they came out and said they are spending \$300 000 a day on replacement buses.

Interestingly, the *Courier* has been keeping its readers well abreast of these problems. It is the major issue in Ballarat and along the lines to Ararat and Maryborough, so the silence from the members for Wendouree and Buninyong on this has been, as they say, deafening. But I believe if we read the *Herald Sun* we will learn there was 'screaming down the line' during an emergency phone hook-up of regional MPs. I wonder which one was screaming down the line about the botched regional rail link? Was it the member for Wendouree? Do you think the member for Wendouree was screaming down the line? I cannot imagine that it could have been the member for Buninyong who had woken up and screamed down the line. I think I might have to suggest that it was the member for Wendouree. Of course that phone hook-up only existed because there had been months and months of complaints from —

Mr Eren — On a point of order, Acting Speaker, the member is quoting from a document in her hand. Can she table that document?

Ms STALEY — I am very happy to table the newspaper article. Very happy!

The ACTING SPEAKER (Mr McGuire) — Order! The member is happy to make the publication available.

Mr Eren — Are you sure?

Ms STALEY — Absolutely. Sure, I am happy to table a copy of the *Herald Sun*.

Mr Eren — On the point of order, Acting Speaker, she actually has an iPad in her hand. She is quoting from the iPad. Can she table the iPad?

Mr Hodgett — On the point of order, Acting Speaker, the previous speaker was also using her notes from an iPad. I put to you that the member for Ripon is using copious notes from her iPad. She is referring to a *Herald Sun* article. She is happy to table that article.

The ACTING SPEAKER (Mr McGuire) — Order! The Clerk has advised me that if the member could just make the actual document available, that will be sufficient. The time for making statements has now

ended. We now return to government business, orders of the day.

VICTORIA POLICE AMENDMENT (MERIT-BASED TRANSFER) BILL 2016

Statement of compatibility

Mr SCOTT (Acting Minister for Police) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (the 'charter act'), I make this statement of compatibility with respect to the Victoria Police Amendment (Merit-based Transfer) Bill 2016 (the bill).

In my opinion, the bill, as introduced to the Legislative Assembly, is compatible with human rights as set out in the charter because no human rights protected by the charter act are relevant to the bill.

Robin Scott, MP
Acting Minister for Police

Second reading

Mr SCOTT (Acting Minister for Police) — I move:

That this bill be now read a second time.

Speech as follows incorporated into *Hansard* under sessional orders:

This bill facilitates merit-based transfer of police officers to country general duties positions. This bill provides the legislative instrument to ensure important reforms agreed between Victoria Police and the Police Association as part of the enterprise agreement commence.

Victoria's hardworking general duties police officers are the front line to the justice system. They can be seen across Victoria each day and night working the divisional vans and at police stations across Victoria. General duties officers are our first responders. They protect our community, keep us safe, investigate and prevent crime and uphold the law.

All general duties positions are currently filled via an expression of interest process. In effect, the police officer at the top of the list gets the job.

As part of the 2015 police enterprise bargaining agreement, the chief commissioner and the Police Association agreed that general duties constable and senior constable positions at country locations should be filled via a merit-based selection process. This reform needs to be supported by legislative amendment to the Victoria Police Act 2013, which this bill delivers.

This important service delivery reform will reward performance and, along with other agreed reforms, facilitate a better spread of police expertise across the state.

The bill complements work being done to respond to recent reports into sexual predatory behaviour and sexual discrimination within Victoria Police.

These IBAC and VEOHRC reports identify several factors that enable predatory behaviour by rural police officers and contribute to poor workplace culture, including:

the inability to attract and retain staff from outside the immediate area;

the inability to periodically refresh supervisors and managers; and

the low proportion of female supervisors and managers in rural areas (only 11 per cent).

The bill will allow merit-based transfer for general duties country positions to proceed under the Victoria Police Act 2013. The bill will also remove any barrier to unsuccessful applicants appealing the decision to the Police Registration and Services Board. These transfer and appeal processes are consistent with merit-based processes currently used for sergeant, senior sergeant and inspector positions. The independent appeal processes promote confidence in Victoria Police merit-based selection processes.

I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Wednesday, 24 February.

CHILDREN LEGISLATION AMENDMENT BILL 2016

Statement of compatibility

Mr FOLEY (Minister for Housing, Disability and Ageing) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (the charter), I make this statement of compatibility with respect to the Children Legislation Amendment Bill 2016 (the bill).

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

Overview

The bill makes minor and technical amendments to the Children, Youth and Families Act 2005 to clarify some of the amendments introduced by the Children, Youth and Families Amendment (Permanent Care and Other Matters) Bill 2014. The bill also amends the Commission for Children and Young People Act 2012 to provide for the Secretary to the Department of Health and Human Services to disclose certain information relating to vulnerable children and young people to the commission where such information is relevant to the commission's functions.

Human rights issues

Protection of families and children

Section 17(1) of the charter recognises that families are a fundamental group unit of society and are entitled to be protected by society and the state. Section 17(2) provides that every child has the right to such protection as is in his or her best interest and is needed by him or her by reason of being a child.

The amendments in the bill are intended to improve the operation of the act and the Commission for Children and Young People Act. The objective of both of those acts is to promote the safety, protection and wellbeing of children. Consequently, by improving the operation of those acts, the bill promotes the protection of families and children under the charter.

Right to privacy

Section 13(a) of the charter provides that a person has the right not to have his or her privacy unlawfully or arbitrarily interfered with. Clause 26 of the bill engages the right to privacy by requiring the Secretary to the Department of Health and Human Services to disclose to the commission any information about an adverse event relating to a child or young person in out of home care or a person detained in a youth justice centre or a youth residential centre if the information is relevant to the commission's functions.

The commission has a broad range of functions under the Commission for Children and Young People Act relating to the safety and wellbeing of vulnerable children and young persons. As the disclosure of information under clause 26 is limited to information relevant to the commission's functions, any interference with privacy will not be unlawful or arbitrary and furthermore will be for the purposes of promoting the safety and wellbeing of vulnerable children and young persons.

I therefore consider the bill to be compatible with the charter.

Martin Foley, MP
Minister for Housing, Disability and Ageing

Second reading

Mr FOLEY (Minister for Housing, Disability and Ageing) — I move:

That this bill be now read a second time.

Speech as follows incorporated into *Hansard* under sessional orders:

The bill contains amendments to the Children, Youth and Families Act 2005 and the Commission for Children and Young People Act 2014.

The Andrews Labor government is working to increase the safety of children and young people who are at risk of abuse and neglect and those in the state's care. The bill will require the Department of Health and Human Services to share client information with the Commission for Children and Young People, where the information is about an adverse event affecting children and young people in out of home care or youth justice detention centres and is relevant to the

commission's functions. This explicit requirement will ensure the commission is able to effectively perform its functions for this group of vulnerable children and young people.

Other amendments to the Children, Youth and Families Act are largely technical in nature and are designed to address provisions in the Children, Youth and Families Amendment (Permanent Care and Other Matters) Bill 2014 — which I will refer to as the amendment bill — that are insufficiently clear or lack consistency and which come into effect on 1 March 2016. None of these amendments represent a change in policy or intent.

This bill will correct inconsistencies in terminology which were overlooked in the amendment bill, for example by replacing references to a person having custody of a child with references to a person having parental responsibility for a child.

The bill will address unintended consequences of the amendment bill. For example, it will address an omission in the amendment bill so that the current responsibility of the secretary to prepare a case plan for children subject to a therapeutic treatment placement order is retained and restore the secretary's current power to make certain decisions about children who are subject to an interim accommodation order and placed in out of home care.

The bill will also provide for an existing protection order to continue in force until an application for a care by secretary order and a long-term care order is determined. This amendment is necessary to ensure that a child subject to a family reunification order remains protected by a protection order, if the family reunification order cannot be extended because the child has been in out of home care for a cumulative period of two years, or where the protection order that a 17-year-old is subject to expires before the young person's 18th birthday.

The bill will also amend the Children, Youth and Families Act to provide the Children's Court with the same rule-making powers in the Family division that it already has in the Criminal division, and to assist the Children's Court in implementing a system for the electronic lodgement of documents.

In summary, this bill strengthens the oversight provided by the Commission for Children and Young People, and also consists of minor and technical amendments that are intended to create clarity and consistency in legislation that protects vulnerable children and young people. The Children, Youth and Families Act, as amended by the amendment bill, will operate as intended as a result of this bill.

I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Wednesday, 24 February.

HEALTH COMPLAINTS BILL 2016

Statement of compatibility

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

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (the charter), I make this statement of compatibility with respect to the Health Complaints Bill 2016.

In my opinion, the Health Complaints Bill 2016, as introduced to the Legislative Assembly, is compatible with human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview

The bill repeals the Health Services (Conciliation and Review) Act 1987 and establishes a new legal framework for complaints about the provision of health services or the failure to provide health services in Victoria. The bill also establishes the office of the health complaints commissioner (commissioner) and the Health Complaints Commissioner Advisory Council.

The key features of the bill include:

- the establishment of a complaints scheme that enables a person to make a complaint to a health service provider and/or to the commissioner;

- provision for the appropriate referral of complaints to other relevant bodies;

- complaints resolution processes that include both informal and formal resolution options;

- the establishment of processes, powers and safeguards for conduct of investigations by the commissioner into complaints about health service providers;

- filling a current regulatory gap by providing for a general code of conduct that applies in respect of 'general health service providers' — that is, providers of health services that are not provided in the practice of a health profession under the Health Practitioner Regulation National Law (Victoria) Act 2009;

- powers for the commissioner to protect the public through the making of public health warning statements, general health service warning statements, interim prohibition orders and prohibition orders.

Human rights issues

The right to privacy and reputation

Section 13(a) of the charter provides that a person has the right not to have his or her privacy, family, home or correspondence unlawfully or arbitrarily interfered with. Section 13(b) provides that a person has the right not to have his or her reputation unlawfully attacked. An interference with privacy or reputation will not be unlawful where it is permitted by a law that is precise and appropriately circumscribed. Interferences with privacy will not be arbitrary

provided they are reasonable in the particular circumstances, just and proportionate to the end sought.

Several clauses of the bill provide for the making of complaints to health service providers and to the commissioner, and provide the commissioner with various circumscribed powers to obtain and publish information relevant to his or her functions. To the extent that these provisions require or permit the disclosure of personal or health information, they will interfere with the privacy and reputation of individuals. However, as outlined below, any interference with privacy that occurs in accordance with the provisions of the bill will be lawful and not arbitrary.

Complaints

Part 2 of the bill enables a person (including third parties and carers) to make a complaint to a healthcare service provider and/or the commissioner about various matters relating to the provision of a health service. The making of a complaint necessarily involves collection of personal or health information by the person to whom the complaint is made, which engages the right to privacy. In some circumstances, the complaint may also include private information about a person who is a health service provider.

The bill does not require that the person who sought or received the health service consent to the making of the complaint by the third party or carer, even though the complaint may involve the sharing of his or her information with the commissioner. In my view, any interference with privacy associated with such complaints is neither unlawful nor arbitrary. The interference will be authorised under clear and accessible legislation, and there are clear limits on the commissioner's ability to use and disclose the relevant information. Further, enabling complaints by third parties or carers is not arbitrary as it is for the important purpose of protecting public health and safety. Enabling such persons to make complaints ensures that the commissioner has the power to handle all legitimate and serious concerns about the conduct of a health service provider.

Information gathering powers

Clauses 12(2), 18, 35, 39 and 41 specifically enable the commissioner to request or require information from various persons in the course of dealing with a complaint or conducting a conciliation, with clauses 35, 39 and 41 imposing a penalty on health service providers who fail to comply with particular types of requirements.

The commissioner may also conduct an investigation into a matter in the circumstances set out in part 4 of the bill, such as where a matter is unable to be resolved during the complaint resolution process, where a health service provider fails to cooperate with that process, or where a matter is referred by the minister for investigation. Clause 65 allows the commissioner to apply to a magistrate for a search warrant, permitting an authorised person to enter premises suspected to contain evidence relevant to an investigation, and to search for and seize documents and things. Evidence can also be obtained pursuant to clause 69, which permits the commissioner, for the purpose of an investigation hearing, to serve a notice on a person requiring them to produce a specified document or thing to the commissioner or to attend to give evidence, and failure to do so is an offence. Clause 73 confers powers on the commissioner to inspect, retain, and

copy documents or things produced at the investigation hearing in accordance with a notice.

While these powers enable an interference with the right to privacy, any such interference is neither unlawful nor arbitrary, and so is compatible with the right in section 13(a) of the charter. The interference is not unlawful, as it is authorised in clear and accessible legislation. Nor is the interference arbitrary, as the circumstances in which the commissioner may seek information, obtain a warrant, or compel the disclosure of information, documents or evidence are clearly circumscribed by the legislation and are limited to the purposes of dealing with the complaint or conducting the investigation. Further, information obtained under the act may only be disclosed in limited circumstances (discussed below), and the commissioner and persons acting on his or her behalf remain bound by the Privacy and Data Protection Act 2014 and the Health Records Act 2001 in dealing with a person's private information.

Disclosure of information

A number of clauses within the bill provide for disclosure of particular types of information to specified persons during the handling of a complaint or an investigation.

Clause 17 requires that the commissioner give the health service provider a copy of the formal description of the complaint, which may include personal and health information. Clause 25 provides for referral of the complaint (or part of the complaint) to a person or body responsible under a 'relevant law' under which a complaint process or investigation or inquiry could be undertaken, and clause 148 facilitates disclosure of information to relevant regulatory bodies.

If the commissioner conducts an investigation into a complaint under part 4, he or she must write a report on that investigation. Clauses 51 and 57 set out that the various persons who must or may receive copies of such reports, including the health service provider to whom it relates, the secretary, the complainant, the person who sought or received the health service, the Australian Health Practitioner Regulation Agency and any national board, and the employer of the health service provider. Reports of investigations referred by the minister must also be given to the minister.

Clauses 150 and 151 set out the circumstances in which information gathered during investigations, complaint data reviews or during complaint resolution processes may be disclosed. Such disclosure is authorised where:

- (a) it is necessary to disclose the information for or in connection with the administration of the bill;
- (b) the disclosure is for the purposes of legal proceedings arising out of the bill;
- (c) the secretary reasonably believes the disclosure is necessary in the public interest;
- (d) the person to whom the information relates gives their written authority for the disclosure;
- (e) the disclosure is to the Australian Health Practitioner Regulation Authority or a national board under clause 148; or

- (f) the commissioner reasonably believes it is necessary to disclose the information to avoid a serious and imminent risk to the life, health, safety or welfare of a person or the public.

Clause 152 sets out that information obtained during a conciliation may only be disclosed:

- (a) with the written authority of the person to whom the information relates;
- (b) where the secretary reasonably believes the disclosure is in the public interest;
- (c) where it is necessary for the purpose of the commissioner's functions under part 3; or
- (d) where the commissioner reasonably believes it is necessary to disclose the information to avoid a serious and imminent risk to the life, health, safety or welfare of a person or the public.

Finally, clause 155 authorises the commissioner to disclose information about a health service provider to the Chief Commissioner of Police for the purposes of obtaining a criminal record check. The Chief Commissioner of Police is also authorised to disclose the result of the criminal record check to the commissioner.

While these clauses potentially enable an interference with privacy by authorising the disclosure of personal and health information, any interference is neither arbitrary nor unlawful. Disclosures are provided for under clear and accessible legislation, and are only authorised in limited circumstances where it is necessary to facilitate the administration of the bill and of related schemes to regulate the conduct of health practitioners, where it is in the public interest, or where it is necessary to avoid serious risks to individual or public health or welfare. Further, the commissioner has discretion under clause 153 not to disclose identifying information where appropriate. I therefore consider that the right to privacy is not limited by these provisions.

Publication of information regarding health service providers by the commissioner

Public statements

In certain circumstances, the commissioner may publish statements including information about health service providers, including the name of the health service provider and other details that are 'reasonably relevant'. The commissioner may publish a statement where the health services provider has failed to respond to a follow-up report by the commissioner (clause 82), and may publish a public health warning (clause 84) or a general health warning (clause 87).

These clauses are relevant to the right to privacy, and particularly the right not to have one's reputation unlawfully attacked under section 13(b) of the charter. However, in my view, these rights are not limited by the clauses as any interference with privacy or reputation will be neither unlawful nor arbitrary. The commissioner may only make such statements in limited circumstances, such as failure to comply with clause 82 or in the case of public and general health warnings, statements may only be published where a person has suffered or is likely to suffer a detriment as a result

of the provision of the health service (clause 84), or where the health service provider has contravened a code of conduct or committed an offence (clause 87). There is a high threshold for publishing a statement under these provisions, as public and general health warnings may only be given where the commissioner reasonably believes that it is necessary to avoid serious risk to the life, health, safety or welfare of a person or of the public. The legislation also makes express provision for the correction or revocation of statements where appropriate.

Prohibition orders

Clauses 92 and 97 require that an interim or final prohibition order in relation to the provision of a general health service must be published on the commissioner's website and in the *Government Gazette*. These orders enable the commissioner to prohibit a health service provider from providing a general health service, or to impose conditions on the provision of a service. A prohibition order may only be made if the commissioner reasonably believes that it is necessary to do so to avoid serious risk to the life, health, safety or welfare of a person or of the public.

While the rights to privacy and reputation may be engaged by the publication of such orders, such publication is neither unlawful nor arbitrary, as the legislation provides clear guidance on when the orders can be made, and their publication is necessary to ensure their effectiveness. Further, I note that the orders may be varied or revoked, and health service providers may seek to have an order reviewed by the Victorian Civil and Administrative Tribunal (clause 101).

Property rights

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

The commissioner's powers under a search warrant are discussed above. In each provision that permits the commissioner or person authorised under a warrant to seize or take items or documents, those powers are strictly confined, and attended by appropriate safeguards. For instance, where a magistrate issues a search warrant, only things named or described in the warrant are permitted to be seized, and the rules in the Magistrates' Court Act 1989 that govern the use of search warrants will apply. The bill requires a person executing a warrant to announce their authorisation and provide an opportunity for any occupants to allow entry prior to entering the named premises. In the case of compelling the production of documents or things pursuant to an investigation hearing notice, that notice may only be served for the purpose of an investigation hearing, and there is an exception to complying with the notice if the person has a reasonable excuse. Documents and things produced at an investigation hearing may only be retained for so long as is reasonably necessary for the purposes of the investigation hearing, and documents may only be copied where they are relevant to the subject matter of the hearing. As such, the powers are appropriately circumscribed to only permit seizure of, or secure against interference, material necessary to investigate breaches of the bill.

For these reasons, any deprivation occasioned by the seizure of property will be in accordance with law, and will not limit the right to property under section 20 of the charter.

Protection against self-incrimination

In my view, the power of the commissioner contained in clause 69 to serve a notice compelling the production of documents and things, and requiring a person to attend and give evidence at an investigation hearing, does not limit the right to protection against self-incrimination. This is because the privilege against self-incrimination is not abrogated. While there is an offence for failing or refusing to comply with an investigation hearing notice, a person may refuse to comply if they have a 'reasonable excuse' which, under the bill, expressly includes where the giving of the information would tend to incriminate the person. Accordingly, as a person can refuse to answer questions or produce information on the ground that to do so would incriminate himself or herself, the right to protection against self-incrimination is not limited. Additionally, I note that clause 79 provides that a person may be represented by a legal practitioner when giving evidence or producing documents to the commissioner under an investigation hearing notice and clause 75 provides that a person appearing has the same protection and immunity as a witness has in a proceeding in the Supreme Court.

Presumption of innocence — reverse onus

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

Clauses 39(3), 52, 58, 68, 70, and 129(4) of the bill are all provisions creating an offence, and in each case it is an exception to the offence for the accused to have a 'reasonable excuse'.

Provisions that create 'reasonable excuse' exceptions to offences may be viewed as engaging the right to be presumed innocent in section 25(1) of the charter by placing an evidential burden on the accused. The reverse onus is required in relation to these offences as the 'reasonable excuse' exception relates to matters which are particularly within an accused's knowledge and introduce additional facts from the subject matter of the offence, which would be unduly onerous for a prosecution to investigate and disprove at first instance. Once the accused has pointed to evidence of a reasonable excuse, which they should have access to if the excuse is applicable, the burden shifts back to the prosecution who must prove the essential elements of the offence to a legal standard. I am of the view that there is a negligible risk that these provisions would allow an innocent person to be convicted of any of these offences. Accordingly, I am of the view that these offence provisions are compatible with the charter.

Freedom of movement

To the extent that an investigation hearing notice that is served on a person, requiring their attendance at a specified place at a specified time to give evidence, limits the right to freedom of movement in section 12 of the charter, in my opinion the limitation is reasonable and justifiable. This is because the limitation is relatively minor in nature, and, without being able to require a person's attendance to provide

information or things, or be informed that a person is claiming a relevant privilege, the purpose and effectiveness of the investigation process would be undermined.

The right to equality

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

Clause 154 prescribes a general code of conduct, contained in schedule 2 of the bill, that applies in respect of general health services until such time as a general code of conduct is prescribed by regulations. Item 7 of the general code of conduct provides that a general health service provider who has been diagnosed with a medical condition that can be passed on to clients must practise in a manner that does not put clients at risk, and must take and follow advice from a suitably qualified registered health practitioner as to necessary steps to modify their practice. Item 11 of the general code of conduct provides that a general health service provider must not provide treatment or care to clients while suffering from a physical or mental impairment, disability, condition or disorder that places or is likely to place clients at risk of harm.

In my view, these clauses do not limit the right to equality. The general code of conduct contains clauses that may restrict the ability of a health service provider with a communicable medical condition or an impairment to practice because of the risk that their condition or impairment potentially poses to their ability to safely treat patients, rather than because of the fact that they have a medical condition or impairment.

Right not to be punished more than once

Section 26 of the charter provides that a person has the right not to be tried or punished more than once for an offence in respect of which he or she has already been finally convicted or acquitted in accordance with law.

Clauses 90 and 95 of the bill allow the commissioner to make interim prohibition orders and prohibition orders prohibiting a health service provider from providing a health service or imposing conditions in certain circumstances, including where he or she been tried and convicted or acquitted of a prescribed offence. Where this action is taken following a person being convicted for an offence, a question arises as to whether this action constitutes being tried or punished more than once for the purposes of the right in section 26 of the charter.

However, the right in section 26 of the charter has been interpreted as applying only to punishments of a criminal nature and does not preclude the imposition of civil consequences for the same conduct. The actions that may be taken by the commissioner under clauses 90 and 95 are of a regulatory nature and are for the purpose of protecting the public from serious risks arising when the commissioner becomes aware of serious risks arising from health services, rather than being aimed at punishing the health service provider. Further, the making of a prohibition order does not amount to a finding of criminal guilt.

I therefore consider that the right in section 26 of the charter is not relevant to the power to impose prohibition orders under the bill.

Fair hearing

Section 24(1) of the charter provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing. The charter right to a fair hearing is not limited to judicial proceedings and can include administrative proceedings. This right is likely to be relevant to parts 4 and 5 of the bill, which provide for investigations of the commissioner, who is bound by the rules of natural justice in conducting those investigations. In particular, the bill contemplates that investigations may be conducted and concluded without a hearing.

Although clause 60 provides for the commissioner to decide to conduct investigations without a public hearing, in all of the circumstances, I am of the opinion that this clause does not limit the right to a fair hearing. This is because in all investigations, the commissioner is bound by the rules of natural justice and is expressly required, before making a decision affecting a person, to give that person an opportunity to make submissions about the decision (clause 59). Further, to enable the commissioner to meaningfully provide natural justice in exercising his or her investigative powers, and to ensure accountability, clause 60 provides that where the commissioner decides not to have a hearing, he or she:

- (a) may take oral or written submissions;
- (b) may send for persons, documents or other things; and
- (c) must keep a record of all submissions and evidence before the commissioner and decisions made by the commissioner.

I therefore consider that the bill is compatible with the right to a fair hearing.

Hon Jill Hennessy, MP
Minister for Health

Second reading

Ms HENNESSY (Minister for Health) — I move:

That this bill be now read a second time.

Speech as follows incorporated into *Hansard* under sessional orders:

Across all sectors it has been clearly demonstrated that effective handling of complaints can improve consumers' experience and operational efficiency, and facilitate individual, organisational and system learning. Health complaints entities have a critical role to play in contributing to quality improvements in the health system.

Victoria's health complaints scheme established by the Health Services (Conciliation and Review) Act 1987 was pioneering when it was introduced by the Cain Labor government nearly 30 years ago. That act was part of a whole suite of progressive legislation that reformed and modernised Victoria's health system during the 1980s. It established the role of the health services commissioner with the aim of providing an independent and accessible health complaints mechanism for health service users, and of promoting learning from

complaints and prevention of their recurrence. Over time, the other Australian jurisdictions have followed Victoria's lead and established their own specialist health complaints entities.

The Health Services (Conciliation and Review) Act has served this state well. It has lived up to its promise of offering an accessible and affordable option for the resolution of disputes between health service recipients and providers, as an alternative to costly litigation.

However, since 1987, the health service landscape has changed dramatically and the health services commissioner now operates in a very different regulatory environment to that which existed during the 1980s. At that time, the regulation of registered health practitioners and health service organisations was primarily state based. The establishment of the national registration and accreditation scheme through the Australian Health Practitioner Regulation Agency was more than 20 years away.

Over the past two decades there have been significant changes in the way we understand and manage health records and privacy. Significant reforms to consumer law, the introduction of legislation to protect human rights and the establishment of a number of new specialist commissioners — including the disability services commissioner and the mental health complaints commissioner — have all altered the regulatory landscape and the way in which complaints about health services can be addressed. While these developments provide improved opportunity for proactive oversight of the health sector, they also present new challenges. The various agencies must work together to minimise complexity for health service users and providers, and governments must ensure that there are no unnecessary legislative barriers to the timely flow of critical information.

Major changes in the nature of the health sector, the Victorian population, and consumer behaviour and expectations have also occurred over the last three decades. The diversity of health services available to the community has grown substantially, and many Victorians are making use of a broad range of alternative and complementary therapies.

Technology has fundamentally changed the way in which many people access health information. The explosion of information on the internet about health and wellbeing, and the development of 'apps' for almost every conceivable need, mean that individuals can easily access information, albeit of varying quality. Increasingly, better informed users of the health system have high expectations of health service providers, and many people are looking beyond their local doctor to help them manage their health.

Approaches to dispute resolution have also evolved since the 1980s and more flexible dispute resolution models are now being used by a range of complaints resolution bodies.

In recognition of this changing context, the Victorian health complaints scheme has been significantly reviewed in recent years. The reforms contained in this bill have their genesis in the work of an expert panel chaired by Michael Gorton, AO — now chair of the Australian Health Practitioner Regulation Agency — who extensively reviewed the Health Services (Conciliation and Review) Act. The panel consulted extensively and in its 2013 final report concluded there is a need not only to modernise the current act, but also to make some fundamental changes to the scheme.

The bill also draws on the findings of a study undertaken by the health services commissioner in 2012, which examined feedback from a number of people who lodged complaints with the commissioner's office over the preceding three years which indicated a need to address some deficiencies in the current act.

The government has supplemented and updated the panel's report by conducting further consultation with key stakeholders in 2015, and this bill reflects all of the work that has been undertaken.

The bill repeals and replaces the Health Services (Conciliation and Review) Act and makes consequential amendments to a number of other acts. It establishes a new statutory entity known as the health complaints commissioner to replace the health services commissioner, and empowers the new commissioner to resolve health service complaints, contribute to health service quality improvements, and gives the commissioner some new tools that enable the commissioner to take action to protect the health and safety of members of the public.

Importantly, the bill contains powers which will enable the new commissioner to take action when necessary against unethical and unscrupulous unregistered general health service providers to avoid serious risk to public health and safety. In this way, the bill gives effect to Victoria's commitment to examine the implementation of a national code of conduct for unregistered health practitioners and complements the role of the Australian Health Practitioner Regulation Agency in relation to registered health service professionals under the Health Practitioner Regulation National Law (Victoria) Act 2009.

Complaints resolution

As is currently the case, the commissioner's primary role is to facilitate the resolution of complaints about the provision of health services and thereby avoid the need for potentially prolonged and costly legal proceedings. The reforms in the bill are specifically designed to address the concerns, identified in the reviews, about unnecessarily restrictive and cumbersome processes imposed by the existing act.

The Victorian health complaints resolution system has always been a voluntary one and the bill does not change this. Rather, the bill allows for a more accessible and responsive complaints system by empowering the commissioner to make use of a range of approaches in an attempt to resolve complaints. The bill requires the commissioner to take the least formal resolution approach appropriate to resolve a complaint. However, it retains formal conciliation (currently the only form of resolution available to the commissioner) as an option for situations that require stricter confidentiality to enable more frank and fruitful discussions to progress. While the parties have to consent to participation in a complaint resolution process, the commissioner will have powers to require provision of information where necessary to engage parties and ensure an efficient and effective conciliation process. Where these powers are used, strict confidentiality protections are invoked.

Improving the quality of health services and protecting the public

Importantly, the bill positions the commissioner within the broader regulatory landscape to play a key role in improving

health service quality. A key objective of the bill is to ensure that better use is made of health complaints information to enable improvements across the healthcare system and, where necessary, to take action to protect the public.

One of the key motivations for people making complaints about health services is to ensure that lessons are learnt from their experience so that others do not suffer the same fate. The commissioner is uniquely placed to learn from complaints and provide feedback to improve the provision of health services. This bill strengthens the commissioner's ability to contribute to organisational and health system learning in a number of ways.

Firstly, the bill allows anyone to make a complaint to the new health complaints commissioner — currently, the right to complain is limited to the person who received or sought the health service (or a limited class of their representatives). The capacity for third-party complaints means that family members, health service staff that have concerns, or members of the public who think something is not quite right, can bring their concerns to the attention of the commissioner. The bill includes safeguards to ensure that the rights of the individual who sought or received the health service are protected and, where appropriate, that the individual who was affected give their consent to the commissioner dealing with the complaint.

Secondly, the new commissioner will have an 'own motion' power to investigate important matters that could be the subject of a complaint despite the fact that no complaint has been lodged. This power is important when there is potential for a significant quality or safety risk to exist, but the recipient of the health service is reluctant to complain.

Thirdly, the bill addresses criticisms made during the reviews of the act that the commissioner is a 'toothless tiger' by giving the commissioner powers to keep track of whether providers have made quality improvements they undertook to implement as part of resolving a complaint. It also includes a capacity for the commissioner to 'name', for instance, on the commissioner's website, a provider who fails, without reasonable excuse, to cooperate with the commissioner's process in relation to the recommendations of a follow-up investigation; or fails to respond to, and substantively address, the commissioner's recommendations.

The panel found there was scope to make greater use of learnings, both from individual complaints and from aggregated data about complaints received across Victoria. It made a number of recommendations aimed at enhancing the commissioner's capacity to fulfil this objective. The bill will also position the commissioner to be part of a system that is able to recognise and respond to issues that impact on service quality.

In this context, it is critical that different agencies with a regulatory or oversight role work together to enable early identification of potential issues and risks. The bill includes provisions to facilitate critical information exchange. In doing so, the bill continues to recognise the need to protect the rights of those involved in the commissioner's processes.

Important research conducted in recent years has demonstrated that a small number of health service providers are responsible for a disproportionately large number of complaints. Indeed, a study that examined complaints about medical practitioners has shown that as few as 1 per cent of doctors in private practice in Victoria account for nearly

20 per cent of complaints to the health services commissioner about medical practitioners.

Allowing the commissioner to identify the underlying issues that are resulting in multiple complaints will allow the commissioner to suggest remedial action to avoid future complaints and potentially prevent more serious issues arising. To this end, the bill empowers the commissioner to undertake reviews of information obtained in the course of dealing with a complaint or investigation; and to make recommendations aimed at addressing persistent or recurrent issues. This is complemented by a capacity for the commissioner to require health service providers to supply non-identifying information, data and statistics about complaints they handle, which will more widely allow for analysis and the making of quality recommendations.

At a broader health system-wide level, the bill includes a capacity for the commissioner, at the request of the minister or the Parliament, to undertake public inquiries into broader healthcare matters. On completing the inquiry, which may involve public hearings, the commissioner may make recommendations aimed at addressing systemic issues identified.

Protecting the public

In addition to these quality improvement mechanisms, this bill has a strong emphasis on protecting the public.

In particular, it will fill an existing regulatory gap in relation to health service providers who are not among the 14 professions registered under the Health Practitioner Regulation National Law (Victoria). These unregistered health service providers are not subject to the same regulatory controls or sanctions as registered practitioners. Under the act as it currently stands, there is no capacity for the health services commissioner, or any other authority, to prevent incompetent, unethical or unscrupulous unregistered health service providers from practising.

The bill introduces a statutory code of conduct for unregistered health service providers; new powers for the commissioner to investigate breaches of this code; and a capacity to prohibit, or place conditions on the practice, of an unregistered service provider. Complementary provisions provide a capacity to warn the public and to recognise similar orders made in other Australian jurisdictions so that the person cannot practice in Victoria.

Further, the bill allows the commissioner, upon becoming aware of a matter of serious risk, to disclose otherwise confidential information when there is a compelling public interest reason to do so. The bill also empowers the commissioner to issue public warnings to alert the community to serious risks to the health, safety or welfare of a person or the public more broadly, that arise from the provision of a health service. Appropriate safeguards and accountability with respect to the use of these powers are included.

In 2015, some cases came to light that have illustrated the need for this bill. For example, the media reported extensively on a blogger who had profited from her wellness app and was eventually exposed as deceiving her followers about having terminal brain cancer and curing her illness with healthy eating and natural therapies. A deregistered former midwife who was implicated in the deaths of babies during homebirths

in another state was discovered to be assisting in the delivery of babies in Victoria.

I would like to stress that the introduction of these stronger powers for the commissioner in relation to unregistered health service providers does not imply a judgement about the value of the services offered by the vast majority of those working in health occupations that are not within the 14 nationally registered health professions. This is a broad and diverse group who provides services that are valued by the community. The government believes people should have the opportunity to make meaningful choices about the health services they receive; and this includes the types of services they make use of.

Indeed, most unregistered health service practitioners practise in a safe, competent and ethical manner and make an important contribution to the provision of contemporary health services. Just as the Australian Health Practitioner Regulation Agency and the national boards play a watchdog role in relation to the registered professions, the new powers will enable the commissioner to take decisive action to stop the small number whose conduct or performance falls well below the standard that the public has a right to expect, and which can put people at risk of serious harm.

While consumer laws offer protection for people from false claims and some capacity to recoup money, there is a risk that unscrupulous providers can encourage vulnerable people to forgo conventional treatments with the potential for serious adverse health consequences. Experience has demonstrated that those who seek to misrepresent themselves in this way will continue to ply their trade, even after sanctions under consumer laws have been applied.

For example, there is the case of the former dentist who, over many years, offered unproven therapies including so-called 'ozone therapy' to vulnerable cancer sufferers. Although Consumer Affairs Victoria successfully prosecuted this individual over his false claims, he responded by simply amending the claims made on his website and continued to recruit patients to his clinic.

Victorians have the right to expect a basic minimum standard of conduct and competence of anyone from whom they seek a health service. This bill will provide the necessary means to intervene to stop individuals who through a lack of skills, incompetence, negligence, impairment or criminal intent, cause real harm to those who put their trust in them.

Importantly, the bill will provide the means to deal with those who profit from the abhorrent practice of 'gay conversion therapy' — a practice which inflicts significant emotional trauma and damages the mental health of young members of our community. This bill will enable the new commissioner to investigate and crack down on anyone making dangerous and unproven claims that they can 'convert' gay people.

In all of these cases, where someone is found to be making false claims and to be acting in a manner that puts people's physical, mental or psychological health, safety or welfare at risk, the commissioner will be able to prevent them from providing these services.

I now turn to the provisions of the bill.

Part 1 sets out the purpose of the bill and definitions.

The definition of 'health service' establishes the jurisdiction of the health complaints commissioner. In contrast to the existing act (which includes a specific list of settings, professional titles and service types), the definition in the bill is inclusive and includes consideration of the purpose of the activity being performed. With minor amendments, the definition in the bill is consistent with the narrower definition used in the Health Records Act 2001, under which the commissioner will also exercise powers and functions, and the definition that has been considered by the Council of Australian Governments health ministers in relation to an enforceable national code of conduct regime for health workers. The definition does not distinguish between services provided in the public and private sectors and includes both individual and organisational providers.

The bill defines a subclass of health service — 'general health services' — which means a health service other than that provided in the practice of one of the 14 health professions regulated under the National Health Practitioner Regulation Law.

Health services are provided by 'health service providers'. This includes health professions within the meaning of the Health Practitioner Regulation National Law (Victoria) and 'general health service providers' who provide 'general health services' as defined in this part.

The definition of 'general health service provider' is important in that it specifies those to whom the commissioner's new determinative powers apply. The definition includes a wide range of providers — for example, dental technicians, massage therapists, speech pathologists, counsellors and psychotherapists, homeopaths and reiki therapists, along with many others. Some of these general health service providers will belong to professional associations with specific membership requirements and standards; others will not. Importantly, the definition of general health service provider will include individuals who are registered as a health professional under the Health Practitioner Regulation National Law (Victoria) to the extent they are providing health services outside the scope of their registration and not using their registered title. It also applies to individuals who have previously been, but are no longer, registered under the Health Practitioner Regulation National Law (Victoria).

The bill defines the 'general code of conduct' as meaning the general code of conduct with respect to general health services providers that is included as a schedule to the bill and any general code of conduct applying to the general health services that may be prescribed by regulations. There is also provision for any other code of conduct to be prescribed in respect of general health services.

The general code of conduct that is included as a schedule to the bill reflects the terms of the national code that have been agreed by the Council of Australian Governments Health Council. Including the code as a schedule to the bill will provide certainty to general health service providers who will be subject to the code of conduct once the bill takes effect, and is consistent with the government's commitment at the national level to examine the implementation of the National code within Victoria. Some amendments have been made to the terminology of the national code for consistency with the language of the bill.

Part 1 also contains a set of health service principles. These principles are to be observed in the provision of health services and for the purpose of administering the legislation. It is against these principles that a health service provider's acts or omissions will be judged as reasonable and whether or not a complaint warrants being dealt with.

Part 2 provides for the making of complaints, the commissioner's procedures when a complaint is made and the options available to the commissioner in deciding how to proceed in relation to a complaint.

Divisions 1 and 2 of part 2 describe the grounds and procedures for the making of complaints.

In addition to allowing 'anyone' to make a complaint about a health service that was sought or was received by a person, the bill recognises the important role played by carers in our community and their need for an avenue to have their own concerns addressed. To this end, the bill includes a provision allowing carers to lodge complaints with the commissioner about the way in which they were treated by a health service provider in their caring role.

Experience in Victoria and other jurisdictions shows that complaints that are resolved directly result in better outcomes for all involved. When local resolution can be achieved the process is quicker, less costly and less likely to impact on ongoing care relationships. The expert panel identified that the current act contains limited guidance about how health service providers should deal with complaints locally and does not include a substantive mechanism for the commissioner to directly influence local resolution practices. The panel found the act does not sufficiently emphasise the primacy of local resolution and the commissioner's role in supporting it.

While the bulk of the provisions within the bill focus on the functions and powers of the commissioner, the bill provides statutory recognition of the fact that the vast majority of health complaints will be resolved directly between the provider and the complainant. To support this, the bill places an onus on the commissioner to provide information and education to providers about complaints handling and requires health service providers to adhere to a minimum set of complaints handling standards. To fail to do so is a new ground for complaint to the commissioner.

There is an explicit expectation in this part of the bill that, wherever appropriate, individuals will raise their concerns directly with the health service provider. It is recognised, however, that there will be times when it will not be appropriate for an individual to complain directly to a health service provider. It may be that the individual fears the provider or feels vulnerable if there is no alternate provider from whom they can seek care. It may also be important to escalate a complaint quickly if the matter is of such seriousness that it constitutes a possible breach of a code of conduct. The bill therefore includes a discretion enabling the commissioner to accept such complaints directly.

In contrast to the existing act, the bill allows for complaints to be made orally or in writing, and this part describes the obligations of the commissioner in relation to the receipt of complaints and the provision of support for those seeking to make a complaint.

The panel found that complainants can face barriers to accessing and participating in the commissioner's processes. Complaints are often made when people are unwell, incapacitated or facing issues of trauma, loss, worry or financial stress. At these times people may need additional support to navigate the complaints system and the complex medical or legal issues that can arise.

The independence and impartiality of the commissioner is highly valued and has been integral to the successful operation of the scheme. In trying to address the concerns raised — and while maintaining the neutrality and objectivity of the commissioner — the bill includes an obligation for the commissioner to provide reasonable assistance to a person who wishes to make a complaint and who requires assistance to formulate it. This includes assisting in the sometimes confusing process of identifying the health service provider, for instance, where the matter relates not only to a practitioner but also the health service that employs or engages them.

The remaining divisions in this part describe the procedures of the commissioner once a complaint is made.

The bill recognises that much of the work of the commissioner in facilitating the resolution of complaints can occur without the need for formal processes. The bill allows the commissioner, on receiving a complaint, to attempt to facilitate a resolution of the complaint prior to the process of formally determining whether to deal with the complaint.

Under the current act, the commissioner resolves as many as 75 per cent of complaints during an 'assessment phase'. This might involve the commissioner's staff helping parties to resolve an issue with a couple of phone calls or through facilitating a quick exchange of information, for example assisting in clearing up a misunderstanding in the way information has been communicated. Specific reference in this part to preliminary complaint resolution recognises this work for the important activity that it is.

If this preliminary resolution approach is not appropriate or fails to resolve the complaint, the commissioner must make a decision whether or not to deal with a complaint. Consistent with the current legislation, the commissioner will be able to refuse to deal with, or cease to deal with, a complaint on a range of grounds, including if the complaint is frivolous or vexatious, not made in good faith or if there is no reasonable prospect of the complaint being resolved and should not be investigated.

Once the commissioner decides to deal with a complaint, the bill requires that the complainant agree to a description of the complaint. This requirement will allow the commissioner to proceed with a degree of certainty about the matter. In many cases the complaint as first received will be sufficient to progress the matter. However, in other cases, there may be significant work involved in documenting the particulars of the complaint and clarifying the issues for resolution.

A complainant may withdraw a complaint at any time and in most cases this will mean no further action is taken in respect of the complaint. The commissioner does however have a discretion to deal with a withdrawn complaint if there is a public interest reason to do so, because the commissioner believes the complaint may involve a contravention of the code of conduct or believes that the person has withdrawn the complaint under duress or because of intimidation.

The bill provides for greater flexibility for the commissioner to determine how to proceed. This includes a capacity to decide that a complaint should be divided into two or more parts to enable some matters to be referred to a more appropriate body, while continuing to deal with that part relevant to the commissioner. There is also a capacity to deal concurrently with two or more complaints, so long as this does not adversely affect the rights of a health service provider or disadvantage a person who made a complaint or the person who received or sought the health service about which the complaint is made.

It is expected that the commissioner may choose to prioritise or expedite action in relation to particular complaints. A complaint may be prioritised because it relates to an ongoing issue or a situation where an important care arrangement is at risk. Priority may also be given to resolving a matter if, for example, the complainant has a terminal illness.

The bill acknowledges that the commissioner operates alongside a range of other regulatory bodies. Division 3 of part 2 provides that the commissioner must refer a complaint if it were more appropriate that it be made to another entity, such as the disability services commissioner or the mental health complaints commissioner.

The bill also recognises that there is significant overlap between the jurisdiction of the commissioner and the Australian Health Practitioner Regulation Agency and the national health professional registration boards established under the Health Practitioner Regulation National Law (Victoria). The Health Practitioner Regulation National Law (Victoria) describes a process for consultation and decision-making about which of the two entities takes precedence in dealing with a complaint. The bill is consistent with this process.

Importantly, the bill allows for the commissioner to continue to exercise particular functions and powers, despite the referral of a complaint to another entity. For instance, the commissioner may investigate and ultimately issue a prohibition order preventing a general health service provider from continuing to provide a general health service if they have breached a code of conduct and there is a serious risk to the health or safety of the public.

The bill defines a number of points at which the commissioner must provide notice to a health service provider and/or another party to a complaint. It is not intended that these notice provisions will result in undue formality, unnecessary correspondence or significant red tape for the commissioner's office. However, these notices are an important natural justice requirement as well as providing certainty to participants and transparency of process. In practice, it is envisaged that obligations to provide notice of certain processes may be consolidated and, if appropriate, will be communicated via modern communication technology such as email.

In some cases notices will include a request for a response or certain information to be provided to the commissioner. In setting timeframes for responding to such notices, it is expected that the commissioner will take into account the seriousness and complexity of the issue, the nature of the request and the capacity of the parties to respond.

Division 4 of this part provides a capacity for the commissioner to defer the giving of some of the notices

required by the bill. The commissioner may withhold the giving of a prescribed notice of a complaint or other relevant notices if the commissioner reasonably believes that advising the health service provider of a complaint may prejudice an investigation or result in a serious risk to the life, health, safety or welfare of a person or the public. The notice can be withheld as needed to allow the commissioner to undertake a relevant action including executing a warrant, publishing a general health warning statement or serving an interim order prohibiting a general health service provider from providing a health service. The commissioner is obliged to provide the notice as soon as the concerns that led to it being withheld no longer apply.

Provisions exist to provide the commissioner with discretion to defer the provision of specific notices and information to a person if a national board or the disability services commissioner requests that the commissioner do so on specified grounds to ensure that the bill does not undermine the operation of the Health Practitioner Regulation National Law (Victoria) or the Disability Act 2006. Under these pieces of legislation, the national boards and the disability services commissioner, respectively, are permitted to investigate and take other defined actions without the subject being aware that they are being investigated if the providing of the notice may prejudice the investigation or place a person at risk.

These provisions reflect the need to carefully and vigilantly weigh up the sometimes competing right to natural justice of the health service provider who is the subject of a complaint with the need to protect the health, safety and welfare of the public. It is expected that these provisions will be rarely used and only when the risk to be mitigated is a serious one.

The commissioner has two avenues available once a decision is made to deal with a complaint — to proceed with a complaint resolution process with the parties' agreement; or to investigate the complaint.

Part 3 describes the complaint resolution processes available to the commissioner.

Under the bill, the commissioner is able to make use of a flexible range of alternative dispute resolution processes in addition to the practice of conciliation available under the current act. A range of less formal, more timely and effective resolution techniques have become commonplace in other jurisdictions and this bill will enable the commissioner to make use of these techniques and thereby offer a more nuanced and responsive complaints resolution service.

Reflecting the body of knowledge about best practice in complaints resolution, the commissioner is obliged to make use of the least formal action that is appropriate to the circumstances of each complaint.

The bill retains the voluntary nature of complaints resolution but does provide for a discretionary capacity for the commissioner to require a provider to give a written response to each of the issues raised in a complaint. This provision implements a recommendation of the panel which found that delays in provider engagement and response to the complaints contributed to frustratingly long and protracted processes and hindered the capacity to achieve timely resolution of complaints. In cases of such delays, it is commonplace for the complaint to significantly escalate — to no-one's benefit — and the opportunity for a timely and simple resolution is passed.

From the range of dispute resolution processes available, the commissioner may decide, with the consent of the parties, to conciliate a complaint under division 2 of this part. As conciliation is a confidential process, it remains of great value in cases where parties may be reluctant to be forthright and open without this protection. During a conciliation process, the commissioner also has available, if required, a power to require that a provider produce relevant documents or evidence in order to facilitate resolution of a complaint. Again this power reflects an explicit recommendation of the expert review panel who formed the view that a requirement to provide certain information would greatly enhance effectiveness and confidence in the commissioner's processes.

Experience has shown that most complaints are resolved through the provision of an explanation or an apology. In some cases there is a reimbursement of expenses or an offer of financial compensation. Quite often the complainant's primary objective in making a complaint is to ensure that the circumstances that led to the complaint don't happen to someone else. In such instances the resolution may include an undertaking by the health service provider to take certain action or make a specific change to the way they provide their service. This is also an important way in which the complaints scheme can bring about improvements in service quality.

Where such quality improvement undertakings are made, the bill includes a capacity for the commissioner to seek a report back from the provider about progress on implementing the undertakings and allows the commissioner to follow up in the same way as the commissioner can with respect to recommendations arising from an investigation. Specific provision is made so that undertakings made in the course of a conciliation process are not subject to the strict confidentiality of the conciliation process to enable the commissioner to track their implementation.

If a complaints resolution process fails to resolve the matter, the commissioner may decide to take no further action or, if appropriate, may decide to investigate the matter.

Part 4 sets out the commissioner's powers and obligations with respect to investigations conducted under the bill.

The bill allows the commissioner to investigate complaints that are not suitable for a complaint resolution process, or complaints where resolution has been attempted but has not been successful. Importantly, the bill also allows the commissioner to conduct an investigation if a provider has failed to participate in, or cooperate with a complaints resolution process without reasonable excuse.

Specific provision is made to allow the commissioner to undertake an investigation if the commissioner reasonably believes that a general health service provider has contravened a code of conduct applying to a general health service they offer.

The commissioner may also conduct an investigation on a matter that could be the subject of a complaint under clause 6 on referral by the minister.

The 'own motion' power of the commissioner to investigate matters where a complaint has not, but could have been, made under clauses 5, 6 or 7, is also described in this part. This capacity for 'Commissioner-initiated' investigations

implements a key recommendation of the panel and is an essential element in enshrining the independence of this statutory officer as well as enhancing the quality improvement role of the commissioner.

The investigation powers of the commissioner under the bill are significant and the process of investigating may be time consuming and resource intensive. For this reason, there is an expectation that the commissioner will initiate investigations only in respect of serious matters that warrant their use and warrant the expenditure of public funds. As an additional check on the use of these new powers, the commissioner is required, before commencing a commissioner-initiated investigation, to consult with the president of the Health Complaints Commissioner Advisory Council established under the bill, who is required to be a lawyer.

On completing an investigation, the commissioner must produce a written report that describes the matter investigated, any findings, including whether or not there has been a contravention of a code of conduct, and any recommendations of action to be taken. There is a further obligation that, if the commissioner makes an adverse finding or comment about a person or organisation in the report, if requested to do so, the commissioner must include a summary of the submission made by that person or organisation. The bill also outlines to whom the investigation report is to be given.

If the commissioner makes recommendations to a health service provider following an investigation, that provider may be required to give a written response to the recommendations. This response must report on action that has been taken to implement the recommendations. If any recommendations have not been implemented, the provider must give reasons why this is the case and either set out a plan outlining how they intend to implement the recommendation or outline an alternative way in which they will address the issue dealt with in the recommendation. A penalty attaches to a failure to respond in the timeframe set by the commissioner.

The commissioner is also empowered under this part to conduct a follow-up investigation as to whether there has been any failure by the provider to take the recommended action.

The commissioner's powers and processes to undertake follow-up investigations are detailed in division 2 of part 4. This enables the commissioner to investigate not only whether a provider has taken action recommended by the commissioner following an investigation but also whether or not a provider has taken action agreed to in an undertaking made during a resolution process.

These powers are an important element of the commissioner's quality improvement role and provide for a strengthened capacity to ensure that real change can arise as a result of complaints.

The commissioner may initiate a follow-up investigation on the basis that the response or report, if one is received, does not substantively address the recommendations or undertakings made.

On concluding the follow-up investigation the commissioner may make further recommendations which themselves require a response from the health service provider. A penalty attaches to a failure to respond to the commissioner's

recommendations, and failure to adequately address these recommendations can be grounds for a subsequent follow-up investigation.

A failure to respond to the recommendations of a follow-up investigation is also grounds for the commissioner to publish a notice naming the health service provider and advising the public of the recommended action identified by the commissioner.

Part 5 of the bill describes the manner in which the commissioner is to conduct investigations and the investigatory powers at the commissioner's disposal.

These processes and powers are the same regardless of whether the investigation is initiated by a complaint, on referral from the minister, on the commissioner's own motion or is a follow-up investigation. The bill requires that the commissioner must act as expeditiously and with as little formality as possible while observing the requirements of natural justice. The conduct of an investigation may involve holding a hearing and the commissioner must, before making a decision affecting a person, give that person an opportunity to make a submission about that decision.

Divisions 2 and 3 of part 5 sets out the powers and safeguards afforded authorised persons undertaking investigation activities, and the power of the commissioner to apply to obtain a search warrant from a magistrate.

Division 4 of part 5 affords strong powers to the commissioner in relation to the attendance of witnesses and obtaining evidence in the course of an investigation. These provisions do not differ greatly in their effect from those contained in the existing act. They include a capacity to require a person to attend and give evidence at an investigation hearing or to produce specific documents or things. It is an offence to fail to comply with a notice issued in relation to such a requirement.

Part 6 details the protections available to persons acting under the bill, including the protection of participants in commissioner's investigations from certain legal action by others. A person who produces information or evidence or a document or thing to an investigation under the bill is to have the same protection and immunity as a witness has in a proceeding in the Supreme Court.

The bill includes an explicit capacity for complainants as well as health service providers to be accompanied or represented by another person when involved in processes under the legislation. People often come to the commissioner's office at a time when they have recently experienced a major or distressing life event that has led them to complain. In this context, participation in the complaints resolution or investigation processes may be challenging or confronting and the availability of a support person may go some way to ease the stress of the situation.

Part 7 of the bill gives the commissioner significant new powers to protect the public.

Under this part, the commissioner is empowered to issue statements naming a health service provider and can warn the public of a serious risk relating to the provision of a health service by that provider. This is a very significant power and the bill has been meticulously drafted to ensure it is not used inappropriately or without due process. Before naming a health service provider in a public health warning statement,

the commissioner must have conducted an investigation, must reasonably believe that a person has suffered — or is likely to suffer — a detriment as a result of the actions of the health service provider and that the publication of the statement is necessary to avoid a serious risk to the life, health, safety or welfare of a person or the public.

A further provision allows public warning statements that name general health service providers in circumstances where the commissioner is investigating or has investigated and believes that a code of conduct has been breached, or that the health service provider has committed a relevant prescribed offence. The publication of a statement of this nature must only occur if a high risk to the safety of the public threshold has been met.

Provisions related to the public statements that can be made if a health service provider fails to respond to the recommendations of a follow-up investigation report are also detailed in this part.

The provisions included in part 8 of the bill establish the scheme to enable the commissioner to take action to prohibit or regulate the practice of general health service providers who pose a risk to the community.

A number of states have already implemented schemes to enable the prohibition of unethical, incompetent or impaired unregistered health practitioners. Similarly, the bill empowers the commissioner to issue interim and ongoing prohibition orders prohibiting health service providers from providing all or part of a general health service where this is necessary to protect the life, health, safety or welfare of a person or members of the public. The commissioner may make prohibition orders if a health service provider has failed to comply with a code of conduct or has been found guilty of a prescribed offence. Prescribed offences will include, for example, relevant serious offences under the Drugs, Poisons and Controlled Substances Act 1981.

Contravention of an interim prohibition order or an ongoing prohibition order is an offence and attracts a significant penalty, including a maximum term of imprisonment of up to two years. The bill includes a right for a person who is the subject of an interim or ongoing prohibition order to seek a review of the decision to impose the order, or its conditions, by the Victorian Civil and Administrative Tribunal.

The important policy behind the creation of the Australian Health Practitioner Regulation Agency was a recognition that we now live in a highly mobile society and that individuals move readily across jurisdictional boundaries. Australian governments are now moving towards a nationally recognised code of conduct for unregistered health services to mirror the national registration of health professionals.

Experience from other jurisdictions shows that unregistered health service providers who are prohibited from practice often simply move across state boundaries and continue to cause harm. Consistent with the provision contained in the Health Practitioner Regulation National Law (Victoria) in relation to registered practitioners, the bill therefore includes a provision making it an offence for a person to provide a health service in Victoria if that person has been prohibited from providing a service of the same nature in another state or territory.

Provision is made later in the bill to enable the commissioner to provide copies of interim prohibition orders or prohibition orders to other Australian states and territories with comparable schemes in order to allow for mutual recognition of orders.

Part 9 allows for the conduct of broader inquiries into health service matters.

The commissioner may undertake such inquiries on referral by the Minister for Health or a house of the Parliament or a parliamentary committee. On completing an inquiry, the commissioner may make recommendations to the person or body who referred the matter. Inquiries of this nature may involve public hearings; however, as is appropriate for the examination of broader health issues, the stronger investigation powers, such as the ability to compel evidence, are not available to the commissioner in this instance.

Part 10 enables the conduct of complaint data reviews, whereby the commissioner can review information obtained in dealing with a complaint or undertaking an investigation with an aim to identifying persistent or recurrent issues and formulating advice for health service providers about ways in which such issues can be addressed. In undertaking this complaint data review function the commissioner again does not have available the investigation powers to compel evidence or the production of documents. The commissioner may make recommendations to a provider and seek a response to those recommendations; however, consistent with the advisory nature of this activity there is no penalty attached to a failure to provide this response.

Part 11 establishes the health complaints commissioner and sets out the terms and conditions of appointment, powers and functions of the role.

The bill provides for the engagement of staff, including the employment of assistant health complaints commissioners. Given the strong powers granted to the commissioner, the delegation of investigatory and compulsion powers is restricted to these assistant commissioners. It is not considered appropriate that the commissioner delegate the determinative powers in relation to issuing public warning statements or making interim prohibition orders or prohibition orders — strong powers that can significantly impact upon a person's livelihood and reputation.

Division 3 of part 11 includes a set of guiding principles with which the commissioner must comply in carrying out a function or power under the bill and describes the obligations of the commissioner to develop a practice protocol.

As part of the improved accountability and transparency of the scheme, the commissioner will be required to undertake a consultation process and develop a practice protocol which is required to be approved by the minister. The current Act requires the making of a code of practice but it is an optional provision and no code has ever been made by a commissioner since the commencement of the act. The practice protocol will enable participants in the commissioner's processes a greater understanding of how the office of the commissioner operates.

Division 4 of part 11 outlines requirements for health service providers to give the commissioner, on request, non-identifying information about complaints they have received or dealt with. This is an important tool to support the

commissioner's quality improvement functions. Under the current act, the commissioner can only seek and analyse information from a group of providers that has been specifically prescribed. Broadening this to include all health service providers will enable the commissioner to gain a unique insight into the health complaints landscape. It is intended that the commissioner will develop guidelines to ensure that requests for data are not overly onerous and take into account the service provider's size, resources and capacity to respond.

Any public reports on the analysis of the information collected from health service providers will provide useful state, region or sector-wide information to contribute to an overall quality improvement agenda.

The bill describes the commissioner's role in preparing standards to be met by health service providers in handling complaints. Interim standards are included as a schedule to the bill and it is intended that the commissioner will prepare standards for the approval of the minister and publication by order of the Governor in Council within two years of the relevant section of the bill coming into effect. The standards will not involve a significant new burden for health service providers. The majority of providers, and certainly all who are registered or required to comply with accreditation requirements, will already have processes and practices in place for meeting the types of obligations established by the standards.

Part 12 establishes the Health Complaints Commissioner Advisory Council. This body replaces the existing Health Services Review Council. In contrast to the existing body, the new legislation does not require that the council explicitly includes sector representation. Rather, the council will be made up of members appointed by the minister on the basis of appropriate knowledge and experience.

The role of the council will be to liaise with health service providers and consumers of health services in order to advise the commissioner on the development of the practice protocol and complaint handling standards. The council will also have a role in providing more general advice on any function or power of the commissioner, if so requested by the commissioner.

Division 1 of part 13 provides for the non-disclosure of information obtained in undertaking functions under the bill. Provision is also made for disclosure to specific bodies in specified circumstances.

The recent tragic events at Djerriwarth Health Service have highlighted the importance of information sharing between complaints entities, to enable improved monitoring and early detection of potential risks. Ensuring that there are no unnecessary barriers to the sharing of information between agencies responsible for regulation in the health sector, the bill contains provisions enabling the commissioner to disclose relevant information obtained in the course of administering the legislation to these agencies, including the Australian Health Practitioner Regulation Agency and the national boards. A similar provision has been included to clarify that, consistent with the provisions of the Health Practitioner Regulation National Law (Victoria), the agency and national boards may disclose information to the commissioner. These provisions will enable cooperation between the commissioner and the Australian Health Practitioner Regulation Agency and the national boards to ensure optimal opportunities to identify

recurrent issues or clusters of events. This will give the best possible chance of intervening early before matters escalate.

While maintaining the confidentiality of information gained in the exercise of the commissioner's complaints resolution and investigatory functions, the bill also provides for a number of exceptions where the disclosure is made with the consent of the person to whom the information relates or where the disclosure is necessary for administration of the legislation, to comply with obligations under the Health Practitioner Regulation National Law (Victoria) or in relation to legal proceedings under the bill.

The confidentiality of information gained in the course of conciliation is more tightly controlled, and under most circumstances can only be released with the consent of the person to whom the information relates. For instance, it cannot be used by the commissioner in a subsequent investigation of that or any other complaint. However, the need to protect this confidentiality in order to encourage participants to be frank and open must be balanced against the public interest.

The panel found that absolute secrecy is inconsistent with the commissioner's critical role in protecting the public. Therefore the bill, consistent with schemes in other Australian jurisdictions, allows for an exception to confidentiality on public interest grounds. Where the commissioner establishes that there is a serious and imminent risk, the commissioner may disclose otherwise confidential information, including from a conciliation.

In other cases where the disclosure of information in the public interest is required, the bill includes the additional scrutiny and protection of requiring the commissioner to obtain the written authority of the Secretary of the Department of Health and Human Services before disclosing the information. Disclosure of information in the public interest may be to a range of relevant bodies, including Victoria Police, the State Coroner or the Victorian Ombudsman.

In order to ensure the bill works on a practical level, disclosure from conciliation is also allowed to an assistant commissioner or the commissioner in order that they may exercise powers in relation to conciliation, such as requiring the production of documents, with full knowledge of the relevant issues.

Part 13 also includes a range of general provisions to facilitate the operation of the legislation. This includes provisions to permit the commissioner to request information from Victoria Police relating to the criminal record, if any, of a health service provider.

The bill requires the minister to conduct a review of the first three years of operation of the legislation. The bill includes significant new powers, and substantial changes will be required in the commissioner's office to achieve the aims of the legislation. This review requirement will allow for a timely assessment of the operation of the scheme and an opportunity to identify whether any further amendments are required to keep pace with best practice in complaints handling and investigation.

Part 14 of the bill contains transitional provisions. Part 15 repeals the Health Services (Conciliation and Review) Act

1987 and makes consequential amendments to other legislation.

This bill will lead to greater certainty, more information and a more transparent process for complainants and providers. Importantly, it will more effectively contribute to improvements in the quality of health services. In general, the bill strikes a balance between respecting the needs and wishes of health service recipients and the rights of health service providers.

I would like to acknowledge the contribution of the previous government in instigating the reform process by commissioning the panel of experts to conduct a comprehensive review of the health complaints legislation.

I also wish to acknowledge the hard work of the many people who have contributed to the development of this bill.

I am grateful to those people and organisations who took the time to respond to the consultation paper I circulated in July 2015 for their valuable insights.

I would also like to acknowledge the contribution of the expert panel whose extensive consultation and carefully considered recommendations is the foundation on which this legislation has been built. In particular, I would like to thank the panel chair, Michael Gorton AO, who has continued to give his guidance to the government in the preparation of this bill.

The contributions made by the former health services commissioner, Bethia Wilson, to the panel's considerations and in undertaking the 2012 study that enabled the views of those who need the system to be clearly heard has also been critical to the development of the bill. Finally, I would like to thank the current health services commissioner, Grant Davies, who has provided valuable feedback to the review of the legislation.

I am proud to bring to this house a bill that will address community expectations and assist government in achieving its objective of delivering high quality, safe, efficient and effective health services. The bill builds on the vision realised by my predecessor 29 years ago and aims to reinstate Victoria as frontrunner in modern approaches to dispute resolution.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Wednesday, 24 February.

RELATIONSHIPS AMENDMENT BILL 2015

Council's amendment and Assembly's amendments

Message from Council relating to following amendment considered:

Insert the following New Clause to follow clause 5 —

'A Registration

After section 10(3) of the Principal Act **insert** —

“(4) The Registrar may conduct a ceremony in connection with the registration of a registrable domestic relationship under this section.”.

Mr PAKULA (Attorney-General) — I move:

That the amendment be disagreed with but the following amendments be made in the bill:

1 Insert the following New Clause to follow clause 5:

“AA Additional services in relation to information in Register and other information

(1) For the heading to section 27 of the Principal Act **substitute** —

‘Provision of additional services or information in relation to registrable relationships’.

(2) After section 27(1)(a) of the Principal Act **insert** —

‘(ab) additional services in connection with any ceremony to celebrate the registration of a registrable domestic relationship;’.

2 Clause 8, line 30, omit “6” and insert “7”.

Late last year the Greens party introduced an amendment to the bill in the other place to enable the registrar to conduct a ceremony in connection with the registration of a registrable domestic relationship. Neither the government nor the opposition opposed the Greens amendment. In fact I think it passed in the other place unanimously, but the lead speaker for the government at the time, as I recall it was the Minister for Agriculture, made it clear that there would be discussions with the registrar of births, deaths and marriages and the Department of Justice and Regulation to determine the workability of the amendment. That all occurred during the committee stage.

The government has now carefully considered the amendment that was passed by the Council, and while it supports the sentiment behind that amendment, the government's view is that the best way to include a ceremony provision is to amend section 27 of the act, rather than section 10 as passed by the Council. Section 10 sets out the requirements for registering a relationship and of course the ceremony is not a requirement. Section 27 deals with additional services that can be provided by the registrar in connection to a relationship registration. It is our view that it is more appropriate to amend section 27, rather than section 10. We think it more accurately represents the role and powers of the registrar in the scheme because parties can already have a ceremony to coincide with the

registration of their relationship. Under the amendment being moved by me today, the registrar could provide services to facilitate such a ceremony.

I should put on the record that I appreciate the cooperation of the Greens party and, as I anticipate it, the opposition in regard to this. There is an LGBTI justice working group which has been set up by the government to consider further reform in the area. We think this bill is another important step towards relationship equality in Victoria, and I commend the bill and the house amendments to the house.

Mr HIBBINS (Pahran) — I rise to speak on the Relationships Amendment Bill 2015 and the Greens amendment passed in the upper house that would allow for a ceremony to be conducted in conjunction with the registering of a relationship. We are happy to support the government's changes to our amendment to facilitate the passage of the legislation and its implementation. This is a modest but important initiative in lieu of achieving full marriage equality at the federal level and also a welcome addition for heterosexual couples who choose to register their relationship rather than get married. As has been made clear, the ceremony will be optional when registering a relationship and is not, as in the case of marriage, a mandatory requirement, but it is something that I am sure many couples will wish to take up.

Following the passage of the amendments, the key will now be to ensure that the registrar of births, deaths and marriages does make provision for ceremonies, as it will now be able to do, and to ensure that it happens upon request and that it promotes and communicates that it is available to couples when they register their relationship. I do hope that the Victorian marriage registry on Spring Street will be made available for ceremonies and that it also promotes and communicates this fact.

The SPEAKER — Order! I apologise to the member for Pahran. The time has come for me to interrupt business under sessional orders for questions without notice and ministers statements. The member will continue his contribution when the matter is before the house again.

Business interrupted under sessional orders.

DISTINGUISHED VISITORS

The SPEAKER — Order! I would like to acknowledge in the chamber Mr Karl Hartleb, Consul General of Austria and the Austrian Trade Commissioner. Welcome to Victoria. I would also like

to acknowledge Ms Shanay Hubmann, Vice-Consul, Commercial, from the Consulate General of Austria, the delegation from the Upper Austrian Economic Chamber of Commerce and the Austrian media. You are welcome in Victoria. On behalf of the Premier and the Leader of the Opposition, we wish you a very successful visit.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Level crossings

Mr GUY (Leader of the Opposition) — My question is to the Minister for Public Transport. I refer to the Level Crossing Removal Authority's Caulfield to Dandenong section consultation report, which states that, 'Before a contract is awarded the government will come back to the community about proposed design options, asking for feedback'. If the consultation is not a sham and the community overwhelmingly rejects sky rail as a proposal, will the government scrap it and go back to undergrounding these level crossings as promised?

Ms ALLAN (Minister for Public Transport) — I thank the Leader of the Opposition for his question and for giving the record further evidence of his ongoing opposition to the government's program of removing the nine level crossings along the Dandenong corridor.

As was announced on Sunday and has been repeated in a number of questions, the government has released the details of the preferred design approach for the removal of all nine level crossings and the building of five new stations. It is nine level crossings, not four, which was committed to by those opposite. There are nine level crossings and five new stations, and through this preferred design approach, we are providing the opportunity for 11 MCGs worth of open space to be opened up and put to better community use.

What is more, this is a program that will create 2000 jobs during the construction phase at a time when we know our state needs jobs because those opposite went missing for four long years and did not have a jobs plan and did not have an infrastructure program to get Victoria moving. We do, and that is why we are very pleased to be having a consultation with the local community on this preferred design program. We are very pleased to be now embarking on an intensive consultation with the local —

Honourable members interjecting.

The SPEAKER — Order! The minister will continue without assistance from members of the government and the opposition.

Ms ALLAN — I am reminded of the ‘why’. I am reminded of why it is important that we remove these dangerous and congested level crossings. It is because too many people have died at these level crossings. Too many people have been injured at these level crossings. For too long motorists sit waiting, frustrated.

Mr Battin interjected.

The SPEAKER — Order! The member for Gembrook will allow the Leader of the Opposition to make a point of order in silence.

Mr Guy — On a point of order, Speaker, on relevance, with respect, I have waited 2 minutes and 10 seconds for the minister to address the question. The question was very clear about whether or not there was a sham consultation and whether or not the program would be scrapped if the community opposed it. The minister has not addressed that question. I ask you to bring her back to it.

The SPEAKER — Order! There is no point of order. The minister, to continue.

Ms ALLAN — Thank you, Speaker. The Leader of the Opposition talks about the frustration of waiting for 2 minutes. Imagine waiting for 87 minutes at some of these level crossings that we are removing in every period of 2 hours and 40-minutes.

Honourable members interjecting.

The SPEAKER — Order! The minister, to continue on the subject matter.

Ms ALLAN — That is why we are doing this, and we are now looking forward to working with the local community as the design is finalised and there is the opportunity to talk about the future use of that open space. This is currently a rail corridor. Currently residents about a busy, unsafe rail corridor. This is about making it safer and providing significant new open space for the community to enjoy and benefit from for many years to come.

Supplementary question

Mr GUY (Leader of the Opposition) — If the minister is, as she says, genuine about working with the local community whose homes will be directly impacted by sky rail, such as Karlee Browning here in the gallery today, will the minister meet with Karlee

and her family and other Oakleigh residents to hear firsthand how they have been deceived about how their level crossings will be removed?

Ms ALLAN (Minister for Public Transport) — I will be very pleased to meet with local residents who are affected, and we have already indicated that we intend to have a respectful process that involves face-to-face meetings and involves case managers working with local residents. That is an entirely appropriate, respectful way to have a conversation with people about removing nine level crossings — not four level crossings, not short-changing this community and not short-changing the busiest rail corridor in Melbourne with an inferior, second-rate solution that would have privatised this line forever, as those opposite were choosing to do.

Mr R. Smith interjected.

The SPEAKER — Order! The member for Warrandyte!

Ms ALLAN — I would be very pleased to meet with local residents who are concerned. What we will not be doing is doing dodgy deals around people’s kitchen tables, like the former Minister for Planning.

Mr Battin interjected.

The SPEAKER — Order! The member for Gembrook is warned. I will not warn the member for Gembrook again.

Ministers statements: ambulance services

Mr ANDREWS (Premier) — I am pleased to inform the house and announce that Victoria no longer holds the disgraceful title, held under those opposite, of the worst ambulance response times on the Australian mainland. We no longer have that title, and it should be something that every Victorian is proud of. That is not to say that there is not enormous work to do — of course there is. We know that this is a very significant challenge. But the Productivity Commission’s *Report on Government Services* found that Victoria was the only state in the country to improve ambulance response times in 2014–15. Every other state went backwards.

Mr R. Smith interjected.

Mr ANDREWS — The member for Warrandyte has got lots to say now but said nothing around the cabinet table when they cut and cut and cut again our ambulance services. Our ambulance paramedics — —

Honourable members interjecting.

Ms Kealy — On a point of order, Speaker, I would like to point out to you that the Premier is intentionally misleading the house. Ambulance times in western Victoria, in the West Wimmera Shire Council area, have gone from 22 minutes to over 28 minutes.

The SPEAKER — Order! I have heard sufficient. The member will resume her seat. There is no point of order. The Premier will continue, in silence.

Mr ANDREWS — That is the first time a member of the National Party has got up talking about ambulance response times for five years. Keep it coming, keep it coming!

Honourable members interjecting.

The SPEAKER — Order! The Premier will resume his seat. I warn the Premier.

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBERS

Members for Gembrook and Narre Warren South

The SPEAKER — Order! The member for Gembrook will withdraw himself from the house for the period of 1 hour, and so will the member for Narre Warren South.

Honourable members for Gembrook and Narre Warren South withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Ministers statements: ambulance services

Questions and statements resumed.

Mr ANDREWS (Premier) — We can all be proud of our ambulance paramedics, ambulance auxiliaries and our other staff who work in this critically important area, particularly our hospital staff, and we are seeing improvements. We do not for a moment think that the job is done. There is much more to be done in every community across the state. The minister will continue to work hard, the parliamentary secretary will continue to work hard and every member of this government will not just find their voice when it suits them, as others have done; they will work hard every day in partnership

with our paramedics, not at war with our paramedics. Seconds matter, minutes matter, lives are at stake, and that is why we are investing in improving these services.

V/Line services

Mr NORTHE (Morwell) — My question is to the Minister for Public Transport. I refer the minister to the case of Gillian Young, a mother from the Latrobe Valley whose daughter has a physical disability and attends medical appointments in Melbourne. With only 5 of Traralgon's usual 18 services running, recently Ms Young's daughter could not get a seat on the train and the steep steps and cramped seats of replacement coaches are unsuitable for her. This forced Ms Young to drive 4 hours for her daughter's appointment. What alternative arrangements will the minister now put in place for V/Line passengers, like Ms Young's daughter, so that people with disabilities can retain their independence while she fixes her V/Line crisis?

Ms ALLAN (Minister for Public Transport) — I thank the member for Morwell for his question, and I appreciate the opportunity. I certainly understand that Ms Young and her daughter have clearly had a very difficult personal experience, for which I apologise. I recognise the recent challenges with the V/Line services, particularly for the Gippsland community, where two issues have come together and seen the disruption on the Gippsland line as a result of the safety regulator requiring the line to be shut for much longer than is desired whilst the safety measures are put in place to see that line restriction lifted.

In terms of the specifics of the issue the member has outlined, I would be pleased outside of the chamber to get further details of Ms Young and her daughters and their travel requirements because there are arrangement that can be put in place for Ms Young and other families across the regional network whereby, if as a result of disruption that is clearly inconveniencing them, better alternative arrangements can be put in place to ensure they get to where they need to go. I will pursue that with the member outside the chamber.

I think this is a really good example of just how important our regional network is for regional communities. Regional families rely on a good regional V/Line service to get to where they need to go, and as a regional Victorian — —

Honourable members interjecting.

The SPEAKER — Order! Opposition members will allow the minister continue in silence, and so will government members.

Ms ALLAN — It is a shame that some opposite cannot agree with that. As a regional Victorian I absolutely understand the central importance of needing to come to Melbourne to get to school, to go to university and to get to those medical appointments and the need for some people to use public transport to do so. As I said, I will follow up the individual case. I will talk to V/Line about making sure that it strengthens the communication, particularly to those families who need some special assistance to get about the network during this time when we are seeing around 20 per cent of buses across the network. I acknowledge that for Gippsland it is a figure that is much higher because of the other line restriction issues, and I will continue to work very hard to get regional Victorians where they need to get to during this time.

Supplementary question

Mr NORTHE (Morwell) — With the average V/Line commuter from Traralgon, like Ms Young's family and other families who have disabilities, now taking an hour longer to get to Melbourne and with these disruptions lasting for at least another four months, will the minister now admit that a few days travel is not nearly compensation enough for the months of misery now facing regional Victorians?

Ms ALLAN (Minister for Public Transport) — At the time the government made its announcement that there were free travel periods while the stabilisation and the service restoration plan were being put in place, we acknowledged it was a small acknowledgement of the disruption that has been caused, so separate to that overall arrangement, on a case-by-case basis, alternative compensation arrangements can be put in place for people who have experienced particular challenges, like the member mentioned. Again, I am happy to pursue that with the member outside the chamber.

Ministers statements: Hazelwood mine fire inquiry report

Ms HENNESSY (Minister for Health) — I rise to inform the house of the findings of the most recent report of the reopened Hazelwood mine fire inquiry, tabled in Parliament today. As members would be aware, residents of the Latrobe Valley felt completely abandoned by the previous government in respect of the mine fire, and that is why our government reopened the

mine fire inquiry, to give the people of the Latrobe Valley the very important answers that they deserve.

What this latest report highlights is the very complex health and wellbeing challenges facing Latrobe Valley communities and the need to address these very important challenges, including things like chronic disease, family violence, Aboriginal health services and access to health services. This report also urges the need for strong cooperation between the state and commonwealth governments, and I must say, Speaker, that if that were to occur, it would indeed be a very welcome development on behalf of our government.

It would be a new development because, as the house may be aware, the commonwealth government has ripped \$90 million out of health preventive programs, it has ripped \$840 million out of subacute programs, it has taken \$181 million out of adult public dental healthcare services and, most shamefully, it has also cut the partnership agreement on Indigenous teenage sexual health programs. This of course comes on top of the \$17.5 billion that the commonwealth government has forecast it will rip out of the Victorian healthcare system that we are working so hard to rebuild after the previous government cut a billion dollars out of it.

So the government will formally respond to the findings of these reports when the final inquiry report is tabled. But it would be nice if those opposite found their voice on behalf of Victorian patients and also called upon the commonwealth government to —

Honourable members interjecting.

The SPEAKER — Order! The Deputy Leader of the Opposition, on a substantive question.

Level crossings

Mr HODGETT (Croydon) — My question is to the Minister for Public Transport. Noting the minister has told the house that consultation will soon begin on the Frankston line about removing level crossings, can she inform the house what exactly she is consulting on — the colour of the pylons, the placement of car parking spaces or the real question of whether the public wants elevated rail or not?

Honourable members interjecting.

Ms ALLAN (Minister for Public Transport) — I am very pleased to advise the house on what the Andrews Labor government will be consulting on. We will be consulting on removing eight level crossings between Frankston and Cheltenham; that is what we will be consulting on. We will be consulting on getting rid of

these dangerous, congested level crossings that cause motorists in these communities to have great frustration, not be able to get to work on time and to restrict our capacity to move trains.

I am very pleased to advise the house that just yesterday the members for Mordialloc, Carrum and Frankston and I, met in my office to have a discussion about the year ahead and about how we are going to get out there and talk with communities about these level crossings. Again, it is good to remember why we need to do these — —

Honourable members interjecting.

The SPEAKER — Order! Understandably, the minister generates excitement in the chamber.

Ms ALLAN — If only they had been this fired up about level crossings during their time in government, Speaker, when they did not — —

Honourable members interjecting.

The SPEAKER — Order! The minister, to continue.

Ms ALLAN — During that time there will be a community consultation. There will be a planning process as well, where we will take the advice from the experts and the engineers — not from those opposite, who did not remove — —

Honourable members interjecting.

The SPEAKER — Order! The minister will continue.

Ms ALLAN — And I look forward to working with my colleagues and the local community to remove those eight dangerous level crossings, which is exactly the commitment that we made to those communities during the November 2014 election, when those opposite opposed our program of removing 50 dangerous level crossings. They opposed it then, they oppose it now, but I can assure the Victorian community that we have every intention of getting on with the removal of those level crossings.

Supplementary question

Mr HODGETT (Croydon) — With the Labor government stating that it will now consult on the removal of Station Street, Bonbeach, level crossing, where people on the eastern side of the track can see the bay from their homes, can the minister confirm that a 9-metre-high sky rail with a 15-metre-high station

would eliminate this unique bay outlook for everyone east of the railway line, smashing their property values?

Honourable members interjecting.

The SPEAKER — Order! The member for Eltham can be heard loud and clear. The member is warned.

Ms Williams interjected.

The SPEAKER — Order! So is the member for Dandenong.

Ms Ward interjected.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Eltham

The SPEAKER — Order! The member for Eltham will withdraw from the house for a period of 1 hour.

Honourable member for Eltham withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Level crossings

Supplementary question

Questions and statements resumed.

Ms ALLAN (Minister for Public Transport) — In the member's supplementary question he identified the very reason why we are going to consult with the community and take advice, and take the advice from the experts and the engineers, not from the bluster of those opposite, who are trying to demonstrate, once again, that when it comes to investing in the infrastructure projects that we need to reduce road congestion and provide more public transport services, they have no solution. They would prefer us to do nothing, because that is the path they took when they were in government. We reject that approach, and I look forward to taking the advice of the experts and the engineers on the best way to deliver this program of eight level crossings on the Frankston line.

Ministers statements: labour hire industry

Ms HUTCHINS (Minister for Industrial Relations) — I rise to advise the house that this week the Andrews government inquiry into the labour hire industry and insecure work commenced its public

hearings in Melbourne. This comes after hearings in Mildura, Dandenong and Geelong, and soon the inquiry will be travelling to Shepparton, Melton, Ballarat and Morwell.

The inquiry is chaired by Professor Anthony Forsyth of RMIT University, and members will be familiar with the deeply troubling reports from the activities of some unscrupulous labour hire companies across this state. This is not just about the underpayment of wages; this is about the creation of an underclass of foreign workers and insecure work.

I am sure all members agree that no employee should be exploited, harassed or deprived of their basic liberties. This is about fair working conditions in Victoria, fairness that will benefit workers and businesses alike, and the need to support businesses for an equal and even playing field. Industry peak body AUSVEG is reported today to be calling for regulation, and since the inquiry has commenced the member for Mildura has raised his concerns and called for regulation to be put in place. Also, the Leader of The Nationals has expressed concern that people working for labour hire contractors be treated fairly.

The fact is that many people are concerned. Business and unions alike want regulation. There should be a national response to this issue, because it is a national shame, but the federal government is not taking action. It has been nine months since the *Four Corners* investigation made this a national issue, and the federal government continues to drag its feet.

Workers and businesses deserve fairness, and that is why we are getting on with the job. Once this inquiry's work is concluded, I look forward to reporting back to the house a considered response, and I look forward to the support of all members of this chamber.

Level crossings

Mr GUY (Leader of the Opposition) — My question is again to the Minister for Public Transport. Community anger about the sky rail deception is palpable, as is evidenced by firefighter Matt Rasmussen's message to the member for Oakleigh, which states. and I quote:

Steve, you ignored me completely when I sent this message to you, perhaps you will be more inclined to reply when it's posted in a public forum; let's not forget how attentive you were when I manned the polling booths for you in my firefighting uniform. There are better options. Steve, we voted you in, you represent us, we don't want this, we expect your help.

Does the minister have any intention of listening to Mr Rasmussen and his neighbours or is sky rail a done deal?

Ms ALLAN (Minister for Public Transport) — The Andrews Labor government has every intention of removing these nine dangerous, congested level crossings along Melbourne's busiest rail corridor, so we can run more train services, so we can reduce the road congestion and we can make this a much safer rail corridor for people who live along this community and for motorists.

I think it is once again further evidence that those opposite, particularly the Leader of the Opposition, are only interested in talking about level crossing removals; and, indeed, when he has the opportunity — —

Honourable members interjecting.

The SPEAKER — Order! There have been a few warnings. The Chair will not warn those individuals again. The Chair will move to having them withdraw them under standing order 124 should that level of disruption occur again. The minister is entitled to absolute silence.

Ms ALLAN — As has been outlined previously to the house and through the media and to the community, the Andrews Labor government has absolutely every intention — and we have already started the extensive community consultation as we finalise the design — of talking to communities about the opportunities that are going to come from the 11 MCGs worth of open space that this project is going to create.

I appreciate there are going to be those opportunities for people like the person that the Leader of the Opposition referred to to have those face-to-face conversations with the Level Crossing Removal Authority. We will be having that extensive consultation. We will be listening to the community. Unlike the former planning minister, who only listened to Miley Cyrus, was only interested in listening to Miley Cyrus, we will be having a genuine consultation with the local community.

Supplementary question

Mr GUY (Leader of the Opposition) — Noting that local Kate Sommerstein has also posted to the member for Oakleigh 'Steve, you didn't consult me about a sky rail when I spoke to you leading up to the election, it was all underground', I ask — —

Mr Andrews interjected.

Mr GUY — Your member said that, Premier. Your member said that.

I ask: with estimates that property values will fall by 20 per cent near sky rail, if road-over-rail is good enough for Bentleigh, why is it not good enough for Oakleigh?

Honourable members interjecting.

Ms ALLAN (Minister for Public Transport) — Clearly neither was good enough for the Leader of the Opposition, because he did not do it. When those opposite had the opportunity to remove these dangerous, congested level crossings — —

Honourable members interjecting.

The SPEAKER — Order! Government members and opposition members will come to order! The minister to be heard in silence.

Ms ALLAN — Those opposite had the opportunity to put in place a project like this, which is about reducing road congestion, running more trains, saving lives and most importantly creating open space. They flatly refused to do it.

Mr R. Smith — On a point of order, Speaker, the minister has been dodging the questions all through question time. The proposition that level crossings are going to be removed is not in dispute; it is the manner in which they are going to be removed. The fact that the people of Oakleigh sent this man here to represent them, and instead — —

Honourable members interjecting.

The SPEAKER — Order! The member for Warrandyte will resume his seat. The Chair does not require assistance from government members. The minister to continue in silence.

Honourable members interjecting.

The SPEAKER — Order! The Attorney-General and the Minister for Environment, Climate Change and Water will allow the minister to continue.

Ms ALLAN — I look forward to working with my colleagues along the line as we undergo this next phase of consultation and we remove all nine level crossings between Dandenong and Caulfield.

Ministers statements: Goulburn-Murray Water Connections Project

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I rise today to provide the house with new information in relation to one of Victoria's biggest infrastructure projects, the Goulburn-Murray Water Connections Project. The house will recall that last year we did a mid-project review, and this required some resetting of the project. Early in January the federal Minister for Agriculture and Water Resources, Barnaby Joyce, and I announced together that we would appoint Mike Walsh as an independent adviser, someone with extensive experience in irrigation upgrades, to support the government and Goulburn-Murray Water (GMW) to reshape the project and work with us to reset it.

I want to take this opportunity to reassure Goulburn-Murray irrigators that the Andrews government remains committed to and focused on ensuring that the connections project is delivered. This \$2 billion project is about bringing the infrastructure that was built in the 1900s up to a 21st century standard, modernising and massively improving on-farm productivity and recovering water for environmental purposes and productivity uses.

The review found that the key assumptions on which this project was built were formulated during the millennium drought and needed to be reset. In fact one of the big issues that was raised through this review was the fact that the former water minister decided that we were going to move this project to GMW, and for 10 months nothing happened. On top of that now we have the federal member for Murray, Sharman Stone, out there saying that no more cheques should come for this project. We do not support that, nor does the Victorian Farmers Federation (VFF). The VFF came out calling on Sharman Stone and the National Party to back this project and to not halt the funding.

Environment Victoria is also backing this project, saying, 'Let's not halt this project'. The Andrews government is also not backing away. We are calling on Barnaby Joyce and on those opposite to stand up, to get behind the project and to back the farmers and the community. That is what we are doing — backing the farmers and the community and delivering this critical project.

Kindergartens

Mr WALSH (Murray Plains) — My question is to the Premier. Last November, when he went to drought-ravaged Birchip, he told this community, and I

quote: 'Free kinder' — so no kinder fees — 'for everyone sending their kids to kinder over those 10 local government areas'. I ask: are all the children in those 10 shires now receiving free kinder this year, as the Premier promised, yes or no?

Mr ANDREWS (Premier) — I thank the Leader of The Nationals for his question. I will need to make inquiries. I think it is — —

Mr Guy — It is your words!

Mr ANDREWS — I am terribly sorry if those opposite think that I would have to hand what is going on in every single kinder.

Mr Guy interjected.

The SPEAKER — Order! The Leader of the Opposition!

Mr ANDREWS — If you would rather have an argument about drought and doing anything about it — —

The SPEAKER — Order! The Premier will resume his seat.

Ms Neville interjected.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Minister for Environment, Climate Change and Water

The SPEAKER — Order! The Minister for Environment, Climate Change and Water will withdraw from the house for the period of 1 hour.

Minister for Environment, Climate Change and Water withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Kindergartens

Questions and statements resumed.

Mr ANDREWS (Premier) — As I was saying, I would be happy to seek some advice from the relevant department about what exactly is going on at kindergartens across those local government areas. What I would again reiterate — —

Honourable members interjecting.

Mr ANDREWS — Those opposite are more interested in the question and interrupting than the answer, it would seem. We made a commitment — —

Ms Kealy — You promised!

Mr ANDREWS — Those who find their voice when they are on that side of the chamber — —

Honourable members interjecting.

Mr ANDREWS — The member has had a pretty ordinary day so far. I would leave it alone if I were the member for Lowan.

Honourable members interjecting.

The SPEAKER — Order! The Premier will continue, in silence.

Mr ANDREWS — We made commitments. Those commitments have been fully funded, and they will be fully delivered.

Supplementary question

Mr WALSH (Murray Plains) — Wimmera-Mallee parents who have contacted the Premier's office about his free kinder promise are now being told, 'It was never meant to be that'. Did the Premier get it wrong, or did he lie to drought-stricken farm families?

Mr ANDREWS (Premier) — The Leader of The Nationals can be assured that all commitments made will be honoured.

Mr R. Smith — On a point of order, Speaker, the Premier has not answered the question that was asked. The fact of the matter is his office is telling the people of Birchip that what the Premier promised is not true.

The SPEAKER — Order! The member for Warrandyte will resume his seat.

Ministers statements: vocational education and training

The SPEAKER — Order! The Minister for Education on a ministers statement, in silence.

Mr MERLINO (Minister for Education) — Thank you, Speaker.

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Warrandyte

The SPEAKER — Order! The member for Warrandyte will withdraw from the chamber for a period of 1 hour.

Honourable member for Warrandyte withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Ministers statements: vocational education and training

Questions and statements resumed.

Mr MERLINO (Minister for Education) — I rise to inform the house of new and disturbing information detailing the Turnbull government's secret plans to deregulate fees in the TAFE sector. We have heard all of this before, Speaker.

Mr Clark — On a point of order, Speaker, I draw your attention to sessional order 7, which relates to the opportunity for ministers to inform the house about new government initiatives, projects and achievements. It is not an opportunity for a minister to engage in a general debate or indeed a critique of another government. The minister needs to relate his remarks to his government's initiatives, projects and achievements. I ask you to instruct him to comply with that requirement.

Mr MERLINO — On the point of order, Speaker, I have only been speaking for a few seconds. My statement is in relation to a Council of Australian Governments (COAG) paper by the commonwealth government that directly goes to the way that we are able, as a state government, to run the TAFE system. It is typical of those opposite that as soon as we talk about TAFE they want to shut it down.

The SPEAKER — Order! In passing, the minister may make comments.

Honourable members interjecting.

The SPEAKER — Order! I do not require the Leader of The Nationals to advise the Chair on the subject. I thank him. I ask the minister to come back to making a statement in conformity with the sessional orders.

Mr MERLINO — The COAG paper outlines covert plans by the Turnbull government to take over

the vocational education and training (VET) system from states and territories. Frankly it is laughable, given the federal government cannot even control VET FEE-HELP, which has turned into a multibillion-dollar debacle. VET FEE-HELP loans skyrocketed from \$699 million — —

Mr Clark — On a point of order, Speaker, the minister is defying your ruling. If the Minister for Education wishes to bring this issue to the attention of the house, there are many other forums in which he can do so — for example, by way of a traditional ministerial statement. He needs to comply with his own government's sessional orders and inform the house about his government's initiatives, projects or achievements.

Ms Allan — On the point of order, Speaker, decisions that are made at the federal government level, when it comes to TAFE, have a direct and material impact on the capacity of the state to — —

Honourable members interjecting.

Ms Allan — It is entirely appropriate for the Deputy Premier to be providing information to the house about how we want to build a stronger TAFE system and other factors that influence that. It is entirely within government business. We know those opposite do not like talking about TAFE because they tried to destroy it. We are wanting to build it up, and the Deputy Premier is being entirely relevant.

Ms Ryall — On the point of order, Speaker, I would like to support the manager of opposition business on his point of order. Simply, an impact from the federal government is not a new initiative. It is not government business. As the member for Box Hill pointed out, there are other forums in which this can be raised. This sessional order was specifically determined and supported, obviously, by the government. This is not the forum to raise those initiatives. I ask you to rule the point of order in order.

Mr MERLINO — On the point of order, Speaker, proposed changes to TAFE arrangements and TAFE funding directly impact on the Victorian government's ability to implement our TAFE policies and reforms. It is farcical for question time to be a time when we cannot raise those matters. This directly impacts on it. This is new information that impacts on government business and how we respond in terms of implementing our TAFE reforms.

The SPEAKER — Order! The minister is entitled to make comments and references to reports, provided he explains how they relate to government business or

administration. The minister has done so. I therefore now call on the minister to make a statement with respect to government initiatives, projects and achievements. The minister, to continue.

Mr MERLINO — We inherited a TAFE system — and I have said this many times in ministers statements — which had been gutted, in which campuses were closed and fees skyrocketed. The proposal by the commonwealth government —

The SPEAKER — Order! The minister has been given sufficient and ample opportunity to provide background and to set the scene. The minister has been given sufficient time to explain the matters arising from that report. The minister will now come to making a statement in relation to government initiatives or achievements.

Mr MERLINO — The position of the Andrews government is very clear. If this proposal goes forward at COAG, we will oppose it. It is clear, once again, that only Labor will protect our TAFE system.

RULINGS BY THE CHAIR

Constituency questions

The SPEAKER — Order! Yesterday at the end of constituency questions the member for Burwood requested that I review and determine whether a number of the matters raised were couched in the appropriate form. I have reviewed yesterday's constituency questions and ruled the questions raised by the members for Lowan, Gembrook, Dandenong, Eltham, Yan Yean and Pascoe Vale out of order on the grounds that they sought an action rather than information.

With 6 out of the 10 constituency questions raised yesterday being ruled out of order, it is evident that the appropriate wording of such questions continues to be a problem for members. Perhaps I could encourage any member in the future who is unsure about the appropriateness of the wording of their question to have it checked in advance by the clerks. In an effort to assist members in this area I have requested the Clerk to run an additional lunch-and-learn session on the framing of constituency questions. Members are encouraged not to make mistakes in order to justify a free lunch!

Mr Gidley — On a point of order, Speaker, during question time this morning, following the question by the Leader of the Opposition in relation to why Bentleigh district is different to Oakleigh district in deserving to have its level crossing underground, the

member for Oakleigh answered the question, and I quote, 'Because it's a 70 per cent Labor seat'. My point of order is, whilst I appreciate the openness of the member for Oakleigh, to ask Hansard to ensure that that comment 'Because it's a 70 per cent Labor seat' is reflected in *Hansard*.

Ms Allan — On the point of order, Speaker, I would urge you to rule immediately this point of order out of order. It is an outrageous attempt to verbal the member across the chamber in that way. It is entirely inappropriate —

Honourable members interjecting.

Business interrupted.

SUSPENSION OF MEMBER

Member for Footscray

The SPEAKER — Order! The member for Footscray will withdraw from the house for a period of 1 hour. There will not be disruptions whilst the Chair is on his feet. That applies to all members.

Honourable member for Footscray withdrew from chamber.

Business resumed.

The SPEAKER — Order! The Leader of the House, to be heard in silence.

Ms Allan — Those opposite know that it is an entirely inappropriate point of order to make, and I urge you to rule it out immediately. There is no further examination required. It exposes those opposite for what they are in trying to cast a slur on the government as we get on with our major project program.

The SPEAKER — Order! The Chair does not uphold the point of order.

CONSTITUENCY QUESTIONS

Caulfield electorate

Mr SOUTHWICK (Caulfield) — (Question 6738) My constituency question is to the Minister for Public Transport. An independent report by VicRoads has found the Glen Huntly Road level crossing to be one of the worst in Victoria. The 2014 report rated Glen Huntly Road level crossing to be one of the highest priority removals, with boom gates expected to be dropped for up to 82 per cent of the morning peak between 7 o'clock and 9 o'clock within seven years,

rendering the crossing virtually impassable. Glen Huntly Road level crossing is also traversed by the 67 tram route, which is also subject to significant delays.

To make matters worse, the report reveals that of the 15 of level crossings on Labor's list that have been given priority rating by VicRoads, 14 are in Labor-held seats. I ask on behalf of my concerned constituents in the Glen Huntly Village Traders Association whether Glenhuntly Road level crossing will be on the government's list of the 50 to be removed.

The SPEAKER — Order! The member for Mount Waverley, on a point of order. The Chair will in future take points of order, if required, at the end of constituency questions. I will take the member for Mount Waverley's point of order now.

Mr Gidley — On a point of order, Speaker, the manager of government business made a comment to me which I took offence to, that I had verbalised a member simply by stating what the member for Oakleigh has said. I ask for that comment to be withdrawn unequivocally.

The SPEAKER — Order! Does the Leader of the House wish to make a comment?

Ms Allan — The member has asked me to withdraw and, as is the convention of the house, I will withdraw. What I will not withdraw from, Speaker, is exposing the tactics of those opposite to demonise the member for Oakleigh in a pathetic little way.

Honourable members interjecting.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Caulfield

The SPEAKER — Order! The member for Caulfield will withdraw from the house for a period of 1 hour. The Chair will be heard in silence whilst the Chair is on his feet.

Honourable member for Caulfield withdrew from chamber.

CONSTITUENCY QUESTIONS

Questions resumed.

Ms Ryall — On a point of order, Speaker, the request was for a withdrawal unequivocally. May I,

with respect, Speaker, suggest that there was no unequivocal withdrawal by the minister and therefore standing orders require her to make a withdrawal as personal offence was taken. I suggest that that be done.

The SPEAKER — Order! I request that the Leader of the House withdraw the question.

Ms Allan — I withdraw.

Carrum electorate

Ms KILKENNY (Carrum) — (Question 6739) My constituency question is for the Minister for Education.

Mr Hibbins — On a point of order, Speaker, this is with regard to an answer to a constituency question I received — —

The SPEAKER — Order! The member for Prahran will resume his seat. That point of order will be heard at the end of constituency questions.

Ms KILKENNY — I have been contacted by parents of students at Kananook Primary School who would like to know when construction of the state government-funded refurbishment of the school's main block will commence. The education state is about taking our education system from good to great by fixing our schools, early learning facilities and skills centres and building the right infrastructure. The Kananook refurbishment will include an open-plan learning space and a new staff area. I know the local school community is very keen to see this much-needed infrastructure delivered, and I ask the minister to advise when and how these important infrastructure works will take place.

Gippsland East electorate

Mr T. BULL (Gippsland East) — (Question 6740) My constituency question is to the Minister for Environment, Climate Change and Water. The information I seek is whether the minister will reconsider the decision to close Rivermouth Road. The current government's plans to close the iconic road on the Mitchell River silt jetties has caused considerable angst within the local recreational fishing fraternity, as the front page of Monday's *Bairnsdale Advertiser* appropriately explained.

It is an issue I have received a considerable number of complaints on, with concerns relating to the fact that elderly anglers, bird watchers and tourists with limited mobility will no longer be able to access this popular fishing and tourist location. It will be closed to emergency vehicles, which I am advised have used the

river mouth at times when an on-water emergency has necessitated. One of the biggest areas of complaint is that the wider recreational angling community was not consulted, and VRFish, which represents recreational anglers, is opposed to its closure. I urge the minister to reconsider her position, as once this goes ahead it will be difficult to reverse at any stage in the future when works are completed with vegetation planted right along the existing road.

Essendon electorate

Mr PEARSON (Essendon) — (Question 6741) My constituency question is for the Minister for Health. The latest round of applications for the community shade grants program closed last December. This fantastic initiative of the Andrews Labor government dedicated \$10 million to assist local groups in providing SunSmart infrastructure to their communities. I know a number of wonderful local community groups, such as Essendon District Aquatic, have applied. These grants will fund important tools for fighting skin cancer and I know my constituents care deeply about this issue, particularly with skin cancer rates being so high in our country. I ask the minister: when can we expect the final outcome of this grants round for sunshades?

Eildon electorate

Ms McLEISH (Eildon) — (Question 6742) I address the Minister for Environment, Climate Change and Water and the question I raise is on behalf of business and landowners between Eildon and Seymour, whose livelihoods are dependent on the Goulburn River and its tributaries and who are impacted by the Murray Darling Basin plan. I refer in particular to the constraints management strategy, and I ask: will the Victorian government announce that it has suspended work on the constraints management strategy? I ask this because in her submission of 15 November 2015 to the Senate inquiry on the positive and negative impacts of the Murray Darling Basin plan the minister states:

Victoria will only support a package that defers further investigation of constraints on the Goulburn until all business cases have been submitted and assessed.

The SPEAKER — Order! I call the member for Narre Warren South. Welcome to the house.

Narre Warren South electorate

Ms GRALEY (Narre Warren South) — (Question 6743) My constituency question is to the Minister for Roads and Road Safety and concerns vehicle registration. I ask the minister to provide information on any plans to provide motorists in my electorate with

the option of paying for their vehicle registration in instalments.

The SPEAKER — Order! I beg your pardon. I am informed by the Clerk that the member's time has not yet been fulfilled.

Ms GRALEY — I thought it was half an hour.

The SPEAKER — I am informed that regrettably the member's time has not been fulfilled.

Honourable member for Narre Warren South withdrew from chamber.

Ivanhoe electorate

Mr CARBINES (Ivanhoe) — (Question 6744) My constituency question is asked in lieu of that of the member for Narre Warren South. My question is to the Minister for Roads and Road Safety. I seek some information from the minister in relation to VicRoads crash data for the Waterdale Road and Altona Street intersection in West Heidelberg and for the Bell Street and Waterdale Road intersection in West Heidelberg. I seek that information on crash data from VicRoads because there have been several very significant accidents in recent times outside the St Pius X Primary School, which also is in a 40-kilometre-per-hour zone. One family ended up in a car on its roof. I would like information in relation to the VicRoads crash data trends in the area as well as any initiatives that VicRoads have introduced there to make sure that area remains safe. I look forward to receiving that information from the minister to give confidence to the community that the Andrews government is taking the right steps to protect the community.

Ringwood electorate

Ms RYALL (Ringwood) — (Question 6745) My constituency question is to the Minister for Planning and is in relation to the land opposite Eastland adjacent to Ringwood station that has reportedly been sold to QIC, the company that owns Eastland. My question on behalf of my constituents is whether that land went to public tender and was within the requirements of the valuer-general, including on what basis the price of the land was reportedly discounted.

Oakleigh electorate

Mr DIMOPOULOS (Oakleigh) — (Question 6746) I rise to call on the Minister for Planning to inform my constituents about how they can be involved with the Andrews Labor government's residential zones review. This review was an election

commitment Labor promised after the previous Liberal government rushed through major residential zone changes. People living in my area say they have received garbled information and mixed messages from the last government, their council and developers about what can and cannot be built in their neighbourhoods. We want a clear and transparent residential zone system and I commend the Minister for Planning for starting this zone review.

I encourage Oakleigh residents to get involved. We cannot make big changes to planning rules without looking at the long-term impact and making sure industry and the community are included. We need a planning system which the community has confidence in. We need to maintain our neighbourhoods but also need to encourage new development in the right locations so that housing supply keeps up with population growth. I appreciate the minister's interest in my electorate with the visit he made with me a few months back.

Ripon electorate

Ms STALEY (Ripon) — My constituency question is to the Premier. The Premier's agriculture minister in the other place has just publicised the guidelines for fee relief in drought-stricken communities in Buloke, Loddon, Northern Grampians, Pyrenees and Central Goldfields shires in Ripon. These show fee relief is restricted to only some families, yet the Premier said, 'Free kinder' — so no kinder fees — 'for anyone sending their kids to kinder over those 10 local government areas'. So I ask: did you lie to my drought-stricken communities deliberately?

The DEPUTY SPEAKER — Order! I am going to rule that question out of order. A member does not imply that someone else, in either this house or the other house, has lied, or ask, 'Did you lie?'. That is an imputation. I rule it out of order.

Bundoora electorate

Mr BROOKS (Bundoora) — (Question 6747) My question is to the Minister for Education.

Ms Staley interjected.

The DEPUTY SPEAKER — Order! No, there will be no restatement. I have made my ruling.

Mr BROOKS — Kingsbury Primary School in my electorate is a great local school with approximately 180 students, 9 of whom are funded through the program for students with disabilities.

Mr Pesutto — On a point of order, Deputy Speaker, just a few moments ago we had a member who was not properly in the chamber begin her constituency question. She was appropriately asked to leave and another member was able to ask their constituency question. I think it is fair and in the interests of equity that the member for Ripon be given an opportunity, to avoid further argument about whether she was in fact implying or simply asking in an interrogative way whether there was truth or not, to be able to restate the question.

The DEPUTY SPEAKER — Order! I thank the member for Hawthorn for the point of order. I have made my ruling and there is no point of order.

Mr BROOKS — My question is to the Minister for Education. Kingsbury Primary School in my electorate is a great local school with approximately 180 students, 9 of whom are funded through the program for students with disabilities. The school estimates, though, that some 20 per cent of its students require extra support of some type. The school has made an application under the Inclusive Schools Fund for a passive safe sanctuary garden, a place to assist students with behavioural or anxiety issues. This application has my full support and I ask the minister: when will schools be notified if they have been successful under the Inclusive Schools Fund?

Mr Watt — On a point of order, Deputy Speaker, in light of the ruling that was just made by the Speaker only some minutes ago, I rise to ask you or the Speaker to have a look at the question from the member for Ivanhoe. The member for Ivanhoe asked for the minister to provide information; therefore that is a clear action item, not a question. I also ask for the question by the member for Oakleigh — in actual fact I ask for them both to be ruled out of order — to be ruled out of order because the member for Oakleigh asked for the Minister for Planning, I think it was, to inform his community, which is a very clear action item. I realise that it is just simple wording of questions, but nonetheless these questions are clearly out of order and I ask for them to be ruled out of order.

Mr Carbines — On the point of order, Deputy Speaker, reference has been made in the point of order to my constituency question. As the Speaker indicated earlier, asking information of a minister is in order in relation to constituency questions. My constituency question asked for information in relation to crash data from the Minister for Roads and Road Safety, and I believe it should be considered in order.

The DEPUTY SPEAKER — Order! As has been requested by the honourable member for Burwood, I will refer those two matters to the Speaker for him to report back to the Parliament.

Mr Hibbins — On a point of order, Deputy Speaker, I received an answer to a question I asked last year from the Minister for Public Transport. However, the answer is addressed to the member for Pascoe Vale and does not address the constituency question I asked. I am sure this is just an oversight, but I ask that the question be deemed as unanswered and that the Minister for Public Transport answer my substantive constituency question.

The DEPUTY SPEAKER — Order! I will ask the Speaker to review the member's point of order and come back to the house.

RELATIONSHIPS AMENDMENT BILL 2015

Council's amendment and Assembly's amendments

Debate resumed.

Mr HIBBINS (Pahran) — Recently Australian Marriage Equality put out information comparing where various states were at with their provision for LGBTI equality and same-sex couples, and one of its desired initiatives was having a ceremony conducted in conjunction with registering a relationship. Without that, Victoria is lagging behind a number of other states — namely, I believe, Tasmania and the ACT, which have this provision. So the passing of this amendment will be another key step in this state's support for same-sex couples.

I would certainly like to acknowledge members of the government and the opposition and other crossbenchers for their support for our amendment along with my upper house colleague Sue Pennicuik, who raised this in the upper house and who has also brought this amendment before previous Parliaments — also, of course, all those LGBTI advocates who work so tirelessly to achieve equality. I look forward to working together with them and with members of this Parliament to further the cause of LGBTI equality in Victoria.

Mr PESUTTO (Hawthorn) — I am pleased to be able to speak on this amendment to the Relationships Amendment Bill 2015. I said in my remarks back in December 2015, when the principal amendment was before us, that I was supportive of the changes in the bill. It proceeded through this house of course without any opportunity to debate the amendments which the member for Pahran had then put up. Having come

back from the other house, now we have before us the amendment proposed by the Attorney-General.

The coalition's position will be as it was with the principal amending bill — that we have a free vote on these matters. So I do not speak on behalf of any other member of the coalition; I can only speak on my own behalf. I am happy to support the government's amendment, and I will be doing so when it comes to that time later this week.

Of course what it does is allow for ceremonies to be conducted by the registry of births deaths and marriages, something that it does in respect of other ceremonies at the moment. This will allow for heterosexual and same-sex couples alike to seek the services of the registry. I do think it is a more appropriate way to manage the introduction of these services to place the amendment in section 27 of the principal act and not in section 10, although the amendments are very similar — almost identical in substance. I think that is a better place to put it. As I said, I am happy to support it, and I await the matter coming back before the house in due course.

Motion agreed to.

BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015

Second reading

Debate resumed from 9 February; motion of Mr WYNNE (Minister for Planning).

Mr BROOKS (Bundoora) — I am resuming my contribution from yesterday. Before the interruption I was talking about the importance of the building sector to Victoria's economy but also the importance of ensuring confidence in the building sector for its own prosperity and ensuring that consumers know that they are going to get good workmanship when they engage a builder and that there are appropriate disputes mechanisms in place to protect them if they do suffer from a poor building job.

It is great that this bill introduces a number of measures to improve consumer protection. It goes a long way to restoring the balance in a system that I think was failing many consumers. A new mandatory consultation process will be introduced, which I think is fantastic, with the ability of this new body, Domestic Building Dispute Resolution Victoria, to ask both parties in a building dispute to participate and to try to get them to agree on an outcome. Where an agreement cannot be reached, and this is an important part, dispute resolution

orders can be issued by that new body. In extreme cases, a building practitioner who, for example, is deemed unsuitable to rectify building work can be ordered to pay the costs of that rectification. I think there would be many people who have suffered at the hands of dodgy builders who would be very glad to see these sorts of new provisions introduced into law.

At a personal level I think one of the most significant changes in the bill is contained in clauses 37 to 43 and is in relation to the regulation of building surveyors. People will remember that back in 1994 the building surveyor industry was privatised. Its functions were privatised by the Kennett government, and people could go out and engage a private building surveyor to undertake the statutory building surveying functions and issue statutory building permits through a building process. There is no doubt that the privatisation of the system has improved the performance and efficiency of the issuing of building permits. That assists the building industry, so it is a good thing. But of course it has created a structural conflict of interest, if you like, between private building surveyors — companies — that see as their main customer and the main aim of their marketing efforts the building practitioners. They are the very people it is supposed to be regulating. That is an inherent conflict in the system.

There are many cases of people — and I certainly know someone — who have been told by a builder at the start of the job: ‘You don’t have to worry about the building permits; we’ll look after those for you’. That sounds like a great offer when a consumer is stressed about organising finance and all of the other bits and pieces that go with entering into a building contract. But in effect I would suggest it is probably the wrong thing to do. I urge consumers to engage a building surveyor they have chosen, one they are confident will ensure the independent statutory functions they have through the building process to ensure the building job is done properly. I encourage people to engage someone themselves.

The bill prohibits a building practitioner from engaging a building surveyor on the consumer’s behalf. It also removes the ability of a building practitioner to act as an agent in securing a building surveyor for a particular building job, and I think that is a good thing. It is important that consumers receive information that outlines the independent role of a building surveyor to check that a job is done properly, and that is exactly what will happen here. Customers — consumers — before they enter into a contract will have to be given by a building practitioner a statement about the role of building surveyors and the important role building

surveyors play in ensuring quality and standards in the building industry.

So this is a really good part of the bill — a really important part of this bill — which I think probably more than any other part of the bill will have a dramatic impact on the standard of building work in this state. As I said in the earlier part of my contribution yesterday, the majority of building practitioners in this state and the majority of building surveyors do a great job. They work to the highest possible standards, but there are people out there who do the wrong thing and whose workmanship is not up to standard. It is those people who cause the great heartache for many, many consumers who invest so much money on these building jobs. I think this is a great part of the bill, and it will make a big difference to people. I think it will change the way that many builders and many surveyors work throughout this state. That is a good thing. I am glad that those opposite are not opposing these changes.

The other significant changes in the bill include combining the registration, regulation and disciplinary functions of building practitioners. Bringing it all underneath the Victorian Building Authority is a good thing. Practitioners will need to demonstrate ongoing competency and will have to renew their licences every five years. I think that is something that is long overdue. The introduction of a new show-cause disciplinary system so that after investigating a complaint the Victorian Building Authority will be able to ask the practitioner to show cause why a sanction should not be imposed I think ensures that there will be tight time lines so that building disputes do not drag on for months, if not years, and are able to be resolved as quickly and as fairly as possible.

There is also an important change to the time period during which people are able to obtain owner-builder permits. We do not want to have that loophole exist where some shoddy builders can register themselves as owner-builders and do jobs that way. We want to support genuine owner-builders getting on with the job. That increases the period from three to five years. This is a good bill. It increases consumer protection. It gets the balance right. I commend it to the house.

Mr D. O’BRIEN (Gippsland South) — I am pleased to rise to speak on the Building Legislation Amendment (Consumer Protection) Bill 2015. This bill, as the member for Bundoora has outlined, makes a range of changes to building regulations which are aimed at strengthening protections for consumers in particular. It is one of those areas where at times, certainly in my mind, we would call this red tape. In building legislation and building regulation, in

particular, I would not necessarily say that it is an area where Australia leads the world, but when you travel to other parts of the world and you see the shoddy state of construction and hear about the tragedies that occur with earthquakes, cyclones and various other natural disasters with houses collapsing and people being killed, it does make you happy that as an Australian we have these strong regulations in place to ensure that our buildings are up to scratch and will survive those sorts of calamities.

So it is important that we do have these strong regulations, but in everything I think there need to be a balance. There are a number of changes in this piece of legislation, and I am particularly concerned to ensure that they do not have a negative or deleterious impact on smaller builders, particularly in regional areas where there are many smaller builders. They are significant employers in most of our small towns. They are forever competing with some of the big guys that come in and do a lot of the major residential developments. I hope the government has considered in framing this bill that we do not give a leg-up to the big guys at the expense of the smaller builders, who often employ sometimes only themselves but often themselves and two or three others, including an apprentice. They are an important part of our local communities.

I know that in my own home town of Sale there are probably half a dozen small-to-medium building companies that do work locally but also have grown over time and have gone on to do bigger projects around the region and around the state. Indeed unfortunately we have had a number of small building companies collapse over the last few years. That has caused considerable distress to many of their subcontractors and also to their customers. That is still something that has been shaking out across the Sale and Latrobe Valley regions over the last couple of years.

This bill establishes a new conciliation framework for domestic building disputes. It will see the establishment of a domestic building dispute resolution process in Victoria, giving parties greater incentive to resolve disputes earlier and more cost effectively. I think that is probably something that all MPs will welcome, because I am sure they have had aggrieved consumers come to them to speak about problems they have had with a builder. It is a complex and technical area. As with many things that come through the doors of local MPs, we are not necessarily qualified, unless you happen to be a builder, to deal with the technical elements.

Having that dispute resolution is important. Ensuring that people can take their grievances to an independent arbiter is critical both for the customer and for the

builder as well. It will enable the issue of dispute resolution orders to domestic builders and consumers as a means of resolving those matters. These orders can require the rectification of defective work and/or the payment of money, which of course is generally what people want. They just want their house or building or whatever they might be constructing — a new office or a shed — built properly. That sort of rectification or the payment of compensation in lieu is important.

The bill enables the Victorian Building Authority (VBA) to issue a show-cause notice to a registered building practitioner if the VBA reasonably believes that grounds exists for taking disciplinary action. Again, that provision hanging over the head of builders is useful to ensure that they are doing the right thing. As the member for Bundoora said, there are shonky operators out there unfortunately and we do need to make sure that they are doing the right thing, but more particularly that there are regulations in place to encourage them to do the right thing, perhaps with a stick rather than a carrot in this situation. The bill imposes stronger registration requirements, including time-limited registration, enabling the regulations to specify in greater detail what a specified class of registration authorises a person to do. The bill imposes greater restrictions on the carrying out of domestic building work unless a builder is registered in a category or class of registration that authorises the carrying out of that work, making sure that suitably qualified people are doing the work.

The bill abolishes the Building Practitioners Board, with those functions to be taken on by the VBA. The bill also strengthens the powers to give directions with respect to building work and to ensure that various orders made by building surveyors and the VBA can be exercised more appropriately.

Equally the bill introduces a range of measures to ensure that owner-builders are appropriately qualified to build homes and that unregistered builders cannot use owner-builder status to avoid registration and, again, ensuring that people do not get around the loopholes in the law when they have been deregistered or there have been issues that mean they are not able to declare themselves as owner-builders. This is one where we do need to be careful with owner-builders, though they do need of course to be appropriately qualified. But it is in many respects part of the Australian dream that people will get the opportunity to build their own house. There is a saying that you need to build three before you get it right. I have no intention of building one at this stage, let alone three, but certainly it is important that owner-builders have their eyes open when they go into the process and that they

are properly qualified to go into the process of building their own home, because it is certainly not an easy task or one to undertake without due regard to the challenges that will be ahead.

The bill establishes a power for the VBA to appoint a manager of a private building surveying business where the private building surveyor has ceased to function and has failed to make alternative arrangements. Examples might be where the building surveyor has died, been suspended or become insolvent, and this will allow the completion of the private building surveyor's work. The bill also goes on to prohibit a builder from appointing the relevant building surveyor on behalf of the owner in relation to domestic building work. Again, I wonder how this will apply in practice, because it prohibits the building surveyor from accepting an appointment in this way, which means that the consumer really has to go ahead and appoint that surveyor, whether or not they have the knowledge or the qualifications. I am sure a lot of people would prefer to take advice from their builder, but again this is seeking to ensure that the right thing is done.

There are a number of other amendments in this legislation. A lot of them relate to a report from last year by the Victorian Auditor-General's Office (VAGO) in relation to the consumer protection framework for building and construction. The Auditor-General was critical of the current system, and this legislation is a response to that VAGO report and indeed goes some way to addressing many of the recommendations the report put forward. I certainly hope that in a practical sense they do work and that consumers are better protected as a result of these changes. I repeat my concern about these additional levels of regulation with respect to the building industry not having an adverse effect on smaller builders, particularly those operating in country areas, and particularly favouring the bigger guys who are often better able to deal with increased levels of regulation.

I look forward to seeing how this bill plays out in practice and whether the government is prepared to make changes, if need be, if there are practical problems with the legislation in its implementation, but certainly it does go some way to increasing consumer protections. I look forward to the passage of the bill through the Parliament.

Ms GREEN (Yan Yean) — It is with pleasure that I join the debate on the Building Legislation Amendment (Consumer Protection) Bill 2015. This has been one of the most intransigent problems that consumers have faced for a very long period of time. Like the member for Bundoora yesterday, I express concern as to why

there would be any justification for the opposition really wanting to further drag this out and slow things down.

I was first a candidate in 2002 — I was elected at the end of 2002 — and during that period I was inundated with people who were facing the most catastrophic defects, particularly in slab formation, which was ruining their lives. People were not only trying to live in these homes but also trying to run businesses from their homes, and they were really finding that they had nowhere to go. This period also coincided with the collapse of the large insurer HIH Insurance, and there was also the collapse of a large building firm — I believe the name was Avonwood Homes — which was a builder of new homes. So you had ordinary honest families in suburbs all over Victoria, but particularly in the growing north, that were trying to get some redress, and they were finding that the existing regime for insuring of builders was completely inadequate. When a builder collapsed it was incredibly difficult to pursue, especially when you looked at the distortion of the market and the impact on the market of the closure of HIH.

At that period I remember bringing in constituents to speak to the members of the then Bracks government to discuss this, and it was deeply concerning for me because the changes kept getting rejected in the upper house. We have seen repeated efforts to fix this regime, in the interests of consumers, being shot down by those opposite. I would say that the genesis for a great deal of this difficulty lies in the changes made to this form of regulation and legislation under the Kennett government.

It was vested in the changes that were made in local government that building practitioners, the establishment of building practitioners and building permits were then simply not approved just by the local government for the area, it could be approved by any local government. There really was not a proper awareness campaign for the community to know this, particularly when they were dealing with large builders. Members of the community would have had no idea who the original building practitioner might have been or who the surveyor that may have signed off on certification was, so it has been an incredibly difficult and complex area.

Also add to that that there are many more properties being built that are under strata titles. I will use in particular one example in my electorate, in Diamond Creek. It is hugely complex as to who is accountable for the mess of a number of houses that have been built within the strata title development, and the great

tragedy is that none of these buildings in this strata title development in Diamond Creek comply with proper fire ratings. It is incredibly difficult to retrofit that sort of thing. It has been dragging on for a very long period of time. These residents feel unsafe because they feel that they live in unsafe properties and also feel that they cannot sell them, so they are literally stuck. So we have been saddled with a very poor regime of consumer protection in relation to what is the most significant purchase that most families and most consumers will ever make: the purchase of the family home. It has just ruined so many lives over more than a decade.

I commend the various ministers who have responsibility for and carriage of this. It is really important to strengthen protections for consumers so consumers have faith again in Victoria's \$28 billion building industry, particularly the home-building industry. By and large I would say that most work that is undertaken, particularly by large builders in my experience and in my electorate, has been of a good standard, but when things have gone wrong, they have gone terribly wrong.

The Victorian Auditor-General has identified longstanding flaws in the building system in a report of May 2015. This legislation before the house today is the first tranche of reforms to be introduced by the government. It will see a new process of compulsory conciliation to be established, with the establishment of the domestic building dispute resolution service. This service will be funded from the Domestic Builders Fund, administered by Consumer Affairs Victoria. The chief dispute resolution officer, who will be supported by conciliators and technical assessors capable of examining domestic building work, will head the new service. Dispute resolution orders will be able to be issued to require rectification of defective or incomplete work.

The Building Practitioners Board will be abolished. This board is currently responsible for registration and discipline of builders, but it has been criticised as being not effectively operated, and it has been criticised by both the Auditor-General and the Ombudsman. These functions will be transferred to the Victorian Building Authority (VBA) to centralise regulatory powers.

The bill also allows for improved registration standards. Builders will now be required to seek renewal of their registration within five years and will need to demonstrate ongoing competency. The bill also allows the VBA to attach conditions to registration to restrict what work a builder can perform. Professional standards will be reinforced through new codes of conduct. A disciplinary system that gives greater

certainty has been needed for a very, very long time, and a more efficient show-cause process will be introduced. If the VBA believes after an investigation that there are grounds for disciplinary action, it will be able to require a builder to show cause why sanctions should not be imposed, and there will also be new grounds for an immediate suspension.

I should have mentioned earlier that these problems within the system have sadly impacted on many of those that have sought to rebuild their lives and homes since the tragic Black Saturday fires. It has been really heartbreaking to have people not only go through that trauma but then also be faced with dodgy builders producing defective work, often overpriced. For many it has just become too much. I know that there has been a particular builder that targeted a house from the eastern suburbs and targeted households around Kinglake. That builder had better have a good look at themselves now because they will be held to account, and I am really pleased that this government has introduced this first tranche of reforms. It is incredibly important to have confidence in our building industry and also to protect that most important asset for all families who want to be able to live and enjoy a great life at home, whether it be in the suburbs, in the inner city or across regional Victoria. It is incredibly important for our economy and incredibly important for consumers to have that faith in the system.

Ms STALEY (Ripon) — It is with pleasure I rise to speak on the Building Legislation Amendment (Consumer Protection) Bill 2015. As other speakers on this side of the house have said, the coalition is not opposing this bill. We understand and support the need for a strong and robust regulatory regime around building regulations, particularly home building. It is one of those instances where we have a massive imbalance in knowledge between those providing the service and those purchasing the service. That is a prime example of where people run into trouble, because people usually buy or build a new house maybe only once or twice in their lives, and therefore their capacity to understand whether they have come up against a dodgy builder is very limited. Even someone such as I, who is always on the less regulations side of the ledger, supports strong building legislation.

I am going to restrict my remarks — I will not be taking up my full allotted time — to one aspect of this bill — that is, clause 46, which seeks to amend the Building Act 1993. It makes some changes that have the effect of changing when you have to have a registered builder for both domestic and small commercial builds. I have had some representations from some councils in my electorate, and they are of

the view that requiring a registered builder for some of these projects — and we are talking about projects over \$5000, so quite small projects — is not a desirable change.

For example, in the Pyrenees shire there are only four registered builders, two of whom are retired. In fact my informant says that one of them may be subject to suspension. So we therefore might be down to one registered builder in the whole of the Pyrenees shire. As a result, a lot of the works that previously would have been done by unregistered builders — people who are carpenters, cabinet-makers or perhaps plumbers or whatever — will now be required to be done by a registered builder. There just are not those people in some of my shires. Similarly, in Ararat it appears that there may only be five.

The effect of this legislation is that it will put up the costs for a lot of these small projects. I am particularly concerned about projects that are undertaken by community groups such as kindergartens and football clubs — that sort of thing. They will now have to engage a commercial builder before a permit can be issued, and that is an additional cost. For these communities, that largely means they will have to raise additional funds to be able to do smallish building works.

We are not talking about really large rebuilds here. They are done by commercial builders, and they are already well regulated. These are the small projects where you put in a new kitchen for the kindergarten or something like that. They will now require a registered builder. Farm sheds are also these days often classified as commercial buildings, and therefore they will not be able to go ahead without a commercially registered builder being nominated. That is just a straight additional cost to farming communities, many of whom in my electorate are in drought.

One specific example I would give is that Ripon is home to the Lake Goldsmith steam rally. This is a very large steam rally which is held twice a year. Thousands of people go and see the various exhibits, some of which are permanent, at Lake Goldsmith. They keep these steam engines in sheds. All of that would now be subject to having to have a registered builder put up these sheds, and again that would be an additional cost to a volunteer community group.

So overall these provisions will increase costs in country Victoria. At the same time, in some cases people will not be able to find a builder because there are just not enough registered builders. They will have to go to builders outside of their region to get this ticked

off. That means we will be losing economic activity in my electorate. If someone has to go to Ballarat to get a registered builder because they cannot get one in Beaufort, that is a loss to economic activity in Beaufort.

I suggest that clause 46 at least could have some unanticipated consequences in rural areas where there are just not the numbers of registered builders able to undertake this work. I would like to reiterate — and the leader of opposition business made similar remarks in his contribution on this bill — that I personally would have very much liked the opportunity for this bill, which is so large and so complex, to go into committee. I would like to ask the minister, in relation to my electorate, whether this will mean additional costs, a lowering of local economic activity and problems in Ripon. But we are not to be allowed that opportunity.

Once again the government has failed to provide any time for consideration in detail on what is by anybody's standards a very complex piece of legislation. The printed version is 160 pages long, and I had to ask a number of people for assistance to find the exact clause I needed to talk about today because it was just not easy. As I said, my colleagues and I are not opposing this bill, but I really would have appreciated the chance to go into committee and to better understand it.

Mr McGuire (Broadmeadows) — I rise to commend this legislation. This is a really important piece of legislation to look at how this industry evolves — how we get better standards, how we get better value for spend for customers — and I really want to address a couple of the key issues. This legislation aims to strengthen Victoria's \$28 billion building industry — that is the size of the industry that we are addressing here — and it will introduce the reforms that will protect consumers and lead to faster dispute resolution. Now that is critical.

The other point to analyse as well is that the Auditor-General found that 28 per cent of people who engage tradespeople to help them build or renovate their home experience problems, the most common being poor workmanship. So this is the size of the problem. More than a quarter of attempts to build or renovate a home have ended up with a finding from the Auditor-General of 'poor workmanship'. Well that is not good enough. The government has taken the initiative necessary. This is the first tranche of legislation, and I am delighted that there will be more legislation before the end of the year.

We have heard from opposition members, in a question from the member for Gippsland South, about whether this legislation would, as he put it, benefit the so-called

big boys. I do not see how that should be an end result of this. This is about greater scrutiny, accountability and compliance to standards — right? — so that will really have the most benefit for consumers. We have also heard the member for Ripon talk about not taking an ideological view. That is important to hear, because this is based on evidence, and the evidence is clear — the jury is in — that these amendments need to be addressed, and this is just the first phase of the government's response.

If you have a look, you will see the Victorian Auditor-General identified longstanding flaws in the building system in a report in May 2015, and this legislation is the first of a series of different amendments that will occur. Also the opposition has raised the point that it wanted this legislation to go into consideration in detail. Well, I address that issue, and I need to restate it. The opposition did not make this request. The leader of government business — I raised it with her yesterday — said, 'Well, there was no request'. Now they are blaming the government somehow. How long were they on holidays? That is the point. It was a long holiday. They did not do their job; it is as simple as that. They do not then come in and try to take this oppositional stance and argue from that position, because it is a furphy, straight up and down — it is a furphy.

If they wanted to go into the consideration-in-detail stage, if they wanted to argue in detail, they have got their chance in all their contributions. They have got 10 minutes each time. They should go through the detail, go through the bill clause by clause and outline whatever issues there are. Put it on the record, in *Hansard*, and that can be addressed. If you want to take it into consideration in detail, the first thing you do is make that request. That did not happen. That is the fact of the matter, as explained to me by the leader of government business. So let us not hear this one again, and let us move on to the substantive things.

This is major reform that will protect people who are trying to build or renovate their homes. There is no bigger investment for most people than their family home. The facts are in on how many — more than a quarter — attempts to do this lead to shonky results. Most people in this chamber would know, by personal reference or dealing with constituents — or, in my case, even a staff member — someone who felt totally duded by what happened. This is a really important initiative that is in the public interest. I really think that if opposition members are making these arguments, they could make them in their contributions. Surely they can organise themselves, as different speakers have their say, as to which parts of the legislation they

want to speak on and then go to that in detail. I do not take it as a credible point from the opposition, so let us dismiss that and get down to the crux of the matter.

One of the other key things is that there will be a new process of compulsory conciliation established. This will be with the Domestic Building Dispute Resolution Victoria service. It will be funded from the Domestic Builders Fund, administered by Consumer Affairs Victoria. The chief dispute resolution officer, who will be supported by conciliators and technical assessors capable of examining domestic building work, will head the new service. Dispute resolution orders will be able to be issued to require rectification of defective or incomplete works. This is important. You will get a quick result, a less costly result — and you get it fixed, right? This is practical action. This is a government that actually gets on with doing things. This is the key point here. The Building Practitioners Board will be abolished. It is currently responsible for the registration and discipline of builders but has been criticised as not operating effectively by the Auditor-General and the Ombudsman.

So this has been examined. We have had key people, acting on behalf of the Parliament, saying that these are the problems that are occurring in this major industry and that they need to be addressed. This is the point of what this legislation is doing. Here is the remedy. As I say, this is only phase 1, and there will be more stages to come before this year is out.

The bill also allows for improved registration standards. Builders will now be required to seek renewal of their registration within five years and will need to demonstrate ongoing competency. This should lead to improved standards. This is the first part of a new regime that will look at how we make sure that there is scrutiny, there is accountability and there is compliance. These are the cornerstones that are necessary to ensure that we do not have this incredibly high rate of poor results for so many people, and particularly — I say as the member for Broadmeadows — many people in my area. Melbourne's north is now booming. We have the City of Hume and neighbouring City of Whittlesea. It has the fourth-largest population growth in the country. All these houses are going in, and people want to know that they are not going to be duded. This is a great initiative to actually address these issues.

The bill allows the Victorian Building Authority (VBA) to attach conditions to registration to restrict what work a builder can perform. Professional standards will be reinforced through new codes of conduct. That is the point. If you set the standard, you get people to comply, you get them trained and you will then get better

results. If not, a disciplinary system that gives greater certainty and a more efficient show-cause process will be introduced. If the VBA believes, after an investigation, there are grounds for disciplinary action, it will be able to require a builder to show cause why a sanction should not be imposed. There will also be new grounds for immediate suspension.

It is a position that has needed to be taken because of the flaws in the past. The bill will ban a builder from appointing the building surveyor on behalf of the owner in relation to domestic work. The Auditor-General, due to the potential conflict of interest arising from close relationships between builders and surveyors, identified this as an important issue to be addressed. Owners will now be able to appoint their own building surveyor and must be provided with information early in a project to assist them to make better decisions. Victoria has more owner-builders than any other state, but evidence suggests an increasing number of unregistered builders claim to be owner-builders. This is another part of the systemic issue that is trying to be fixed through this legislation. We need a building system that is clearer for consumers and for builders. We cannot allow the current system to continue. That is the beauty of what this legislation does. Future tranches of this systemic reform will be brought to this Parliament in the future, and there will be some more before the end of this year. I commend the bill to the house.

Mr NORTHE (Morwell) — I rise to speak on the Building Legislation Amendment (Consumer Protection) Bill of 2015. Are we going into consideration in detail, Frank, or not? No? I need to talk about it now.

The DEPUTY SPEAKER — Order! The honourable member has been in this house for long enough to understand and know that when one addresses another honourable member, they will do it by the correct title.

Mr NORTHE — My apologies — the member for Broadmeadows. The building and construction industry is a very important one to not only Victoria's economy but to regional economies. As stated by many members, it is a \$28 billion industry and around 200 000 people are employed in the industry, which is substantial by any reckoning. There are some who have more abilities than others in this sector. I confess right here that, in terms of needing some handiwork done around home, I am not allowed to do it. My brother, who is a qualified builder, got all the correct genes when it came to that, so I confess to not knowing a lot about it from a practical sense. But it is a very important industry.

This bill does a number of things, and there are 10 key areas which are addressed. It must be said that the coalition government in the last Parliament had in place the Building Legislation Amendment Bill 2014 that was not passed, and a lot of elements of this bill reflect the intention of that bill. Many members have spoken on this bill from a consumer point of view about some of the horror stories and things that have occurred over the years. It is just an awful, terrible scenario that unfortunately many people have experienced, where they have been the subject of less than satisfactory quality — some might say dodgy work — that has really had an impact on those people both financially and emotionally.

This bill does, I concede, go some way to restoring some confidence in the sector. I note from what the government has said that this is the first tranche of reforms and maybe there is more to come. Certainly the builder warranty insurance element of the sector is something that many consumers would like to see enhanced. It has just been awful in some situations, as is reflected in some of the horror stories that we have heard. People have invested their life savings in building a new home, for example, in circumstances where the work has not been to the satisfaction of those consumers. It is very difficult to navigate the dispute resolution aspect of that. I note one of the items that is discussed in the government's bill is the need to improve the conciliation of domestic building disputes. It is a good thing if we can enhance and improve that, and it is certainly something that we would support.

The bill also enables the issue of dispute resolution orders to domestic builders and consumers as a means of resolving matters in contention in domestic building disputes. These orders can require the rectification of defective work and the payment of money, and so that particular aspect of the bill would give some confidence to consumers that we are making sure that they are being better protected, and again that is something that we would support.

Improving information provision for consumers is another aspect of the bill, and it is important that builders give consumers adequate information before they enter into that major domestic building contract. Digressing very slightly, I think it is very important before all that to make sure that we get the planning right as well.

There were many changes that occurred under the coalition government with respect to planning, and I know from a local point of view that in the early part of 2011 in particular the township of Traralgon was very much constrained with regard to future residential

development. We were able to get through and request of council quite quickly the opening up of a substantial tract of residential land for potential future subdivision. What we saw after that time was massive interest that came from not only the community but also beyond, and we really did experience a boom in the domestic building and construction industry, particularly in Traralgon, over that period of time.

One of the other things I would like to raise as part of the debate, is the fact that government departments and agencies are consumers as well sometimes. One of the issues that is not tackled in this particular bill, but which is of concern, is where we have a principal contractor who employs subcontractors to do work on their behalf. Unfortunately, they get duded at times.

I well remember under the Building the Education Revolution program a case where a principal contractor was given the task of redeveloping a number of schools and engaged a number of subcontractors, and a statutory declaration was required by the principal contractor to say they had paid the subcontractor. The reality is that they did not pay. The reality of the situation was that local contractors, local builders, were left high and dry without any support. If the government is talking about this being the first tranche of reforms, hopefully in the future those types of anomalies can be addressed as well, because it is simply not good enough that those situations still occur in this day and age.

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

GRIEVANCES

The SPEAKER — Order! The question is:

That grievances be noted.

Public transport

Mr HODGETT (Croydon) — I rise to grieve for all Victorians facing chaos and crisis and a long list of failures in our public transport system. The Premier and the Minister for Public Transport are failing Victorian public transport users with their shambolic management of V/Line and of timetable issues with Metro; they have no business case for the Melbourne Metro rail project; there is their backflip on the method of delivering level crossing removals, with the secret sky rail dropped on residents last weekend; and of course there is their continued inaction on the Uber ride-sharing service — they have shown no leadership in that area whatsoever. Under Labor public transport has become riddled with delays, deficits and dysfunction, not to mention denial,

which is the stock-in-trade of the Minister for Public Transport.

It is worth recapping what the Andrews Labor government inherited. It is worth going back and spending a few minutes just looking at what it inherited and looking at the facts about what shape the public transport system was in before this mob opposite got its hands on it and started mismanaging it. When the previous coalition government left office in around December 2014, after four years at the helm, our public transport network was in pretty good shape.

Honourable members interjecting.

Mr HODGETT — Members should listen to the facts. The coalition had delivered Victoria's large-scale regional rail link between Southern Cross and Deer Park stations, Wyndham Vale and its junction at Werribee West, along with the Geelong line, under budget and ahead of time. That is something those opposite could only dream of when delivering a major infrastructure project. Not only did we incorporate two level crossing abolitions in the regional rail link at Anderson Road, Sunshine, and one on each of the Ballarat, Bendigo and Sydney lines that Labor had originally deleted from the scope of the project, but we also made sure that regional rail link would be ready for its planned opening on 19 April 2015. The coalition also funded other level crossing removals in its May 2014 budget, such as Burke Road, which crosses the Glen Waverley line near Gardiner station, and North Road, which crosses the Frankston line near Ormond station. It is important to state that. It is important because Labor lies and will say anything to rewrite history. Labor will say anything to suit its dishonest purposes.

We saw this yesterday during question time when we heard the Minister for Public Transport deliberately mislead the house. The minister said, 'they' — referring to the coalition government — 'did not remove one single level crossing during their time in government'. On a second occasion she said, 'I cannot find ... any record of the former Liberal government during its four years starting and finishing one single level crossing'. That is an absolute lie. What about Rooks Road, what about Mitcham Road and what about Springvale Road, all of which were delivered by the previous coalition government? The dishonest minister was given the opportunity this morning by the manager of opposition business to correct the record, but she refused to, and we will certainly take up that matter further.

In our term in office we increased train frequency on lines like the Frankston line so that during the day there would be trains every 10 minutes, seven days a week. On the Dandenong and Ringwood lines we made sure that the weekend daytime Metro trains would run every 10 minutes and beyond, and then for Belgrave, Cranbourne, Lilydale and Pakenham, the outer sectors, we made sure that trains would run every 20 minutes rather than on the previous half-hourly weekend Metro frequency. The coalition introduced more than 10 000 extra weekly train, tram and bus trips in Melbourne, and there were further initiatives, such as the two new return weekend trains on the Traralgon line and extra V/Line road coach connections between Traralgon, Sale and Bairnsdale. We established Public Transport Victoria to reduce duplication. We spent a record amount on rail and tram infrastructure, including such items as signalling and track renewals, and on concrete sleepers for our railways.

The coalition delivered on time the first of 43 individual V/Locity rail cars from Bombardier. We were also on time in buying new Alstom X'trapolis suburban trains for Metro. We had to fix Labor's errors. I will take members back: we had to fix Labor's errors in not ordering new trains or signalling for the regional rail link. That is an astonishing fact. Labor wanted to build the regional rail link with no signalling, and it forgot to order any new trains. It was incompetence at its best.

The coalition opened Waurin Ponds station, near Geelong, on time, and it opened Williams Landing, near Laverton, in the same manner. It fixed Labor's inability to provide sufficient traction power for suburban trains on the new Lynbrook–Cranbourne line and the Cardinia Road–Pakenham line. Imagine this — this is fact; this is an example of Labor managing the transport system — that under Labor some trains had to run express through these stations on the Lynbrook–Cranbourne and Cardinia Road–Pakenham lines, because if one in each direction started off from the station, the power actually cut off. So what was Labor's solution to the power cutting off? It said, 'Well, we'll just skip the stations. We'll run express through those stations. Don't worry about the passengers; we'll claim they're express trains. That's how we'll fix that problem'. That is the history. That is what Labor inherited from us: our transport system in pretty good nick.

What has happened since Labor assumed office on or around about 4 December 2014? Firstly, the member for Altona did not become Minister for Public Transport, but the member for Bendigo East did. We got the second choice, so we were off to a bad start from the beginning, and since then Victorians have seen

delay after delay. The new Labor minister deferred the opening of the regional rail link from 19 April to 21 June for no apparent reason, despite her knowing about the introduction of an increased weekday daytime train frequency on the Geelong and Waurin Pond lines. She did not think to ask Public Transport Victoria if V/Line would inspect and maintain its V/Locity rail cars more frequently. It is more use and more maintenance. If the minister had bothered to step out of her taxpayer-funded limousine and driven her own car, she would know that when you use your car more it requires more servicing. So when you have more frequent rail services or more trains using a line, they are going to require greater maintenance. So what have we seen? We have seen the wheel-wear problem and the wheels have fallen off V/Line.

At last count, 64 weekday trains in total were cancelled on the Ballarat, Bendigo and Traralgon lines, including weekend cancellations. That is 348 cancellations every week. Under the minister, V/Line is certainly off the rails, and we keep hearing that we have got a train wreck of a minister. Traralgon line passengers are suffering — 26 trains are being cancelled every weekday.

We can look at the performance data, which was meant to come out last Friday but which I think was conveniently hidden. We see that it was dropped earlier this week. If we look at the latest Gippsland V/Line performance data, we see that the punctuality and reliability is absolutely terrible. Reliability on the Gippsland line is 56.1 per cent. If the Premier had not wasted that \$1.1 billion on scrapping the east–west link, he could have directed that money to V/Line services, including Gippsland South, where punctuality and reliability figures are terribly poor. Punctuality on the line fell to 76.2 per cent and reliability was 56.1 per cent. It is lucky the member for Morwell is not relying on those services.

The wheel wear experienced on V/Locity rail cars has led to half the fleet being inoperable. V/Line is the laughing stock of all other railways worldwide. Although the minister concedes that the Traralgon line's track circuit level crossing problems will not be fixed until March, she is yet to put a date on when V/Line services will be back to normal.

There are 1378 V/Locity rail car wheels being replaced, but what can never be restored is what existed before country commuters experienced the pain and suffering from the raised-eyebrow looks from their bosses because their employees were continually late for work. Some have switched to driving their cars to Melbourne, but that can mean battling the West Gate, CityLink or

Monash Freeway — and we know how bad the traffic congestion on those can be, depending on where you are coming from or going to — not to mention having to pay for a car park in metropolitan Melbourne.

Another furphy Labor peddles is to try to blame previous governments, whether it be the Bolte government, the Kennett government or the previous coalition government. Another lie that Labor is peddling is that there were cuts, and that is just a load of utter bullshit. Between 2009–10, the last full financial year of the Brumby government, and 2013–14, the last full financial year of the coalition government, the franchise state subsidy paid to V/Line rose by \$40.7 million or some 15.9 per cent while V/Line's total income rose by \$101.7 million or 21.4 per cent. Do not let those opposites stand here or out in the public arena and tell you that the coalition made cuts to V/Line and that we are to blame. These numbers are not ours; they come from V/Line's annual reports. So let me put that nonsense, another Labor lie, to rest. There were no cuts to V/Line services under the coalition government.

What tram works or Metro Trains work plans will be cut to pay for the rectification of wheel wear on V/Line trains and for the failure of trains to be detected at level crossings? How many fewer passengers will V/Line carry this financial year, as it battles the crisis of confidence in rail travel in Victoria? That is what it is — an absolute crisis of confidence. We see that the minister's pet project, the Bendigo metro rail project, has been deferred. We see the indefinite deferral of the proposed 31 January 2016 V/Line train timetable changes, which were intended to deliver better services.

In Melbourne the picture is not much better. We see a point-blank refusal by the minister and the Premier to include two new underground platforms at South Yarra station, which happens to be Melbourne's sixth busiest railway station and second only to the CBD stations. That will have an enormous effect on Cranbourne-Pakenham line passengers and an enormous effect on Frankston line passengers who will have to get off the Frankston line if they want to access the sporting precinct or the MCG. They will not be able to get off at South Yarra station because this government refuses to include additional platforms as part of the Melbourne Metro rail project.

The Minister for Public Transport, the second choice after the member for Altona, is not up to the task. She is well and truly out of her depth and needs to be sacked. V/Line commuters continue to suffer. The Premier and the Minister for Public Transport have no regard for the disruption to commuters who are late for work. The government members try to blame everyone but

themselves. They need to accept some sort of responsibility. V/Line is in crisis and country trains are falling apart — another day, another disaster.

We have had overcrowding, delays, cancellations and people being thrown off trains. Now we have the wheel-wear and the boom gate problems. People are fed up and angry. Members do not need to take my word for it; they only have to log on to Facebook or Twitter and see the comments by people from regional and rural Victoria. People are just fed up and angry with the minister and the Premier's lack of action, whether it be on V/Line services, Metro Trains, the Yarra Trams timetable or the Metro rail project. The minister is not up to the job. She should be sacked. She is well and truly out of her depth.

Again we learn this week from Walkley award-winning journalist Annika Smethurst, as reported in yesterday's and today's *Herald Sun*, that Premier Daniel Andrews is yet to provide a business case for his signature transport project. How can the federal government assess this infrastructure project? The government is happy to put a business plan in for the Murray Basin rail upgrade. It is happy to put funds in for the western distributor project, but government members were too lazy over the holidays to put a business case in for their signature rail project, the Metro rail tunnel. We urge them to get that business case in so that it can be properly assessed amongst other Victorian and Australia-wide projects for infrastructure funding.

Labor MPs are saying in relation to the minister, as reported, that she has treated them badly for years. They screamed at the Premier — I think it was an Acting Premier at the time — on the emergency Labor crisis phone hook-up that she was not up to the job, but as of today this incompetent, complacent minister is still clinging forlornly to her position and she will not take responsibility for these debacles. The minister is not up to it. The portfolio should be handed over to somebody who is going to do a proper job. Whether it be V/Line services, Melbourne Metro rail services or Yarra Trams, people want a safe, reliable, punctual service that gets them to and from work, to and from their appointments or home to their families at night, and not constantly to be getting chucked out at railway stations or having trains cancelled and having to get onto V/Line coaches.

Her own Labor MPs have no confidence in the minister. We would ask the Premier to respectfully replace the minister, give her an easier portfolio and give one of the other members a crack at doing something to fix a crisis in our public transport system.

Education

Mr MERLINO (Minister for Education) — At the outset of my contribution to the grievance debate I want to recognise the courage of Paul Dingle, principal at Glenroy College, in speaking out about the plight of children — students at his school — who face a return to indefinite detention on Nauru. The Premier made a plea to the Prime Minister over the weekend to let these children and their families stay in Victoria. Mr Dingle's comments today epitomise the professionalism and leadership in our education state, which put students' health, wellbeing and resilience at the heart of everything we are trying to achieve.

Mr Dingle is not only brave; he is also right. I am proud of him, I am proud of the teachers at his school, I am proud of the school community and I am proud of all the schools that are supporting those refugee kids. I will put on record some of the comments he made today. Mr Dingle said:

It is about time that we showed a bit of compassion for these young people ...

We want all young people to learn and be better citizens. These students have expressed their joy at being at school, being able to interact with peers in a relatively free environment and to be learning. It would be a traumatic experience to have that cut off and for them to have to go back to a place like Nauru.

I want to get it on the record, and I have said it publicly, that Mr Dingle is a fine principal and the government is proud of him and backs the comments that he has made today.

It has been an exciting 15 months, and I am proud of what we have achieved to date with regard to education. At the same time we are extremely focused on the challenges ahead for what is one of the most important jobs a government has: providing the very best education for our kids. It is a big job and there are lots of challenges, but that is the way it is when it comes to something as important as education.

Education is transformational for individuals and for communities, and that is why I grieve today — I grieve for the four lost years under the former coalition government. Four years is a long time. It is a long time for a government to put something as important as education on the backburner. Four years of lost opportunities and a failure to plan will have an ongoing impact on our education system in Victoria. We are going to not only deal with those challenges, the legacy of the former government, but also implement an ambitious reform agenda as we build the education

state. Our goals are ambitious, and I make no apologies for aiming high.

I want to spend a few minutes on the latest report, the latest commentary, on the failures of the former government, and that report is the *Report on Government Services 2016* (ROGS). The 2016 ROGS, released last week, is an interesting report. It shows that Victoria remains ahead of national averages on a range of measures spanning early childhood, schools, and higher education sectors. But, as I will explain in a moment, that cannot be our measure of success. Unfortunately this latest report also shows that the gap in funding per student widened under the previous government. The per student state government recurrent expenditure in government schools decreased from \$12 484 in 2009–10 under Labor to \$11 952 in 2012–13 per student under the Liberal government.

The gap between Victorian funding and the national average — and this was reported in the *Age* once this report was released — increased from 13.3 per cent in 2012–13 to 14.3 per cent in 2013–14 for our primary schools and from 10 per cent to 12.4 per cent for our secondary schools. So the gap between what Victoria funded per student compared to the national average widened under those opposite for the four years that they were in office.

I will go back to our performance compared nationally and why that should not be the measure upon which we judge our success or otherwise. What we see is that our results are stagnating, and it is not good enough. We need to be improving as an education system, not just maintaining or in fact going backwards. In the national assessment program — literacy and numeracy (NAPLAN) numeracy assessment for year 9, 95.6 per cent of students achieved at or above the national minimum standards in 2015, but that was similar to the result of 94.8 in 2014 and similar to the results in 2010. So for the entire time under the former government, improvement in numeracy stagnated. When you look at reading, 93.5 per cent of students achieved at or above the national minimum standard in 2015, similar to 93.3 in 2014 and exactly the same figure as it was in 2010. We went nowhere — nowhere in literacy and numeracy — for the entire time that our education system was under the control of those opposite.

The proportion of Victorian 15-year-olds achieving at level 3 or above in Programme for International Student Assessment (PISA) science was 64.1 per cent in 2012. It was 65.3 per cent in 2009. The proportion of 15-year-old Victorian students achieving at level 3 or above in PISA maths was 57.9 per cent in 2012, down compared to the previous result of 63.2 per cent in

2009. The proportion of Victorian 20-to-24-year-olds who had completed year 12 or equivalent was 89 per cent in 2014, a marginal decline on 90.1 per cent for the previous year. The result for 2010 was 88.1 per cent. I reiterate: what we saw under those opposite was education funding going down, the gap between Victorian and national averages widening and our results stagnating or going backwards. That is the disgraceful legacy of the Liberal and National parties when they were last in office.

That is in stark contrast to the work of the Andrews Labor government. In our very first budget last year — the largest ever budget for education, almost \$4 billion from early years through schools to TAFE and higher education — we filled the \$850 million black hole —

Mr Katos — Speaker, I draw your attention to the state of the house.

Quorum formed.

Mr MERLINO — Little games from the little minds of the opposition. In our very first budget we filled the \$850 million funding gap in terms of the Gonski national agreement. That \$850 million for the first time funded in full Gonski for the 2015, 2016 and 2017 school years. What we found was what schools were telling us — that there was not a dollar of Gonski funding delivered to schools under those opposite. When future ROGS report on the 2015–16 financial year and beyond, we will see in black and white the difference between a Labor government and a Liberal-National government.

I will move on from recurrent funding to capital funding. The former government has a terrible record on school capital investment. We all know on this side of the house that the buildings that our students learn in are vitally important. In a practical sense, they provide the spaces for teachers to teach in and children to learn in, but when they are not up to scratch they send another message. We know that you cannot get a first-rate education in a second-rate classroom.

Whether we are talking about providing new schools for the population growth in Victoria or providing funding to ensure our existing schools have the best facilities possible, those on the other side completely and utterly dropped the ball. There are no new government schools opening this year, despite the growth and despite the enrolment pressure. There are 80 000 additional students that will enter our system over the next five years, but this year there is not one new school. It takes 18 months to two years to fund,

design and build a new school. The fact that the former government did not have the foresight to ensure this scenario did not eventuate is astounding.

Unlike the former government, we actually invest in school infrastructure. We are planning for the growth and working to build the facilities to accommodate it. Twelve hundred jobs will be created as a result of Labor's investment in school infrastructure around the state. We have 27 new schools in the works and hundreds of upgrade projects underway right across our state. Just earlier this week I was turning the sod at Craigieburn North West Primary School, a new school in the City of Hume. There is the Morwell schools regeneration — I know the member for Morwell will be quite interested in this — where three existing primary schools are coming together to form one larger school with state-of-the-art facilities and which is scheduled for completion later this year. There will be a new, standalone year 7 to 12 school in Beaumaris, including a partnership with the Melbourne Cricket Club. There are the Albert Park year 9 campus, Yarra Junction Primary School and Beaufort secondary school — and the list goes on and on.

I want to highlight this statistic. In 2013–14 alone, under the Mathew Guy school fire sale, \$203 million in education assets were sold off.

Mr Wynne — How much?

Mr MERLINO — Two hundred and three million dollars in education assets were sold off, equal to the pitiful \$203 million those opposite invested in government schools that year. So that entire year, under those opposite, was a nil sum game for Victorian government schools. What they put in, they took out — a nil sum game for Victorian schools. What an absolute waste of an opportunity. They effectively invested nothing in education capital for an entire year. The Liberals, those opposite, had no plan to deliver for our state's education needs. They were more focused on selling school assets than on investing in new schools.

Due to that woeful neglect, we are now faced with the costly task of trying to find appropriate space to build primary and secondary schools across Victoria. In the last Liberal budget, only one new school was allocated funding for land acquisition — one piece of land in their last budget. We need new schools, but we first need the land to build the schools on, and those opposite left a legacy of depleted land stock in growth areas.

Under the Leader of the Opposition when he was the planning minister those opposite had no long-term plan

to invest in education land or infrastructure needs across Victoria. School infrastructure funding fell for most of the former Liberal government's reign to a mere \$200 million a year. There were three budgets in a row where the capital program was \$200 million. In our very first budget the capital program under the Andrews Labor government was \$730 million, the biggest single boost to the school building program in the history of our state. As I said, there are 27 new schools in the works and over 200 upgrade projects right across the state — and that is just in our first 15 months. There is so much more that we need to do. What we can be assured of is that whether it be recurrent funding, whether it be implementing the Gonski funding or whether it be investing in our school infrastructure, only a Labor government delivers for our schools, our students and our teachers.

V/Line services

Mr NORTHE (Morwell) — It gives me no great pleasure to rise today to grieve for commuters who utilise the Traralgon V/Line services. Much has been said over recent weeks about the state of V/Line services across our region. I think it is well and truly acknowledged, but for those commuters on the Traralgon line it is just an absolute disgrace. It is a shambles, given what they have to contend with at this point in time. Indeed the V/Line performance data for the month of January that has just been released is replete with information on how bad the situation is on the Traralgon line. There are two performance measures that are utilised by V/Line, and they are punctuality and reliability. The target for scheduled services to run is 96 per cent and the on-time target is 92 per cent. On the Gippsland line, reliability for January sits at 56 per cent, which just is an absolute and utter disgrace. Punctuality sits at 76 per cent. I might say on some of those other short-distance hauls that whilst they are better they are certainly not good enough and not to the standard that many of our V/Line commuters expect.

Can I say from the outset that I think sometimes forgotten in all this are V/Line staff. I personally know many people who work within the V/Line organisation. They are under massive pressure at the moment, dealing with the number of inquiries and the criticisms that they are getting with respect to this. I just want to put out there that we thank them for the work they do in what are very, very difficult circumstances.

I think it is worth noting the history of the Traralgon line — that is, over a period of the last 15 years or so, what has transpired or has not transpired and a litany of broken promises and commitments compared to what

has occurred. That is in part the reason why we find ourselves in the situation we are in today. Many members may remember the regional fast rail project — I certainly do, as a resident of the Latrobe Valley — and the fanfare that came with that project back in the early 2000s. That was promised by the Bracks government. Now, I am not critical of any government that wants to invest in rail infrastructure, but commuters were sold a puppy; they certainly were.

It was one of those situations, if you read through the literature at the time, where this regional fast rail project was going to cost \$80 million. When it finally went to the Auditor-General the figure was in excess of \$1 billion, so we have history repeating itself. Indeed in many quarters it was not called the fast rail project; it was actually called the farce rail project.

In his comments made at the time, the then Auditor-General, Wayne Cameron, levelled criticism at the project saying that the construction deadlines had not been met and that it had been hampered by a lack of proper planning in the government's Department of Infrastructure. He went on to say that:

The journey time savings for these travellers will be at best ... negligible.

At the time regional commuters were told a whole host of things, including that there would be substantial time savings. Geelong to Melbourne would be 45 minutes; Ballarat would be 60 minutes; Bendigo 80 minutes; and Traralgon 90 minutes. By the time it was constructed and built, and where we sit today, if I do a comparison on the Traralgon line, is that 90 minutes has turned into 145 minutes on average, and that does not factor in breaches of punctuality. That is actually looking at the average on V/Line's timetables for the Traralgon line. We had a promise of getting to Melbourne in 90 minutes on the Traralgon line. In reality it sits at more than 145 minutes. That happened in the space of a few short years, which is nothing short of a disgrace.

For commuters on the Traralgon line the biggest kick in the guts came in 2009. Again, I am not being critical of governments for investing in regional rail infrastructure, but the regional rail link project that invested multibillion dollars of taxpayers money for Geelong, Ballarat and Bendigo completely ignored the Traralgon line. It was an absolute disgrace. Our commuters are still feeling the pinch of that, and I have no doubt at all that the lack of investment on the Traralgon line is why we are now experiencing far more disruptions than are currently occurring on other regional tracks.

Our community has been reminded many, many times that leaving Gippsland off that particular project was

not right; it was wrong, and there was no further commitment from the Labor government at the time to do any infrastructure investment on our rail network. It was simply a disgrace. We know at the time of course that when there was a change of government the coalition government had to find multimillions of dollars to fund the regional rail link project in its current form because there was no money for trains, there was no money for signalling and there was no money for grade separations. It was simply staggering.

Of course quite rightly people would say the coalition was in government for a period of time and ask, 'What activity did you guys undertake?', and that was a reasonable question to ask. Unfortunately because of the state of the track we had to invest millions and millions of dollars in maintenance all the way through, and the member for Gippsland East would well remember some of the debacles that occurred on his line. They were really the result of neglect of maintenance over a period of time, and the coalition had to invest millions of dollars to upgrade the line.

In listening to community members over a period of time what the coalition government did was have a plan in place to make sure that it provided additional services for the Traralgon line to make sure there were additional carriages. We made sure that we had a duplication of the tracks between Bunyip and Longwarry. They were vital investments that would address some of the capacity, service and punctuality issues that had long been at the forefront for the Traralgon line, unfortunately. We well remember the Cranbourne-Pakenham upgrades that the coalition announced, that again would have addressed some of those concerns around level crossing removals, around high-capacity trains and around some of the signalling issues that would be dealt with. There were new stations and a whole package that again has been taken off the table by this government.

So there has been a plan; there is a plan. Indeed there have been petitions circulating within our community and the Gippsland community calling on the Labor government to adopt the measures and initiatives that the coalition was going to put in place. But since Labor came to government all we have had on the Traralgon line is essentially nothing. There is absolutely nothing occurring. Of course our local media has been replete with commentary in regard to this issue, and I will just read a few of the headlines: 'Rail waiting game' and 'V/Line rail frustrations to continue for six more weeks'. Well, that was a little while ago now; it is about six months on now. Other headlines are: 'Compensation earmarked for rail commuters', 'V/Line free travel continues', 'Free travel follows V/Line

fiasco' and 'Train pain continues for Valley commuters' — and it goes on and on, so it is certainly very much at the forefront of the issues for our local constituents.

We have had an enormous amount of feedback from regular commuters, not forgetting the fact that it is important that if people want to settle in regional areas, they have to have reliable services. This does our community an inordinate amount of harm in terms of somebody looking to settle in the Latrobe Valley region or even in the seat of Narracan or if they want to start a business. You need to have reliable services, and we simply do not have them at the moment, so our community is not shown in a good light of having that reliability. For heaven's sake, here we are in 2016 and we are talking about a major regional network being effectively out of operation for a number of months. It is simply not good enough.

We have been contacted by a number of regular commuters, and I will quickly read from a couple of letters. One is from Hayley. She writes in regard to the V/Line train systems:

... my biggest concern is that the Traralgon line is being impacted so much more than the other lines. I know we have more than one issue occurring but for us to have a total of four trains running into and out of the city a day. Each which are packed and people are standing for hours to commute to work. Commuters are being told that they are unable to increase the number of trains or carriages because there are only a limited number of these trains available. However it is reported by V/Line that only 20 per cent of the trains on the other services have been cancelled and replaced by coaches.

This just seems really unfair that more is not being done for our community.

It is really difficult to be catching an early train to ensure I can get to work on time and having an extra 45 minutes each day of work and that is not including extra delays that have occurred most days of the nightly return trains.

There is Reg from Newborough who travels from Moe each day to Melbourne. He says:

I would ... like to highlight that this ... situation is worsening with the 4.58 p.m. service from Southern Cross breaking down last night and subsequently taking us 4 hours to get home, only to be followed up with a 3-plus-hour trip into the city this morning.

Over the past few weeks V/Line has provided travellers on the Gippsland line with free travel, this is set to end this Sunday evening with the expectation that we pay full fares as of next week for a service that is taking us double the time to reach our location.

So for Hayley and Reg who work in Melbourne on a regular basis the impact on their daily lives, effectively spending 3 hours or 4 hours more a day trying to

commute, is absolutely disgusting. I mentioned in question time today the matter of Gillian Young and her daughter who has a disability requiring medical appointments in Melbourne and the issues she has had with the replacement coaches, which have made it very difficult for her. I am a fair and reasonable person I think, and I do concede that the minister said she would take up that matter with her personally, and I expect that that will be the case. We have also had another matter from Denise, and her and her husband having to travel to Melbourne frequently to attend medical appointments. Again what do they do? Cancel the medical appointments because it is simply not feasible or they do not have an ability to go on a replacement bus?

Getting to the facts, I find astounding some of the facts and figures that have come out of the minister's mouth with respect to this — this assertion that the coalition cut V/Line funding. One only has to look at the budget figures for Labor's last term in government in 2009–10 when the total income to V/Line was \$475 million. In our last full financial year in government, in 2013–14, it was \$577 million, so there was close to \$102 million more in our last full budget compared to Labor's. It is a complete fallacy that the minister is communicating to our communities.

The other thing which I found really interesting was looking at the minister's media release of 4 February. The member for Narracan and I both picked up on this. In part of the minister's release she talked about the stability of services now for V/Line trains and coaches. If I can quote from it, it says:

With the service pattern now stable —

yeah, right! —

and 80 per cent of services operating as trains.

Eighty per cent of services operating as trains! It just defies logic.

When you go through each service for each day on the Traralgon line, which I have done many times, keeping in the back of my mind the comment about the 80 per cent of services operating as trains, effectively on the Traralgon line there are 37 services per day during the week. That includes a Friday night service that comes back from Southern Cross. So if you work on that basis of 37, in total there are 11 services operating as trains — 11 out of 37. To my thinking, that is not 80 per cent of trains that are actually operating as trains. It is actually less than 30 per cent.

I would ask the minister to not come into the Gippsland community and put out incorrect facts and figures, but to get it right and tell it how it is: it is a disaster, it is a disgrace. It is putting many of our commuters at their absolute wits' end. I do concede that the government has apologised and is sorry for it, but what our commuters are wanting is action.

There is very little information that has been provided to our commuters in terms of what the issues are, when they are actually going to be resolved and how people like Gillian, whom I mentioned today, are going to be supported. If this continues for months and months, there are many, many Gillians out there who will need support from the government to be able to get to their destinations for a whole host of reasons. Many of them medical. It is a simple fact of life.

The government needs to step up to the plate and realise that the situation is not good enough for those commuters on the Traralgon line and make sure it is doing more to support our community in terms of not only investment infrastructure upgrades but also supporting our community in the meantime.

Level crossings

Mr DIMOPOULOS (Oakleigh) — I grieve for the lack of any commitment to public transport by those opposite — the Johnnies-come-lately of public transport. The Liberal Party when in government did nothing to remove the four level crossings in my community. It did nothing — not one thing. I know politicians are known for exaggeration, but you can take that to the bank. That is absolutely true — actually, sorry, it is not. They did something: they pretended to care. The then Premier Napthine came to Carnegie station at least three times pretending he cared. My former opponent was tweeting away, Facebooking away, pretending he cared about removing the Murrumbeena crossing. Nothing of the sort happened — nothing at all.

An honourable member — Did they even sign a contract on it?

Mr DIMOPOULOS — They did not even sign a contract. I note that the Leader of the Opposition — and I say opposition — was on ABC radio the other day saying to Jon Faine, 'We signed a contract', in an earnest voice. They did nothing of the sort. The most they had was a heads of agreement, which meant nothing. No construction contract was signed. There were early concept designs, and they could not even think of the idea themselves. There had to be a knock on the door from the private sector saying, 'Have you

thought of this?'. They said, 'Oh, that's a great idea. We've got nothing else for the election. Let's run with that'.

An honourable member — They were too busy at Ventnor.

Mr DIMOPOULOS — Too busy at Ventnor. The member for Caulfield interferes in other people's electorates more than his own. Where was the member for Caulfield when it came to the Glenhuntly crossing and the Neerim Road crossing near the racecourse? And what about Mr Davis in the other place? My God — there is someone with a bit of drive and energy when it comes to opposition. In fact Mr Davis does his best work — his only work — in opposition, whipping up hysteria and untruths. I will name some of that hysteria later.

Mr Davis fronted up at a Liberal Party meeting on a speaking circuit in Murrumbidgee the other day because he had nothing else to do. In fact I have it on good authority that Mr Davis sent his apologies to the Glen Eira council on the most important day on the Australian calendar — Australia Day — and said, 'Look, I'm sorry. I'm busy. I can't attend. I can't attend to give the respect to the Glen Eira community that I should as their local member'. The interesting thing about his apology was that it was not authentic because then he was actually at the event about 50 metres away with a placard and six followers behind him protesting.

An honourable member — How many?

Mr DIMOPOULOS — Six. Yet there was an apology to the mayor and the citizens of Glen Eira. He is only motivated by political interests, and he is motivated by muckraking and untruths — that is Mr Davis. These are untruths like: 'I heard rumours that they are going to get rid of the scout hall in the proposal for the level crossing removal at Murrumbidgee'. The way to target people's hearts — he is Machiavellian — is to go for the scout hall. People do not like having their scout hall taken away. We know that, and we are not taking it away. Go for the park. He started saying that we were going to build over the park. Then there were rumours that we were going to introduce legislation in this Parliament — in this chamber — to make it illegal for people to protest against sky rail. Have you ever heard anything as preposterous as that?

The only ones in this chamber who infringe on the rights of people every day, who do not care about civil liberties, are these guys. They are the ones who increased police powers a couple of years ago pretending it was about law and order, but it was about

cracking down on legal union protest. We are the ones that took those five police powers away. The muckraking by Mr Davis is astounding. To make it really clear, they do nothing for four years in my community on level crossings, but then they get really activated in opposition. That is fantastic. That should go on their resume. That is brilliant.

On the other hand, you had real, genuine commitment by the then opposition — the Labor opposition — followed through by genuine action for the community under this government. It was no more than four months after the election that Daniel Andrews came to Carnegie station — and I remind you that there were three visits by former Premier Napthine and no contracts were signed. Four months after the election Daniel Andrews came to Carnegie station, and within a couple of months of that the tender was out to market. Within a month of that we were consulting with the community, which we did for six months between June and November.

Opposition members are petrified that if we succeed in our commitment to the Victorian people to remove level crossings, they will be on that side of the chamber for another four years. That is their motivation; it is not about public transport. In fact I am minded to go back to the office and do a Hansard search of the member for Caulfield and Mr Davis to see how many times they raised level crossings when they were in government, and then contrast that with how many times they have raised it in opposition.

This proposal that we have put forward for consultation with the community is an exceptional proposal. It is the removal of nine level crossings — not four — and it is not market-driven alone. This was a government initiative. We went to the market for its ideas, not the other way round. There were five station upgrades and a 42 per cent capacity increase on the line — the busiest line in Melbourne. It will use Australian steel and provide Australian jobs, which is innovative stuff that opposition members would never come up with. They were going to send most of the jobs offshore and get cheap steel from some other place.

We have linked in the procurement power of the Victorian government with a major infrastructure proposal — an innovative Labor policy. There will be 11 MCG's worth of space and there will be less noise. I note again the very honest Leader of the Opposition saying on radio that there will be more noise and Mr Davis saying there will be more noise. Who made them acoustic experts? Where is their evidence? How ridiculous, even for politicians — —

An honourable member — They make it up.

Mr DIMOPOULOS — They do make it up, they absolutely make it up. There needs to be some semblance of reality in what they are saying. There will be less noise and more privacy.

I travel to Parliament most days on the Cranbourne-Pakenham line train, and I can see a million backyards from Murrumbeena, where I catch the train, to Parliament. This proposal will result in my not being able to see those backyards or any other backyards. The privacy screens in this proposal are innovative, and members on the other side never talk about that.

Ms Ward interjected.

Mr DIMOPOULOS — That is right, absolutely they want to talk about self-interest.

The Premier has talked about respecting all people who live and travel along the line and about the fact that we are providing those people with a case manager, someone to actually look at their specific circumstances and needs. This proposal is being put forward to my community with respect and integrity. In addressing the consultations, I can say that the people who attended the consultations in those six months — and I will talk about those in a minute — came up with some key things such as, ‘We want to retain the village feel’, which means mature trees, which means keeping the shops that are there like Daniel Son cafe and the Oakleigh Lions Club Op Shop in Murrumbeena, for example, and that is exactly what we are doing. They did not say to us, ‘Free up a whole bunch of corridor space for parklands’, but you know what? The market came back with that, and that is the proposal we are putting before people.

City of Glen Eira Council has been saying that for years. Glen Eira council, which the member for Caulfield also seems to pretend to represent, said for years that it has the lowest area of open space of any municipality in Victoria. We are saying, ‘Here is your gift, we are unlocking public land from out of nowhere’, and we are doing that based on the best advice of engineers, with all the infrastructure underground — such as the gas main in Carnegie and taking into account the water table issues in Murrumbeena. We are doing it with the guidance of engineers and experts in the field. That is why this proposal is being put forward as opposed to the open cut proposal.

I saw the delivery in Springvale; bloody awful, to be honest with you, the way you did that.

Mr Gidley — On a point of order, Speaker, I draw your attention to the language just used by the member for Oakleigh, and I ask you to reflect on that to see whether or not that is befitting a member of this chamber.

The SPEAKER — Order! I ask the member for Oakleigh to refrain from using unparliamentary language.

Mr DIMOPOULOS — Thank you, Speaker. I want to address a couple of key things before I finish up on this exciting proposal and my grieving about the members on the other side of politics not being interested in public transport until it suits a political advantage of theirs. The two issues I want to address include the issue of consultation. Again, the Leader of the Opposition today and the Leader of The Nationals and other members talked about lack of consultation. I am blown away by the amount of consultation conducted here.

An honourable member interjected.

Mr DIMOPOULOS — I am happy to tell you about it. We had heaps of information sessions in 2015. We were at Chadstone shopping centre on Monday, 26 October, and Sunday, 1 November. We were at Koornang Park outside the Carnegie Swim Centre on Thursday, 12 November. We were at the Caulfield farmers market in Glenhuntly on Saturday, 14 November. We were at the Wallarano Primary School fete in Noble Park on Sunday, 22nd November. We were at Hughesdale Primary School fete on Friday, 27 November. We had shopping centre strip and station pop-up information stands in Koornang Road on multiple days in November. We had catch-up sessions at the Noble Park skate park opening at Ross Reserve on 19 September, and at the Little Day Out in Noble Park on 27 September.

On Wednesday, 7 October, we had Gloria Pyke Netball Complex catch-up sessions. We had catch-up sessions in Clayton Road, Clayton. We had catch-up sessions at Monash University, Clayton. We had doorknocks to 1741 properties, which received three newsletters over six months from the Level Crossing Removal Authority (LXRA). There was advertising in local papers, advertising online and I was advertising on my Facebook page. I sent out two letters and there was an LXRA presence on every station on that line, every week from June to November — and opposition members talk about consultation. They would be so lucky to let the Victorian people have such an entree into a major project as we have.

The other absolute rubbish peddled by the other side is that we promised a rail-under solution. The Leader of the Opposition was pretending to Jon Faine the other day that it was like the Melbourne Metro rail tunnel. He knows no side of politics ever contemplates building tunnels in suburban Melbourne. He knows that, and he was confusing people by talking about Melbourne Metro tunnels and comparing them to what the opposition was going to do, apparently, in Murrumbidgee. It was never going to do that. It had an early concept design that never got off the ground — like most things the opposition does that never get off the ground — after four years of talking when in government.

I pulled up my election campaign material just to have a look at whether there was anything that may have confused someone looking for a sinister motive, like those opposite do. It is very clear that I talked about building overpasses and underpasses to separate traffic, trains and pedestrians, and also to improve road safety and save lives. That was my consistent message. I never promised the one option or the other. What I promised was that the community would have a say.

What is very interesting is that in due course the other side will be shown up for what it is. Its members are political opportunists who do not do a moment of work. In fact it is probably not just Mr Davis who does his best work in opposition; the entire Liberal Party does its best work in opposition. That is why the Victorian community over the last 30 years has continued to prefer Labor governments — because they actually get on and do stuff. We actually get on and do major infrastructure projects, and all that those opposite seem to do is whinge about them.

In fact I heard a rumour that a couple of my colleagues on that side were going around businesses in McKinnon and in Bentleigh and saying to businesspeople, while the construction was physically going on, 'You know, this is going to ruin your business'. The Labor government is going to ruin your business'. They use any excuse. It is laughable. Their approach is laughable, and it will be seen as laughable by the community. This is the most decent thing for those opposite to do: own up to the fact that they have finally met their match. They have met a government that intends to deliver on all its election commitments. That is the Premier's message. We have been consistent on the Premier's message. That is what we are doing.

I am proud to be the local member for Oakleigh, and I am proud to be part of a government that absolutely supports removing the most dangerous, congested level crossings that people have heard about for years but

seen no action on. I doorknocked 5500 homes during the campaign. The biggest message — and the Minister for Planning is in the chamber — was that 5500 people were saying to me, 'The biggest issue for me is level crossing removals. You're always talking about them'. I said, 'No, I haven't talked about them. This is the first time we are promising it, and we will deliver'. And we did. The second thing is the level of density and development, as the Minister for Planning has graciously worked with me over the last 12 months to start addressing. They were the key messages. This government listened to those messages, and that is what we are delivering.

I am proud to be standing with the community to get some local wins — many local wins — out of this proposal. I will be with them at the consultations. I am with them on the telephone and emails, and I am engaging with them every day. I have had some pretty fantastic commentary about the opportunities this corridor will open up, with playgrounds and a whole range of other infrastructure, so I am genuinely excited. There is an inverse correlation between the level of excitement I have and the level of desperation those on the other side go to to wreck this project. Do they know what? They are not going to do it, because this is going to be wonderful. I just want to say that the people of Oakleigh need not grieve any longer.

Level crossings

Mr SOUTHWICK (Caulfield) — It is a pleasure to follow Sky Rail Steve and grieve for the residents along the Pakenham and Frankston rail corridor that have been shafted by the Andrews Labor government and its sneaky, secretive sky rail, sky fail project.

Ms Graley — On a point of order, Acting Speaker, we are all members of Parliament. We earn the right to be members of Parliament and are accorded the right to be spoken to as members of Parliament — that is, he is the member for Oakleigh.

The ACTING SPEAKER (Mr Angus) — Order! What is the member's point of order?

Ms Graley — My point of order is that the member for Caulfield is using inappropriate language in terms of the correct way to refer to people in the house. I ask him to show some respect.

The ACTING SPEAKER (Mr Angus) — Order! I do encourage the member for Caulfield to refer to members by their correct titles.

Mr SOUTHWICK — Thank you very much, Acting Speaker. The Andrews government has given us

a sneaky, secretive project here and completely shafted Victorians along the Pakenham and Frankston rail line. As I said before, we have just heard from the member for Oakleigh, who has stood up here and — I cannot believe — tried to defend his government on this project. It is absolutely a joke that he would even try to do such a thing. I thought that when the member for Oakleigh was on his feet he was actually going to give a public apology — that he was going to say that he was sorry for not representing his constituents and that he would be giving a government announcement to say that the government would be overturning the project and was going to do what was first promised, which was to do the project properly, rather than doing it on the cheap with this sky fail which we now have presented in front of us.

Someone has to represent the people of Oakleigh. The member for Oakleigh said that I have been in his electorate, along with a member for Southern Metropolitan Region in the upper house, David Davis — and Oakleigh is, I might remind the member for Oakleigh, in Mr Davis's upper house electorate — to ensure that those people are represented. They need to be represented because unfortunately the only thing that has been going underground up until this point is not the train but the member for Oakleigh. That has certainly been true.

We have heard already an interjection by the member for Oakleigh that it is a 70 per cent seat so it does not matter if his constituents are shafted. The people of Oakleigh do not matter because it is a safe Labor seat — Labor does not need to look after them. The project was put to his community. He had suggested that the project be put his community. The member for Oakleigh has said today that there were a number of consultations that took place, run by the government.

Mr Richardson interjected.

The ACTING SPEAKER (Mr Angus) — Order! The member for Mordialloc will cease interjecting.

Mr SOUTHWICK — I ask the member for Oakleigh: in any of those consultations the government ran, was there one mention of sky rail in any of them — one mention at all?

Mr Dimopoulos — Yes.

Mr SOUTHWICK — The member for Oakleigh knows that that is not true. The member for Oakleigh mentioned that he doorknocked 5500 homes before the election talking about the issues, and the biggest issue was level crossing removal — which we on this side of the house agree with, by the way.

Mr J. Bull interjected.

The ACTING SPEAKER (Mr Angus) — Order! The member for Sunbury will cease interjecting.

Mr SOUTHWICK — We agree with level crossing removal, and we fought hard for it.

Mr Staikos interjected.

Mr SOUTHWICK — The member for Bentleigh knows that. He is now taking credit for the Ormond level crossing removal. We funded it, and we fought for it. Now the member for Bentleigh is trying to take credit for it.

Mr Staikos interjected.

The ACTING SPEAKER (Mr Angus) — Order! The member for Bentleigh will cease interjecting.

Mr SOUTHWICK — Let us go back to the member for Oakleigh, because he said today — and I think these words will absolutely haunt him all the way up to 2018 — that this project was put to his community 'with respect and integrity'. This project was put to his community, the constituents of Oakleigh, 'with respect and integrity'! This will go down to haunt the member for Oakleigh. There are 3000 people who in a week signed a petition condemning this. Three thousand people are condemning it, and all the people down the Frankston line and the Pakenham line — as the member for Frankston quite rightly knows and as the member for Mordialloc and the member for Carrum know — will also be building on this campaign because they know what the government is trying to do is underhanded, sneaky and wrong. It is absolutely wrong. But do not take my word for it.

Mr Nardella interjected.

The ACTING SPEAKER (Mr Angus) — Order! The member for Melton!

Mr SOUTHWICK — In the *Dandenong Journal* we saw an article headed:

'Dreadful' reaction to sky rail

It states:

Early community reaction by —

Mr Nardella — By you!

Mr SOUTHWICK — 'By whom?', says the member for Melton.

The ACTING SPEAKER (Mr Angus) — Order!
The member for Melton will cease interjecting.

Mr SOUTHWICK — The article says:

Early community reaction to the state government's sky rail project that will remove the notorious three level crossings in Albert Park has been 'dreadful', says a Greater Dandenong councillor.

Cr Roz Blades, a Labor Party member, said the community preferred rail-under-road grade separations at Corrigan, Heatherton and Chandler roads, and didn't feel properly consulted prior to the project's announcement yesterday.

Despite all the work that the so-called member for Oakleigh has been doing, his colleague, another member of the Labor Party and a councillor, says the consultation has not been done. The article goes on to quote Cr Blades:

It's because there was supposed to be consultation. Many thought that they would have input to the process.

Handing out cards at Noble Park shopping centre early in the morning doesn't do it.

...

The only people who have seen it would be them (the government and Level Crossing Removal Authority).

Let us take the constituents of Oakleigh and all the people of the surrounding areas when this announcement was made on the Sunday morning in the *Herald Sun*. Let us go back to the member for Oakleigh treating his community 'with respect and integrity'. Being doorknocked by bureaucrats the night before to say, 'We have made a decision to put a 9-metre sky rail at the back of your house. I am sorry we haven't told you about it before, but you need to know now because when you wake up in the morning you will read about it on the front page of the *Herald Sun*' — is that consultation? That is being shafted — that is what it is.

If the member for Oakleigh thinks he has done a great job — and he talked about small businesses — I am told small businesses in Oakleigh do not want him in their shops. The fish shop, the milk bars — they do not want him there. Why do they not want him there? Because they know that this project is going to wreck local business. It is going to wreck the shopping strips, it is going to wreck the amenity and it is going to be a great divider between those cities. But do not take my word for it. Phil Gurry, a resident of Murrumbeena, wrote about the fact that:

Until 22 January this year all of the residents of the Caulfield Station to Oakleigh Station corridor of the Pakenham line were under the impression that the rail lines were to be placed under the roads. They were led to believe this, as ... previously completed and under construction level crossing

removal projects ... and there had never been any mention of sky rail.

This is what we voted for, not your sky rail, which, no matter how attractive you attempt to describe it, is just a ... big, long concrete bridge.

That is what it is — one long, big concrete bridge. The questions that this constituent and many other constituents of the member for Oakleigh are asking are: why were the communities abutting the corridor not consulted about sky rail? Why were the local councils abutting this corridor — I will get to that in a minute — not consulted about sky rail? Why has the government not responded to community questions about sky rail? Why has the government hidden sky rail from its people? Why? Because it has been a sneaky plan. It has been deliberately hidden.

If the government thinks it is so great, do you not think it would have been putting it up months ago, not hiding it until it did a deal with Lendlease, making sure the paper was signed to ensure the payback on the torn-up east-west link contracts? This is just to ensure it got its payback — that is what it is all about. It is not about looking after the constituency; it is not about that at all.

We talked about the 11 MCGs of open space that is going to be created under the sky rail. This is fantastic. I ask government members — they are not very good at numbers — to do their numbers.

Honourable members interjecting.

The ACTING SPEAKER (Mr Angus) — Order!
Government members will come to order.

Mr SOUTHWICK — Not me, but Richard from Murrumbeena, says:

Typical size of the corridor of land between Koornang Road, Carnegie, and Murrumbeena Road, Murrumbeena, is 870 metres long and 20 metres wide.

That makes an area of 17 400 square metres.

The playing surface area of the MCG is 17 720 square metres.

That means not 11, not 10, not 9 MCGs — it means one. So we have got one MCG instead of 11. But, quite interestingly, when the article first broke it said 'up to 11'. I give them that; it said 'up to 11'. But we have heard from the Premier, we have heard from the Minister for Public Transport and we have heard from others that it is in fact 11. So we will be looking forward to measuring these 11 MCGs they are talking about.

Let us go into the detail of who is going to manage them because the City of Monash did not know about

sky rail until only a few days ago. The City of Glen Eira did not know about sky rail until only a few days ago. Who is going to maintain them? Who is going to manage them? Who is going to clean up the mess of graffiti and so on? It will be the local councils. Not Ghostbusters — the local council.

Today we see in the *Herald Sun* the headline ‘Sky high graffiti’. The article says:

Premier Daniel Andrews has promised ‘community open spaces, parks, playgrounds and netball courts’ ...

All in these 11 — one — MCGs! But what we have heard is that there are already a number of areas where they have issues with concrete pillars and elevated track beds covered in graffiti tags. In the suburb of Elsternwick in my electorate, Michael French was quoted today in the same article as saying there is a real problem with graffiti on one of these pillars:

The walls have to be repainted every 10 days ...

Who is going to fund that? Is that incorporated into the project? Does the council do it? Does the taxpayer do it? The member for Oakleigh might be fundraising for it. I do not know who is going to do it, but someone is going to have to. A Balaclava resident also said that ‘troublesome young children congregated beneath the railway overpass near his house’ and he always had to fight the dumping of hard rubbish on the land nearby.

Connected with all of this, when announcing the project the Premier said:

I look forward to taking my kids to enjoy this brand-new and beautiful open space —

under these parks. Isn’t that wonderful?

Last night the Level Crossing Removal Authority met for the first time with the Glen Eira City Council. The council had no idea about this project, but they got a last-minute phone call to say, ‘We had better come and brief you’. There were a number of questions asked. One of the questions was about the amenity. Daniel Andrews, the Premier, wants to take his children to play in this brand-new and beautiful open space. In the space under the sky rail which will be handed over to the councils it will be up to the councils to manage issues like antisocial behaviour and graffiti — ‘Councils, we will build it; you look after it’.

The government is planning to look at some form of maintenance but not necessarily the development of it. It also goes on to say that the landowner will not only be given the spaces to develop but the current tracks under these bridges would take years to be removed

and it will be up to them, again, for that period. So regarding this little playground which the Premier wants us to go and play under, he had better wait because the three years that they might take —

Mr Staikos — On a point of order, Acting Speaker, I ask the member to table the document from which he is quoting.

The ACTING SPEAKER (Mr Angus) — Order! Is the member quoting from a document?

Mr SOUTHWICK — No, I am not, but I am more than happy to table the document — more than happy to, thank you very much, because this is actually notes.

The ACTING SPEAKER (Mr Angus) — Order! The member will make that available after he concludes his speech.

Mr SOUTHWICK — Yes, I will make this available. Instead of comprehensive notes, that was provided to demonstrate —

Honourable members interjecting.

Mr SOUTHWICK — No, it was demonstrated. It was decided that there was a lot of work that had been missed. So members can do whatever they like with the notes that I have got here, because they know that it is a complete sham.

Honourable members interjecting.

The ACTING SPEAKER (Mr Angus) — Order! Government members will cease interjecting.

Mr SOUTHWICK — Let us just finish in terms of cost. In an interview with Neil Mitchell, the Treasurer said that ‘cost hasn’t really come into ... our consideration’. So here they are, trying to provide a project, and the Treasurer is saying, ‘Cost hasn’t really come into our consideration’. Neil Mitchell said:

Is this cheaper than the level crossing changes or not?

The reply was:

I don’t think it is ... largely because ... the amenity arrangements that we are putting in place as well, the design solutions —

might make it that way. So we have got a project that nobody wants and that residents are up in arms about. The only one who really is fighting for it is the member for Oakleigh because he must be being pushed by the transport minister. I cannot understand why the member for Oakleigh would be pushing for this, because they are his constituents.

Honourable members interjecting.

Mr SOUTHWICK — Again, maybe it is because it is a 70 per cent Labor seat that he claims that he is not looking after his members. But here we have a case where we know the facts. It is a cheap and nasty project set to save money and rip off constituents. That is what it is.

The ACTING SPEAKER (Mr Angus) — Order! The member's time has expired.

Health funding

Ms THOMAS (Macedon) — I rise today to grieve for the people of Victoria who have been seriously let down by the federal Liberal government and the Liberal and National Party members in this place who purport to represent them. In particular I grieve for people in my community in regional Victoria who are let down time and time again by the National Party — that rump of a political outfit that purports to represent the interests of country people but time and time again kowtows to the interests of the Liberal Party.

Let us be very clear: our health system is under serious and sustained attack by the Turnbull Liberal government. Here in Victoria the Premier, the health minister and Labor members — members of this side of the house — are fighting for fair funding from the federal government. But from the other side we get nothing. We are facing cruel, heartless and short-sighted funding cuts announced by the Abbott-Turnbull Liberal government, and from this side of the house — —

Ms Kealy interjected.

Ms THOMAS — I will come to the member for Lowan in a moment. I have got some information for her, and I would like to see how she will defend herself when I get to her. The Abbott-Turnbull government's decision to walk away from the funding arrangements under the national health reform agreement in last year's horror federal budget and the impact of further cuts in the 2014–15 midyear economic and fiscal outlook and those in the 2015 budget will see around \$17.7 billion cut from Victoria's public hospitals over the next decade.

Mr Nardella — How much?

Ms THOMAS — It is \$17.7 billion. And do you know what is shameful about that? What have we heard? Not a bleat on this issue from The Nationals and those Liberals over there. The member for Ripon is not

in the house at the moment. She is often quite shouty on a range of issues. The member for Benambra was here. He did fall asleep; he is headed back to his office to have a proper lie-down.

When do we hear them? Where are they when issues of grave importance to their constituents are being debated in the house? They are not here because they do not care. Let me tell you: when I talk about this \$17.7 billion cut, this is not just money we are talking about. This will have a direct and very serious impact on real people — people in their time of need. Let me tell you a little bit about what these cuts will mean for our health services. While I am at it, why don't I talk in particular about the member for Lowan and the health services in her region? Wimmera Health Care Group, as a result of these cuts by the Liberal Turnbull government, will lose \$102 million over 10 years.

Mr Nardella — How much?

Ms THOMAS — That is \$102 million. And do you know what this means for real people? Do you know what this means for elective surgeries? It means that 5517 elective surgeries will not be able to proceed. Let me tell you about the West Wimmera Health Service: \$33 million will be cut from the West Wimmera Health Service and \$102 million from the Wimmera Health Care Group. Collectively we are looking at more than 7000 elective surgeries that will not be able to proceed as a result of these cuts to the federal budget.

What I would propose to this house is: what will — —

Ms Kealy interjected.

The ACTING SPEAKER (Mr Angus) — Order! The member for Lowan!

Ms THOMAS — What will the member for Lowan say when she faces up to her constituents and they say, 'Emma, where were you? What did you do? Did you stand up for us?' — no. She will have to say 'no', because she has done nothing at all to represent the needs and the interests of her constituents in regional Victoria. No wonder we saw the National Party's vote go south at the last election. What a disgrace they are. What an abomination of a political party it is. It is quite unbelievable.

I also note that at this very moment the federal government is working out how it can privatise Medicare — Medicare, that fantastic universal health system, delivered and fought for time and time again by successive Labor governments. Only Labor will stand up for Medicare. On this side of the house we fervently believe that the quality of health care that is on offer

should not be dependent on the size of your pay cheque, but the mob on the other side do not care. They have never supported universal health care.

The Institute of Public Affairs cheer squad in the current line-up hates Medicare. They hate the idea of a universal health system. And as for The Nationals, as we know, people in some of those National Party electorates need what Medicare delivers but will you ever hear a National Party member in this house stand up for Medicare or stand up for our public health system — stand up and say to the Liberals, ‘Enough is enough of your cuts. You are doing our constituents in regional Victoria a gross disservice’? The way The Nationals members have behaved today is nothing short of disgraceful.

Ms Kealy — Acting Speaker, I would like to draw your attention to the state of the house.

Quorum formed.

Ms THOMAS — To refer back to the points that I was making, I was talking about the \$17.7 billion that the federal Liberal government has cut from the health budget, and I was also talking about the disgrace that is The Nationals. The way they behave is an absolute disgrace. The way they neglect their constituents and the way they kowtow to their Liberal political masters is nothing short of appalling.

I have talked about the \$17.7 billion of cuts, but let me tell you that this is on top of additional cuts, including \$181 million to dental services over the next three years. This is despite the fact that dental conditions are the highest cause of all preventable hospitalisations for Victorians under 25 years of age. It will be no surprise at all to those members on this side of the house — on the Labor side of the house — to understand that these cuts to dental services will hit the poorest people in our communities the hardest. The poorest people in our communities — as I remind the member for Lowan — also live in regional Victoria, and I will stand up here and fight for those poor people in regional Victoria and their right to access quality public health services.

When the people of Kyneton and the people of Hepburn come to me and ask what I did to fight the cruel Liberal Party cuts, I will be able to tell them that I stood here in this house and I defended the rights of people in my community to access quality health care. I will do that in complete contrast to what those on the other side of the house are doing.

Can I tell you what else is happening, Acting Speaker Angus, on the day that the Prime Minister is presenting the *Closing the Gap* report to the federal Parliament?

That government has cut money that will mean Indigenous teenage sexual health programs in this state are at risk. They have made decisions to indefinitely freeze indexation of the Medicare benefits schedule fee resulting, of course, in a GP co-payment by stealth. What we have seen from the federal Liberal government are cuts and broken promises on funding for medical research, cuts to the Healthy Kids Checks that give our at-risk kids the opportunity to put themselves on the right track before they start school and cuts of course to preventive health programs. The federal Liberal government has walked away from the National Partnership Agreement on Preventive Health — and members sit over there and smirk and think it is funny.

As I said before, I will go proudly out into my community and say that I fought for my constituents. Along with my colleagues on this side of the house, I can say we fought. Labor’s federal spokesperson for health, the Honourable Catherine King, who is the federal member for Ballarat, can say she fought. Lisa Chesters, she fought. Rob Mitchell, he fought. We will have fought for our constituents in regional Victoria.

Of course there is no reason that we should expect anything else from those on the other side of the house. This is the party that ripped out \$1 billion from health during its mercifully short period in government. I call on all members of this house to stand up and put Victorians first; we implore the opposition to stand up to these cruel cuts. We stand up against them because they are bad for Victoria. Funding and supporting hospitals is one of the most basic duties of any government, and we must fight to reverse these cuts. As I have said before, you cannot cut \$17.7 billion from Victoria’s public hospitals and expect elective surgery waiting lists and emergency department waiting times to get better.

As I have said, these savage cuts will mean even longer waiting lists for elective surgery, even longer wait times in emergency departments and cuts to dental services will see some of our most vulnerable wait even longer for the most basic dental care. If I were to tell members what this \$17.7 billion worth of cuts means in total, it is equivalent to 2.9 million elective surgeries or, if they prefer, 32 million dialysis sessions. The people that look to us, who need our care, need our support and need people to fight for them, will be looking to us. As I said, on this side of the house we will be able to stand and say we fought. We did not let a moment or an opportunity pass to take it up to the Turnbull government, to the Liberals, and to call out their appalling policies.

That mob on the other side — let me be clear — they are wreckers. We have seen it time and time again. They offer nothing. They have no vision for this state. In the brief period that they were in power they took that great gift of government and they totally wasted it.

I did want to acknowledge my good friend, the member for Oakleigh, and congratulate him on his fine contribution. This government, what a great job it is doing, if I do say so myself. I am so impressed with the work on the Cranbourne-Pakenham line. It is incredible. We are getting rid of 50 level crossings statewide, but on the Cranbourne-Pakenham line there will be five new stations and the removal of nine level crossings. Now, what did the mob on the other side do? I will tell members what they did. They went out and whipped up community dissent. They played to their sectional interests. They listened to what their Liberal Party donor mates wanted, and then they delivered it. They sat on their hands for four years and now, in opposition, all they seek to do is wreck the fantastic projects that will be delivered by this government. This government is a government that has made a series of commitments to the Victorian people, and it will not rest until it has delivered on those commitments.

On this side of the house we build futures. We invest in services that matter to people — health, education and transport. We will fight, unashamedly, time and time again for jobs for working people and for the services that those people deserve. We are here for Victorians. That is something that cannot be said by those on the other side of the house. I draw members attention once again to the people of regional Victoria that are represented by The Nationals in this house. They are extremely disadvantaged.

The ACTING SPEAKER (Mr Angus) — Order! The member's time has expired.

Public transport

Mr KATOS (South Barwon) — I rise in this afternoon's grievance debate to grieve for the V/Line and bus users of Geelong, who have been subjected to an awful minister who does not have any idea what she is doing. Before I start on that I might remind the member for Oakleigh, who is not in the chamber, that he should not kid himself. Members of the 56th Parliament might recall the Barwon Heads Bridge, an old bridge that connected Barwon Heads and Ocean Grove. It did not need to be replaced. It was an old wooden bridge. The community expected that bridge to be replaced with something similar to what was there — a single bridge with a walkway. The Brumby government of the time put forward a two-bridge

proposal, which no-one had ever heard of, seen or been consulted on. There was to be one road bridge and one pedestrian bridge. No-one wanted that bridge, but my predecessor kidded himself that it was the right option. The rest is history in terms of what happened there.

There has been a lot of misinformation, as usual, from the Minister for Public Transport with regard to V/Line funding and alleged cuts by the previous coalition government. That is absolute lies and absolute nonsense. Over the term of the coalition government funding rose by \$40.7 million over four years, or 15.9 per cent. There were no cuts at all, and in fact in the Geelong region we delivered a new railway station. The new railway station at Waurin Ponds presents a good contrast between how we delivered a railway station and how Labor delivered a railway station.

Marshall station, which was delivered by the Brumby Labor government, had inadequate car parking from day one; there were 90 car parks for a suburban railway station. That station has no cover for people — it is exposed to the weather — and there has been no amenity added. The ticket office is rarely open, and it is the same with the toilets. It has been an awful station from day one. If members go to see Waurin Ponds station, they will see the difference compared to what we did. We delivered that station under budget, and that station has plenty of room for expansion in the future.

The V/Line debacle has been just that. I must ask: what have the members representing the Geelong region been doing about it? They have just gone to ground over the summer period; they have disappeared. What has the member for Lara been doing about it? He has been running around; all he is worried about is getting on television. He could not care less about commuters on V/Line. The member for Bellarine is too busy putting out media releases about crab-eater seals and orangutans at Melbourne Zoo to worry about the V/Line commuters on the Geelong line. Those members should be fixing the problem. The member for Geelong has been unsighted. Gayle Tierney in the other place has been unsighted. In fact, when the Labor Party was in my electorate last Thursday, in Torquay, there was a media conference at Geelong station. Normally those members cannot help themselves — they love to get in front of a camera. Not one of them was there. At least the Minister for Public Transport and the member for Geelong had the decency to turn up, but the member for Lara and the member for Bellarine — —

Mr Nardella — She was there too.

Mr KATOS — They were nowhere to be seen.

The ACTING SPEAKER (Mr Angus) — Order!
The member for Melton will cease interjecting.

Mr KATOS — They were nowhere to be seen.

Mr Nardella — They were there!

The ACTING SPEAKER (Mr Angus) — Order!
The member for Melton!

Mr KATOS — They were nowhere to be seen on this issue.

The latest V/Line punctuality statistics have come out. We have the December to January changes for the Geelong line. In December reliability was 94.4 per cent; that has dropped 6 per cent to 88 per cent. Punctuality was 89 per cent; it is down to 82 per cent. It is getting worse. The Geelong line is experiencing patronage growth. If you look at V/Line's annual report for 2014–15, there were 4.24 million trips per year on the Geelong line. That has grown from 3.77 million trips from 2010–11. There has been substantial growth — almost half a million extra trips a year on the Geelong line. We have seen significant growth there, and if you look at the regional rail link from the start, when we inherited that project, signalling had not been costed, rolling stock had not been costed and two grade separations had not been costed. It was off the rails from the start, but thankfully the former minister, Terry Mulder, did get that back on track. He did a good job with that.

This has been a complete debacle from the minister. The sad thing is that the minister accepts no —

Mr Nardella interjected.

Mr KATOS — The present Minister for Public Transport, to enlighten the member for Melton — he often needs enlightening — just will not accept responsibility. It is always the fault of someone else. She says, 'We'll try to blame the previous government. We'll try to blame the former CEO of V/Line. We'll blame her. We'll blame him'. She has shown no responsibility as a minister for what has happened on this thing.

She has no idea what is going on in her portfolio. This has been demonstrated. I recently submitted some questions on notice to her about various level crossings in the Geelong area. I asked the minister in regard to these level crossings whether any planning or feasibility work had been done to do grade separations on them. There are eight around Geelong. They are not just in my electorate; they are right around the Geelong region. I got the same response to every question:

The Victorian government is on track to meet its commitment to remove 50 level crossings over two terms and 20 in the first term. Further information on the progress of level crossings can be found at www.levelcrossings.vic.gov.au.

That was the response. In fact, one of those level crossings, I know for a fact, has had some work done on it — the Barwon Heads Road crossing and grade separation near Marshall station. VicRoads has a proposal to duplicate Barwon Heads Road from the start of it down to the new estate at Warralily, and VicRoads has done work on the grade separation. So this minister sat there and told me that nothing has been done — she just gave me a carbon copy answer. A bureaucrat stuck it in front of her, and she sent me that answer. It is just like what has been going on with V/Line. It is just the bureaucrats running the show. The minister is not taking the bull by the horns. She is not taking responsibility on behalf of not only the Geelong V/Line commuters but also V/Line commuters right around the state of Victoria.

Another matter that has come up recently is that in this year's budget money was set aside for a new rail stabling yard at Waurin Ponds. The government visited a local farmer there whose land it wants to put the yard on, Mr Stan Larcombe, and basically what it wants to do is cut his farm in half. It wants to put in a 200-metre strip. Basically he has his home, his sheds and his working house. The rail line does go through the property. It is a property that has been in the family for 112 years. Basically what the government wants to do —

Mr Nardella interjected.

Mr KATOS — I will elaborate on that for the member for Melton — I will enlighten him yet again. What happens at the moment is that the only train that goes through there is the Warrnambool train. So there are three trains a day and freight trains in the evening. At present it is very easy for Mr Larcombe and his family that work on the farm to move sheep across the railway easement. But the government wants to put in stabling yards and cut the farm off completely. There are other options on the line that the government could look at, but it does not want to look at them. It is pigheadedness. It says, 'This is what we are going to do; we are not going to listen to anybody else'. There are even options to put a tunnel under the line to allow the sheep to go through.

Basically what the bureaucrats said, and effectively what the minister said, is, 'That's okay. You just put your sheep on a truck and drive them around three or four times a day. Drive them around to the other section of the farm on the other side of the railway line'. It is

absolute madness. It is absolutely incredible that the government would want to do this to a person against their will. Mr Larcombe does not want to sell his farm. It has been in his family for 112 years. There are other options next door — the old Boral cement works. There is the cement works plus an old quarry, so there are other options available, but the government will just not look at them. It would rather try to strongarm this family. The problem is just the pigheadedness of the minister.

As I said, the government has offered compensation to people. Okay, it is a reasonable gesture, but people do not want compensation; they just want this fixed. The travelling public of Geelong are sick to death of this. They simply want it fixed. Obviously this has caused a great deal of angst with the Labor MPs in Geelong, Ballarat and Bendigo. We saw it reported in the *Herald Sun*, the member for Melton's favourite newspaper, that there was shouting down the phone hook-up, screaming, and the member saying that the minister has known about this for ages: 'We've been telling her, we've been emailing her, we've been talking to her but she's not listening to us, and the travelling public are fed up'.

Ms Ward interjected.

Mr KATOS — I am quoting the *Herald Sun*. That is what appeared in the *Herald Sun*. I am sure many Labor members like to quote the *Age* at times.

It has been a debacle created by this minister, and there is no end in sight. It could go on for at least five months. No-one knows what is going on with it, and it is not just about the rail service; it is also about the bus services in the Geelong area. There was a change to the bus timetable and routes in Geelong. There was an initial draft consultation, and the government allegedly took on board the views of the community. Then it came up with these new bus routes. I will concentrate on the ones in the South Barwon electorate, as I know these better than those in other parts of Geelong. Basically the government has changed the routes. It has cut the Grovedale route in half. The Highton route is an interesting one. You now have to catch two buses to go from west or north Highton to the Highton shops, a distance of about 3 kilometres. You have to change buses or get on a bus into the Geelong CBD and do a big loop to get to Highton — a 45-minute bus trip. It is absolute madness. It was the old bus route that used to service Belmont High School. Although it now sits in the Geelong electorate, Belmont High School certainly services families and students from the Highton area, which is in my electorate. That bus service is gone.

The Grovedale bus route has had half of Pioneer Road taken out. It is a major thoroughfare. Students and particularly elderly people rely on those bus services — not to go to Deakin, because with all due respect a lot of this consultation around the bus services were linked to go to Deakin, which is fine. I have no argument with more services to Deakin, but there were no additional services — no increased funding envelope. The government has cut other services, effectively robbing Peter to pay Paul to do this. I am hearing evidence from the shop traders in High Street, Belmont, which is in the Geelong electorate now but was in the South Barwon electorate for many years, that there is no bus that takes you from Highton or Grovedale directly to Belmont now.

The minister gave assurances that there was to be a six-month review. On 21 June last year, when these timetables came into effect, there was a promise to do a six-month review and take on board the views of the travelling public after they had experienced the changes. With Mr Ramsay from the other place I ran a forum to get people's views. The minister labelled it a stunt that we were talking to the community. Over 100 people turned up from all over Geelong to voice their dissatisfaction.

The minister said that the government would hold a review after six months, which was 21 December. The review came out, but there were no changes whatsoever. The buses were left as they are. The only change that I am aware of was the reinstatement of the Lara to Corio Village bus service. The member for Lara was happy to put on a Santa hat and get on the bus. He got a mention in the newspaper for that, but that was the only change to the whole Geelong network.

It was a sham consultation. The government even started putting in the bus infrastructure on the new routes before the review period had finished. It was a sham from the start. The bus-travelling public of Geelong have been hoodwinked by this minister. This minister is completely out of her depth. We have seen the debacle of V/Line and the bus services, and this same minister is charged with delivering the Melbourne Metro project. Heaven help us if she continues to be the minister!

Opposition performance

Ms WARD (Eltham) — I really do not have to, but I do grieve for those opposite. It is not required of those on this side to have any sympathy or feelings of sadness for those opposite or to have compassion, but I am a kind-hearted person and I do absolutely grieve for those opposite. I grieve for their lack of vision, I grieve for

their lack of imagination and I grieve for their lack of policies, their lack of desire to build something and their lack of desire to actually make something in this state — something that is real and something that is needed.

This is a growing state. It is a fantastic state. It is a state to be proud of, and it is a state that we have to continually build on. And what do we have opposite? We have the Miley Cyrus chorus over there — members who only want to come in on a wrecking ball. That is all they want to do. What I cannot wait for is the day when we see on the front page of the *Herald Sun* or the *Age* the Leader of the Opposition in his jocks on a wrecking ball, because that is what we see go through this place every time we sit. Every time we are here we see the wreckers come in. In fact I do not know why those opposite are called the Liberal Party. They should be called Whelan the Wrecker, but I guess that has already been trademarked.

It is incomprehensible that the desire to wreck by those opposite is so extensive. It is incomprehensible, given the debacle that they created with the east–west link, which they want to create again. They want to create another debacle around transport. Public transport is the target. What I also cannot understand is that they are still singing from the song book, from the hymn book, of the deposed Prime Minister, Tony Abbott. They are still going down the same track. They do not want to fund public transport, but they want to wreck everything in its place. They want to wreck everything in this place. For every great idea, every bit of infrastructure that we want to build —

Mr J. Bull interjected.

Ms WARD — The member for Sunbury is absolutely right. They want to tear it down because they are just absolute wreckers. Those opposite want to turn this state into a sideshow. They do not want it to be vibrant. They do not want it to be economically sustainable. They want to talk it down. They want to talk this state down — and why do they want to do that? It is because they have no imagination, and because they have no policies. But those opposite — just like Tony Abbott — also want to talk this state down for their own selfish purposes. They think if they keep talking this state down, people might actually believe them. But do you know what? When people find jobs, when people are in jobs and when this economy is moving forward, people are not going to believe them. They are not going to get sucked into this empty rhetoric.

Opposition members do not care about jobs for ordinary Victorians. The jobs they care about are their own, and they will talk this state down in an attempt to save their own jobs. I say, ‘Shame — absolute shame’. It is an absolute disgrace that they put themselves at the forefront of everything that they want to do. What do they want to do for this state? Where have we seen any actual vision of what they want to do for this state? We saw nothing for the four years they were in government, and now all we can see is moaning, carping, whining and hysteria from those opposite on every idea and every fantastic transformation that we come up with that will bring this state out of the mire that the mob opposite created.

Jobs make this state tick. Jobs are absolutely important. Members opposite need to get on board or they need to get out of our way. They need to get on board and get out of the way, because we have plans for this state. We are going to get public transport into the 21st century instead of the 19th century. We are actually going to bring this state forward, so get on board or get out of our way because we are coming through. We are getting on with it, and we are coming through. They have done absolutely nothing to create jobs.

Let us talk about young people. Let us talk about those thousands upon thousands of young people that those opposite left behind — those opportunities, those jobs, those hopes, those dreams that those opposite wrecked yet again. They are absolutely the wreckers. Let us look at the closure of TAFEs. Let us talk about the closure of Greensborough TAFE. What commitment to young people did those opposite display? Absolutely zero.

We hear that they are the champions of rural Victoria, so let us talk about unemployment. Unemployment in Latrobe and Gippsland has dropped nearly 2 per cent under this government, and in the north-western region it has dropped from 18.2 to 11.3 per cent. There has been endless bleating about Labor not caring about Victoria’s regions. Well, I cannot see that the coalition has done anything to improve employment opportunities in our regional areas. I challenge coalition members to tell me what they actually did, because they shut things down. They wrecked the hopes and dreams of rural and regional young Victorians, because it was not in their interests; they just do not care.

Across our regions overall unemployment is 5.4 per cent — the second lowest in the country. Where were we under this mob? We were the worst on the mainland. Our unemployment levels were the worst on the mainland. They could not find a job to save themselves. They absolutely could not and they did not

save themselves — and that is why they lost the last election. That is exactly why they lost the election.

Those opposite do not take jobs seriously; we take jobs seriously. We take infrastructure seriously. We take building seriously. We know you have to build better health care, better employment opportunities and better schools. We know we have to build things, and this is exactly what we set out to do. What those opposite want to do is oppose infrastructure investment — hence their scare campaign. They do not care about jobs. They do not care about getting working people to their jobs quicker, better and faster; what they care about is headlines in the *Herald Sun*. That is it. These guys live in an echo chamber where they converse with themselves and the *Herald Sun*. That is all they have got, and that is their audience. It is unbelievable. I think they really need to have a look at the circulation rates of the *Herald Sun* to get a reality check.

We have the equal largest fall in unemployment rates of all the states since November 2014. Under the Liberals the unemployment rate rose from 4.9 per cent to 6.7 per cent and underemployment rose by 2.6 per cent. It is amazing how much damage you can do in just four years, but that is exactly what happens when you are asleep at the wheel. That is exactly what happens when you are on an extended holiday — and this is exactly what we see in this place again.

None of them are here. They are still on an extended holiday. They are still just out there doing nothing. It is the long holiday. Do you know what it is? It is *National Lampoon's Vacation*; that is what it is. They are on the extended series of *National Lampoon's Summer Vacation*, and I reckon we must be on episode 7, 8 or 10 by now. And they still have not found Walley World. They are still driving around; they have not found it. It is *National Lampoon's Vacation* over there, absolutely. They just do not know where they are going. They are absolutely directionless.

We have created 79 000 jobs, including 47 300 full-time jobs. Guess how many the coalition created in its four years? On its way to Walley World, this is what it created. It created 97 000 jobs in four years, and in 14 months we have created 79 000. We are the people that work. We are out there making things happen, getting things done. We are not driving in circles around the Arc de Triomphe as if we are in *National Lampoon's Vacation*. We are not going around in circles trying to find the road out of here, which these guys are doing. No. What we are doing is moving forward, getting on with it and making things happen.

An honourable member — Hear, hear!

Ms WARD — Absolutely. And do you know what? It is hard work, making this stuff happen. Getting down to it, rolling your sleeves up and making things happen takes hard work. Instead, what we have got are these guys opposite doing their Chevy Chase routine, where they have put all the lights up over the house, then disconnected them and blown the joint up in trying to connect them. This is what we have: we have a mob who do not know how to connect things, who do not know how to make things happen. All they do is plug it in and blow it up — and I go back to my original theme — because they are wreckers.

They are wreckers. They are absolutely destroying the joint. They are destroying the joint through their own inefficiencies, through their own laziness, through their own lack of vision and lack of empathy for people. Because they do not care. They just do not care. It is just absolutely amazing that people can go through the effort of getting elected, can go through the effort of seeking votes, and what do they do? They get here and do nothing but wreck.

Honourable members interjecting.

Ms WARD — Absolutely.

Mr Nardella interjected.

Ms WARD — No, they are absolutely not. What do they want to do? They think they can play football with the member for Oakleigh, and they think they can play football with his residents. They think that they can just make stuff up, that they can confuse people, that they can scare people.

I go back to what I said earlier: these people do not have an original idea. They have rung Tony Abbott. They have said, 'Hey, mate, it mightn't have worked for you. Your mob might have chucked you out in less than two years, but that's okay. We'll go through your hymnbook and we'll replicate what you do. We will stir people up into a frenzy; we will tell them half-truths; we will scare them — because we want to wreck things, because we think that's how you win elections. We think you win elections through wrecking things. We think you win elections by being tricky. We think you win elections by telling half-truths, lies. We think you win elections by tricking people'. You do not. You win elections by actually delivering things. You win elections by having a vision. You win elections by actually knowing where you are going, by having a philosophical base and knowing how you want to get there.

We want to make this state even better. We know it is good. We know the quality of life of most people in this

state is good. We know it can be better, and we know it can be better because we have the means, we have the vision, we have the ideas, we have the energy, we have the work ethic. We want to get out there, and we want to get things done. We want to make things happen. We want an economy that booms. We want jobs. We want people to have pride in their jobs. We want people to feel that they are valuable and that what they contribute to this state is valued and is valuable. We do not want them being afraid. We do not want them to feel that the only way they can make something happen is by being scared and angry. Being scared and angry is not the way you create good policy.

Creating a frenzy around progress is not the way you make good policy. This is exactly what this lot are doing. They want to create chaos, confusion and fear — and the only reason they do that is because they do not know any other way. They do not know how to run a state, they do not know how to make things happen; they only know how to be guest stars in *National Lampoon's Vacation* and drive around in circles.

Question agreed to.

BUILDING LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015

Second reading

Debate resumed.

Mr NORTHE (Morwell) — It is a pleasure to resume my contribution on the Building Legislation Amendment (Consumer Protection) Bill 2015. It seems so long ago that I was speaking, but now the comedy festival is over, back to business. I am not too sure that too many people would actually pay to hear some of those jokes, but anyway.

Honourable members interjecting.

Mr NORTHE — Easily pleased. Nonetheless some consumers are not easily pleased when it comes to building quality. Many members have spoken of situations where customers have engaged builders to do work on their behalf. We have heard some horror stories over the years. Ensuring that we have better protections for consumers and have quality builders is in part what this bill addresses, and certainly the principle of that is something we support.

Prior to the lunch break I also spoke about what may be further reforms that the government is considering down the track, noting that it has said that this is the first tranche of reforms. Builders warranty insurance is certainly one of those. Something that I am quite

passionate about is around contractors and subcontractors. Prior to the break I mentioned examples in the past of contractors having been awarded jobs, including state government jobs, where they have engaged subcontractors to do work on their behalf. As I understand the process, there have been situations where payment has been made to subcontractors and a statutory declaration was required to confirm that payment had been made to the subcontractors.

Unfortunately our Gippsland community has over the years seen many of those principal contractors not honour their obligations to subcontractors, who have been left holding the baby and left thousands and thousands of dollars in the red. It is simply not good enough that that occurs. This has happened in only recent times, and it is certainly something that I encourage the government to take up in future reforms to ensure that we close the gap on those types of activities by builders.

Having said that, on the whole I know that in the Gippsland region we have some very high-quality builders who do a wonderful job. I must say many builders are not only good at what they do but many are also very heavily engaged in the community and are the lifeblood of their communities, where they support sport and recreation clubs, community groups and other organisations in the community. So they are very much at the hub of particularly regional communities.

With respect to this legislation, I understand the stakeholders are generally supportive of the legislation the government has put forward. In my role as shadow minister for consumer affairs and working quite closely with the Consumer Action Law Centre I see that they have provided some positive feedback on this legislation, and the same can be said about other industry groups. On the whole, whilst we have some concerns with the bill, particularly around owner-builder provisions, which I understand other members will take up and will certainly try to prosecute some of those concerns in the Legislative Council, it is an improvement on the current law.

Mr PEARSON (Essendon) — As always, Acting Speaker Thomas, it is a delightful pleasure to see you sitting in the chair on a Wednesday afternoon.

I am delighted to make a contribution in relation to the Building Legislation Amendment (Consumer Protection) Bill 2015. This is an important piece of legislation because, as I mentioned earlier in a previous contribution, we are experiencing significant population growth in Victoria — it is about 1.8 per cent per annum — and much of this is from migration. Much of

this is from people choosing to move to Victoria from another state or from another country. Invariably what people tend to do in this set of circumstances is buy a property to live here. Indeed we have seen many press reports in recent times talking about the capital inflows from jurisdictions like China, from people who are looking at buying property here. Often they will bring their kids out here to study and ultimately they will gain citizenship.

It is really important that, given the great contribution that population growth is making to the sustainability of our state finances and given that building and construction has played a pivotal role in relation to the growth that Victoria has experienced over the last 20 years, we make sure that we have got very strong legislative powers in place to ensure that we have buildings built to an appropriate standard, but that moreover, when things go wrong — because invariably things do wrong from time to time — there is that capacity to seek redress.

Previous speakers have commented that this legislation is born from the Auditor-General's report *Victoria's Consumer Protection Framework for Building Construction* of May of last year. The then Auditor-General made a number of recommendations in relation to looking at reviewing the practitioners' registration and discipline regimes; making sure that only qualified, competent and suitable practitioners be allowed to trade; and providing assurances that practitioners maintain and update their skills over time. A whole raft of suggestions were made and this legislation reflects that. It is important because the reality is that a well-functioning Auditor-General's office can make some insightful comments about areas of public policy that can inform legislation to make sure we take up suggestions and recommendations.

One of the key aspects of the bill I am quite interested in is part 2 headed 'Resolution of domestic building work disputes'. I think this really goes to the heart of dispute resolution and focuses on early intervention. The reality is that if you can look at trying to identify problems at the outset, then you can find ways in which you can respond to these issues as quickly and as inexpensively as possible to resolve these matters in a fair and balanced way.

In preparing for this contribution I was looking at some of the framework and the background to alternative dispute resolution, which is an area that the former Attorney-General, the great Rob Hulls, focused on when he was Attorney-General in the Bracks and Brumby governments, and looking at trying to find

alternative ways rather than always having to use the litigious, lawyers-at-10-paces approach.

There was an Austrian economist and management consultant, Friedrich Glasl, who developed a model for conflict resolution. It is interesting because what he says is that escalation in his nine-stage model is not an ascent to higher and higher stages of escalation but, he hypothesises, it is a descent to deeper and deeper, more primitive and more inhuman forms of dispute, which inevitably leads into regions that evoke great inhuman energies which are not ultimately amenable to human control or restraint.

As a new member I have been approached by constituents who have had problems in the past with building works. I am sure many other members of this house would have firsthand experience of people coming to them expressing some concerns. It is clear that something has gone wrong early on in the piece, but the real problem is the fact that there were not steps taken at the outset to try to address that. It is interesting looking at Glasl's model, because he divides it up into win-win, win-lose and lose-lose, and there are three stages to each.

He talks about win-win, where there is tension, debate and actions instead of words. That would be where you really talk about mediation, negotiation and trying to air your differences and trying to work out 'What do we do?' and 'How do we fix this?'. In the second stage, win-lose, he talks about coalitions, loss of face and threat strategies. I think that is often in the early stages where you have someone coming to your electorate office expressing some concerns about what they have experienced. That might be the first chance you have to see them. Then Glasl talks about lose-lose, which is, in his case, limited destruction, total annihilation and together into the abyss.

Often by the time we see most people coming to us expressing some concerns or anxieties around a building project that has gone wrong, it is at that 'limited destruction, total annihilation, I just want to destroy everything and everyone' stage and that is really not helpful. It is not helpful for a person to be in that frame of mind. It is certainly not helpful in terms of getting an outcome, because by that stage people are locked in. It is almost like the process of entrapment.

I remember that when I was studying for my master of business administration one of the subjects was negotiations. The professor talked about the idea of going to a bank and waiting in a queue. When you have waited there for a couple of minutes you say, 'It is not going to be too much longer'. Then 5 minutes pass and

you think, 'It is not going to be too much longer'. Then 15 minutes pass and you say, 'Well, I have waited here for 15 minutes. I do not want to leave because I have wasted all this time'. He used that example to talk about America's entrapment in Vietnam and applied it to when you find yourself in a situation where you cannot withdraw gracefully, you cannot find a negotiated solution and you become entrapped. It then becomes, as Glasl would say, lose-lose, total annihilation and together into the abyss.

This is an important piece of legislation because it really tries to find a way to triage these issues. Of course you are always going to have a set of circumstances where legal action will ensue and where there will be lengthy and expensive legal proceedings. That is just a fact of life. There is always going to be a case where you will have a peculiar set of circumstances that lead to that outcome or you have a set of circumstances whereby you have outliers in terms of their conduct or behaviour. You might have a purchaser who is particularly vexatious or litigious or you might have a builder who clearly has tried to maximise the yield on a particular development, has cut corners and has just tried to bolster their bottom line and has done so through rather curious forms of behaviour.

But in a lot of cases that is not really what happens. It is a case where something has gone wrong. You assert that it was the result of what the builder has done. The builder might say, 'Well, it was like that when I found it', or it has impacted on the new works but it might have been something that predated the builder's involvement. Invariably when that set of circumstances arises it is really a case of trying to sit down and work your way through that.

Division 3 of part 2 of the bill refers to the referral of a dispute to a conciliation officer. It talks about where you would conduct a conference. Clause 6 inserts new section 46A(2)(a), which refers to the:

... attendance of the parties in person at a place that is reasonably convenient for the parties ...

Again, this is important because you are trying to find ways in which you can take people away from their home ground advantage so they can meet on neutral ground and they can talk dispassionately about a problem or issue with a mediator. Indeed invariably I think when you try to do that, you can find a way through it. Everyone has a bit of a win, everyone takes a bit of a hit and you share a bit of that pain, but you find a way through it so you can get on with it.

Bills like this are important because they look to ensuring the integrity of a vital industry for this state. If we are going to keep growing the economy, if we are going to be a destination for migrants, we need to make sure we have a strong and robust regime in place to enable these sorts of developments.

Ms THOMSON (Footscray) — It is an absolute pleasure to rise to speak on this bill. The reason I say that is that I think for too long consumers who buy a home that is being built for them by a builder, or those who are undertaking massive renovations, have had very little recourse in getting a dispute resolved without expending large sums of money. There has been years and years of work going in to trying to rectify the Domestic Building Contracts Act 1995 and I do not think we have got it right. But I have to say that this bill goes a long way to rectifying those issues. I am pleased that this government is taking action to rectify them for the consumers of Victoria.

I want to talk a little bit about this issue because for me it is crucially important. I raised in the house back in February 2013 an issue raised by a constituent of mine who had works done by the Extension Factory — her name is Pam Mulready. Now six years later she has still not had the problems with her home rectified. I cannot tell you how many thousands upon thousands of dollars she has spent getting experts in to try to get rectification of that work. The runaround that she has gotten from the Extension Factory has been absolutely outrageous and inexcusable. I am not suggesting here that the Extension Factory has acted illegally. I want to make that very clear. Immorally? Absolutely! Illegally? No. I know that this legislation, once in place, will protect future consumers from the things that Pam has gone through.

Through Pam, back in 2013, I said I would put out a public call for people who had had run-ins with the Extension Factory and had had a bad experience. I think I met with another seven or eight consumers who had had similar experiences with the Extension Factory. I have been told that they have cleaned up their act, and I am pleased to hear that they have, but what would be even better would be if they sat down and fixed the problems with those people who they treated abominably back then.

I think it is important that we have legislation that says you can have conciliation that comes into place in the early part of a dispute. That is what this bill provides. It provides for early conciliation — compulsory conciliation. It is not an 'if you like it, let's get conciliators together', but it is about independent conciliators demanding that the parties sit down to try

to work a way through to rectify the issues and resolve the dispute. It provides for independent assessors who can go out and assess the building site and make a recommendation about what rectification works need to be done. It also sets up a trust fund to ensure that builders pay into that fund for rectification works to be done when they cannot do them or refuse to do them themselves. That is another important provision.

This legislation will not be perfect, but there is another raft of legislation to come — and I think that is fantastic — that will put more protection in for consumers. I know that after we have monitored it for a while experience will show what other changes might need to be made.

The ability for the consumer to appoint a building surveyor independent of the builder is another provision within this legislation that I think is crucially important, because I cannot help but think that if the builder gets to appoint their own building surveyor, the building surveyor will just say, 'That's fine; it's terrific; it ticks all the boxes; let's get on with the building'. I like the idea that the actual consumer can consult and decide on a building surveyor that will look after their interests and not just the interests of the builder.

I want to make it very clear here. I know that there are some amazing builders out there whose first and primary concern is to give their client the very best build that they possibly can. I think for them this bill goes a long way to ensuring that their reputation as builders can remain intact while we can get the dodgy ones out of the business. We will actually have a proper one-stop shop that deals with registration and discipline. It will have the power to act to deregister shonky builders and make sure they are meeting their registration requirements. They will no longer have unlimited registration periods, and there is a set period of time for builders to register and reregister. I also like the idea down the track of providing — it is not in this legislation, but it is flagged for the new legislation coming in — a place where consumers can go to check on the reputation of builders, see what complaints have been made or see what orders may have been made against builders so that they will be able to judge when they are choosing their builder who they want to go with. I think that is fantastic too.

The power for the chief dispute resolution officer to order dispute resolution orders is very important. It is based on an independent assessor's report, and where agreement fails in relation to those, the officer will be able to take action. Putting Domestic Building Dispute Resolution Victoria together is very important, but I also think it is very important that consumers are

confident that the system is going to work and that it is going to work properly. I think this goes a long way to answering the issues raised by the Auditor-General in his report released in 2015. The findings of the report include:

The consumer protection framework for building construction is far too complex with multiple agencies responsible for different elements.

That is fixed under this legislation. Another finding was:

It can be difficult for consumers to navigate the system.

We are fixing that too. Also:

The current registration and disciplinary regimes do not ensure that only practitioners who are qualified, competent and of good character are registered.

We are fixing that. The findings include that current dispute resolution services have been an absolute nightmare, and we are certainly fixing that, and that:

Oversight of building surveyors is deficient and monitoring and enforcement activities do not yet provide assurances that domestic building construction complies with minimum standards.

We are fixing that. It also found that:

Domestic building insurance provides only limited protection for consumers and is significantly more costly than it needs to be.

There is not a consumer who he does not know about that.

I think this government is going a long way to making sure that finally the right protections are being put in place for consumers. We are balancing that against the needs of builders to be able to trade and trade properly. It should be a big win for builders who do the right thing, because often for a consumer you go for the lowest bid. That is the nature of things. You get your builder in, he gives you a quote and he says, 'It's going to cost you \$350 000 for me to do that'. You get your second quote, and the builder comes in and says, 'I can do that for \$450 000'. You think, 'Well, why would I go with the \$450 000 when I can get it with the guy who will do it for \$350 000?'. And then you find out later that the builder who does it for \$350 000 does a bodgie job and it is going to cost you \$650 000 to get it fixed. Well, that is outrageous, and we do not need a system that works like that. I do not think there are any good builders out there who want a system that works like that.

I think this legislation is a great piece of legislation. It goes a long way to fixing the problems that consumers

face. It was an opportunity that the opposition had when it was in government and failed to implement. I cannot say how pleased I am — this is one of my favourite bits of legislation that we have had in this Parliament in this term — and I support the bill. I wish the bill a speedy passage.

Mr LIM (Clarinda) — I am very delighted to be taking part in the debate on the Building Legislation Amendment (Consumer Protection) Bill 2015. I have just been very attentive to the contribution made by the member for Footscray, and just about every word she said was so reflective of what actually happened to me personally that I can speak about it. The experience I had was so traumatising that I cannot imagine how it would affect many of the very honest and at times naive consumers who are at the mercy of unscrupulous builders. We probably tend to take it for granted and forget that these unscrupulous, very shonky builders know all the tricks of the trade every day when you go in there for the first time. Many people build for the first time, for God's sake, and would not have a clue about it. You trust the builder completely because you think in a democratic country, in such an open country, there is no such shonky business. You go to them and, let me tell you, they play you to the maximum effect.

I can tell you, Acting Speaker, it nearly destroyed my family. It got to the stage where every day when we got up my wife had to ring them up, pleading with them to come and fix up things. Then they took all the money and half the job was not done. The excuse would be, 'My mother is sick today', or, 'My daughter is sick today', or, 'My father is having a birthday party so I cannot come'. Then some of the time you get caught up with some of the tradespeople that the builder has engaged. I can give you one example, and because this happens a lot it should be recorded in this house so that decent, hardworking people who want to build their own house and enjoy it, who look at it as a dream and then it becomes a nightmare, should not have to go through that. I hope and trust that this legislation will go a long way toward fixing this.

The tragedy is that as a member of Parliament I cannot even dare to take him on or say anything because he will point a finger at me and say, 'You are a member of Parliament and so you want to give me a hard time', and things like that. The situation is ridiculous. I do not want to name the builder because the nightmare is over and it is in the past, but I can tell members that every day we got up it was nightmare time. Something that was supposed to be built in one year dragged on for three years, so members can imagine how destructive it was in terms of emotion, time consumed and time wasted. It was very tragic, and I could not believe that it

could possibly happen in Victoria, in this country. We ended up spending a lot of money engaging a lawyer, and we had to go to the Victorian Civil and Administrative Tribunal.

I believe there are many people out there who do not have a voice and who would want to hear this and hear what the member for Footscray has just shared with the house about this unnecessary and uncalled for tragedy that is afflicting people who are at the mercy of a builder. As I mentioned, one of the tradespeople came back, because the builder had employed the tradesperson, and the tradesperson wanted to smash all the tiles that he had put up, because builders play the tradespeople as well. It is exploitation. The builder would take all the money to go and build a new one, and now he is doing the same thing to other people. I do not know whether the man was a gambler or he had lost money, but it was a nightmare.

There is much more that I could say, but I trust and hope that this legislation will put in place an honest mechanism that will make the builder more accountable and more responsible. As I said, and as the member for Footscray mentioned, I fell into this trap because I believed him. He spoke very nicely in the beginning, I trusted him completely, and I made the big mistake of allowing him to engage a surveyor. Apparently he just pocketed the money. That person was supposed to be writing a report, and when I wanted to look at that report, that report was not there. Eventually the report came, and I knew it was shonky and had been produced out of the blue, because nobody wrote that report. You could so easily fall into that trap and be cheated easily, but there was nothing you could do about it.

It makes you think about it, and the statistics show that it is something like 28 per cent of people who are involved in building their own dwelling or their own project or a townhouse or anything else that have got into trouble — and 28 per cent is just too much. We should not have to put up with the incredible things that happen in this industry. It should be a pleasant experience for a first-time builder — or a dreamer — and people like me, and I know that there are millions of them out there.

When we are talking about unscrupulous builders and multicultural communities, exploitation is happening there. I am not saying it is racism, but I think there are people who are taking the migrant community for granted and know that they do not know how to negotiate the system. Therefore they manipulate them to maximum effect for their absolutely terrible, shameful benefit. In all that time I had in fact consulted then shadow Minister for Planning and the then shadow

minister for consumer affairs, and there was nothing we could do about it. I trust and hope that this is now a big step and will go a long way towards fixing this. I have nothing more to say, except that this is a very personal experience, and I hope that nobody else has to go through what I went through. I commend the bill to the house.

Mr HOWARD (Buninyong) — I am pleased to also add my comments on this bill, and I am concerned to hear the comments made by my friend the member for Clarinda in that he clearly had a very bad experience when having a house built. As somebody who is just undergoing, on my first occasion, having a new home built I am hoping I will have a very happy experience of that. Clearly that is the experience of the majority of people I know — that they have had good, positive experiences in building a home, albeit challenging experiences, with many decisions to make.

We know that the majority of builders do a great job and do work through the process of that very big, significant issue that people take on when they build a new home — a very expensive project, something that is going to impact their lives for many years to come. You would hope that that is going to be a good experience. But we know that there are cases like that described by the member for Clarinda and others, people who have come to us, as members of Parliament, over the years, where they have been exasperated. They have found that there are significant problems in the workmanship that is being undertaken for them, and when they seek redress they find that the system lets them down and has let them down badly over a long period of time. Hence there have been a number of inquiries carried out over the years, including by the Victorian Ombudsman, who undertook an inquiry in 2012, and, we know, more recently, the Victorian Auditor-General, who undertook an inquiry into the building industry, with the report being released in 2015.

This bill is one of a series of bills that this government intends to bring forward to address those concerns that have been raised and that, despite being raised over a long period of time, still have not been addressed appropriately. This bill, as the first in a series of bills, starts to bring about the changes that are necessary to give a person undertaking construction of a new home, or undertaking works on their home, greater confidence that they can rely on the system to support them so that it can be a happy and successful process. At the same time, of course, it should benefit the building industry itself, because those who are not doing the right thing will be weeded out of this process. There will be more pressure brought back to them, so there should be fewer

negative stories about building. This should overall help to build a more positive construction industry, which will see benefits of course to the overall economy of the state and benefits to those who are doing the right thing in the building industry.

What are the changes that have been made? Of course members that have spoken before me have described a number of those changes, as well as adding their experiences, but clearly we want to see that where there is a dispute we can work to resolve that dispute in as cost-effective and efficient a way as possible. A significant component of this bill establishes a better conciliation and resolution process, as we have heard, whereby there will be a position known as the chief dispute resolution officer established. That person will be supported by suitably qualified conciliators and technical assessors who are capable of following up on complaints that are made and capable of working through a conciliation process.

This bill puts teeth into that need for a conciliation process. It will be administered by the Department of Justice and Regulation, and it will be funded through the Domestic Building Fund, which already exists. It strengthens that opportunity and in fact requires conciliation to take place, or for it to have an opportunity to take place, before people have the opportunity to progress to the Victorian Civil and Administrative Tribunal, which is a more involved process. I am confident that, working through this process, we will see improvement in the process of conciliation and therefore see issues dealt with much more quickly and efficiently and see that both builders and those who have complaints can see those issues addressed in a fair and appropriate manner.

What we also see coming out of the Victorian Auditor-General's report, and what we are also aware of, is that clearly some builders and building firms operate very well. They are efficient. They have good, qualified staff and continue to operate in a very sound manner. But we know that there are practitioners who are not doing the right thing, so we need to have an opportunity to improve the regulation of those practitioners within the industry.

Within this legislation we see that there have been concerns raised about the Building Practitioners Board, which has been tasked with the responsibility of registering building practitioners, but we are going to abolish that board and transfer the responsibilities for registration to the Victorian Building Authority. This will achieve a clearer sense of responsibility. It will also address the issue where, as has happened in the past, once a builder has his registration or her registration —

it is mostly a bloke's industry, but there are women coming into that industry in larger numbers — they generally have that registration for an ongoing period. But this legislation requires a review of builders who have been registered so that we can ensure that they are continuing to show that they have the skills necessary, that they are continuing to show that they are worthy of ongoing registration and that they can provide the services that are required and the skills that are provided through their firm or the individuals involved.

I am very pleased to support this bill. Over the years there have been too many very frustrating stories of people who have saved and saved and got very excited about either building their first home or upgrading their home or doing other building works — and of course we know the stress they can be put under when they find that their great dream that they have saved and saved for is turning into a nightmare. We want to ensure that there are fewer nightmares and that where issues of dispute arise we can see they are going to be addressed by an efficient mediation system.

Clearly in bringing forward this legislation a lot of thought has gone into it. There has been a lot of discussion with the industry and those affected in the past to see that we are moving in the right direction to address some of those issues, because we know there is a second tranche of legislation that should come forward later in the year. That will go further in addressing the issue and act on feedback that we receive from the learnings from the implementation of this legislation. Clearly it is vitally important that we continue to monitor this very important industry and that we make sure it works to provide good outcomes for those who are building and for the construction industry to ensure we have this very strong industry continuing to grow in a very healthy way for all involved.

Mr DIMOPOULOS (Oakleigh) — It gives me pleasure to speak on this really important bill, the Building Legislation Amendment (Consumer Protection) Bill 2015. I just want to make a few brief comments primarily centred around my experience as a local MP with a number of constituents but one principally who has had such a big and devastating experience with what we know now is the inadequate consumer protection provided under the current domestic building framework. I also had those experiences when I was on council. There were many conversations with many people who were caught out by the inadequate protections of the existing system.

I specifically want to refer to Lana Zaitzen and her husband, Boris. Lana's story has been well publicised.

She has been on radio and in the print media. She and her husband have been through the most devastating circumstances in their battle with a former builder, and the entire sorry affair connected to a domestic building dispute has had a significant impact on both of them financially and emotionally. It has left Lana Zaitzen materially impacted and detrimentally affected, and she has been trying to find justice ever since. It appears to me that she and her husband have exhausted all possible avenues. While they have had some recompense it is nowhere near what they should have received, and that is because of the inadequacy of the system. I think they deserve far better than what they have got.

I am very pleased with the fact that this government has acted on the recommendations of the Auditor-General's report entitled *Victoria's Consumer Protection Framework for Building Construction*, which was released in May last year. As the member for Buninyong said, this is the first of at least two bills which seek to address the recommendations of the Auditor-General's report.

The provision in the bill that I want to briefly mention and that is of particular interest to me because of experiences I have had with my community is the improved oversight of building surveyors and building work to ensure there is early intervention regarding poor-quality building work at the point where problems are most readily and affordably addressed. I think that is a really key point because often things have gone too far before the intervention occurs, making any solution far less obvious and practical. This provision includes stronger powers for building surveyors and authorised persons of the Victorian Building Authority (VBA) to direct builders to fix defective building work.

The other provision I am particularly pleased to see in this bill is expanded grounds for discipline, an expanded range of disciplinary sanctions and the introduction of a more efficient 'show cause' disciplinary process with the right of appeal of VBA disciplinary decisions to the Victorian Civil and Administrative Tribunal. The other provision is a set of measures to address the potential conflict of interest for building surveyors together with measures that provide more flexibility in arrangements for building surveyors, including the ability to appoint a manager to a building surveyor's business. I think those provisions are critical, and the sophistication and nuance of the provisions speaks to the litany of human experience that we are trying to address. It is almost like a giant process review of what has gone wrong in the building industry and what consumers have suffered.

I just want to remind the chamber of the key findings of the Auditor-General's pretty seminal work. They were essentially, as others have said, that the framework for the protection of consumers is far too complex. I have experienced that. I am someone who is fairly used to reading legislation, policies and a whole range of similar documents, having been in government for some years both in the public service and on the council. In trying to assist Lana and her husband, but others as well, I found the system very complex to navigate.

Another finding by the Auditor-General was that it can be difficult for consumers to navigate the system. Obviously it is difficult for us, let alone consumers. He also found that the oversight of building surveyors is deficient, that monitoring and enforcement activities do not yet provide assurances that domestic building construction complies with minimum standards and that domestic building insurance provides only limited protection — as I explained in the case of my constituents — for consumers and is significantly more costly than it needs to be.

As other colleagues have said, it is something that rolls off the tongue, but the impacts are far deeper than just a set of words. The investment in their family home is often the largest investment that people make, and there is a huge personal attachment to it. Quite rightly, in a modern society people expect the government to provide the laws of the state to provide sufficient protection from shonky providers of building services. I am really pleased that this is what we are setting out to do here. It is a long time coming, but unfortunately in many respects it will not address the experiences of the constituents I have spoken to and who have shared tears in my office with me about their loss of, literally, hundreds of thousands of dollars, loss of sleep and loss of a dream — of living in their home that they had aspired to live in with their families. This will not fix their problem unfortunately, but hopefully they will have peace of mind knowing that it will be far less likely, after this bill passes, and the next one — to complete the recommendations of the Victorian Auditor-General's Office report — to happen to other people, and that we will slowly clean up the system. I commend the bill to the house.

Ms GRALEY (Narre Warren South) — It is a pleasure this afternoon to speak on the Building Legislation Amendment (Consumer Protection) Bill 2015. I take great pride in speaking on this bill because my electorate is one of the fastest growing areas in Australia. Many houses are being built there daily and people are enjoying the pleasure of moving into their home, having had the experience of choosing

all the new tiles and floor coverings and kitchen cupboards et cetera. Building a new home is a joyful experience, but it is one of life's greatest expenses. It is a big commitment, so it is very important that, having taken on the challenge of building your own home — your dream home — it ends up looking like you expected it to.

As we know, Australians are keen renovators. I think *The Block* has one of the highest ratings for TV audiences, and the do-it-yourself industry, as well as the construction industry in Victoria, is one of our growth industries. So when people undertake this big commitment of building a new home or renovating their home — I must say I have had the pleasure recently of doing some of that — we expect our construction industry, our builders, to deliver us the best product available. It does not mean just getting them all looking lovely, but that these buildings that we are going to live in, that we are going to share joyous times in, are safe and attractive places that we want to be in, and we are not walking around seeing cracks or potential fire hazards or crumbling walls. Yet that has been the unfortunate experience of some of my constituents who have come to my office, and who have experienced what can only be considered shoddy building. So it is very important that the government has made this decision on the back of an Auditor-General's report — a very substantial one — which found some very concerning deficiencies in the way that the construction industry operated and the recourse available to consumers when builders or other service providers did not provide the dream home or dream renovation that residents and families were expecting.

I must say the majority of builders do a good job. As I said, it is a thriving industry in Victoria, and we are very pleased to be able to encourage our young people to take up trades and get involved in the construction industry. Indeed it is one of the key drivers of our economy in Victoria, so it is very important that its reputation is kept intact and that we can look to builders with trust and reliability. When you have this experience of constituents telling you about shoddy builders, it really is quite a heart-wrenching experience, and for them it is often a very difficult experience in terms of getting some sort of recourse.

One of the things I hear from my residents over and over again is that they just want the problem fixed. This first piece of legislation is the first step in making sure it is much easier for consumers to have their problems fixed and to have their sometimes inadequate compensation be a little bit more generous. I would like to also direct the minister's attention to the fact that one

of the things that I have heard a lot about lately is of young people in the trades industry who are actually going out and working with some of these shonky builders. They do not know that they are shonky in the first place, I must say; they are looking for the experience of plying their trade. They are finding that they take up the opportunity to do some tiling or do some carpentry or, in one case that I am very familiar with, do some very comprehensive building work. He was a young subcontractor trying to establish his own business and delivering good quality work.

Many of these young men and women are not being adequately paid by the builders. In fact they are finding it very difficult to get paid per se. In three cases that I know of the young men have had to take recourse through the Victorian Civil and Administrative Tribunal. Thankfully they have had supportive parents and supportive members of Parliament who have encouraged them and guided them through this process. But the industry really does have to have a look at itself in terms of making sure that the young people who have skilled themselves up — paid to learn a trade, gone to a TAFE course, gone out and, often, established their own business so that they can look after their families and grow prosperity for themselves and also their local economy — are adequately paid and are paid on time. They should not have to go around sending debt collectors or visiting their local MPs to make sure that they get the money that they deserve for the trades that they have plied.

This is a very good bill not only for consumers but also for the industry. As previous speakers have said, there are a lot of people in the building industry who do the right thing, but, as the Victorian Auditor-General found last year, government inaction, lax registration of builders and poor oversight of surveyors were having a profound impact on home owners and renovators. The Victorian Building Authority's investigation of the Rangeview estate is featured in the business section of today's *Age*. An article headed 'Builder fined for gross negligence' reports it found major defects in dozens of homes, including in firewalls which could have caused a 'serious risk to life'.

So this is a serious piece of legislation. It really is a very important piece of legislation for making sure that people moving into their new homes or renovating their old homes not only have their dream home, as I said before, but also do not have their life put at risk in moving into their home. I would like to finish by saying that the Consumer Action Law Centre has got behind this bill. It has said that it is very much behind creating the new body called Domestic Building Dispute Resolution Victoria to resolve building disputes. Let us

hope that is an easier process for our consumers. The Consumer Action Law Centre CEO, Gerard Brody, is reported as saying:

... it was welcome that the new body will have the power to award compensation as well as order builders to repair shoddy work.

I think people, constituents in my electorate, would be very happy with that outcome. I commend the bill to the house.

Ms KAIROUZ (Kororoit) — I also rise to make a contribution to the Building Legislation Amendment (Consumer Protection) Bill 2015. This bill proposes to amend the Building Act 1993 and the Domestic Building Contracts Act 1995. I know my colleagues have pointed out and highlighted many aspects of this piece of work introduced by the Minister for Consumer Affairs, Gaming and Liquor Regulation.

This piece of legislation is timely and responds to the Victorian Auditor-General's Office May 2015 report entitled *Victoria's Consumer Protection Framework for Building Construction* and earlier reports, including that of the Victorian Ombudsman of 2012, and acquits another election commitment made by Labor.

As the minister pointed out in his second-reading speech, this bill represents the first tranche of reform to Victoria's building system that will restore confidence for both the consumers and for building practitioners and will underpin further confidence in growth across the state's \$28 billion building industry, while achieving quality built outcomes, ensuring timeliness in all processes and providing for a clear and accessible dispute system.

Generally speaking, domestic building projects are to be completed to the satisfaction of consumers, or one would hope so, but most of us in this chamber will know someone for whom this has gone terribly wrong. For those who have had their project go wrong, whether it be their dream home or whether it be their extension, they will tell you seeking a remedy is not easy. So, not only is this a risk to the confidence Victorians place in the construction industry — and therefore a risk to a major facet of our economy — it is an issue of justice and of fairness for Victorians. That is what we on this side of the house certainly believe in and stand for.

This bill addresses what we know is a longstanding issue, and what we intend to do is provide early intervention to prevent problems and prevent disputes arising in the first place. It also establishes a new system to respond as early, as quickly and as inexpensively as possible. Therefore when a dispute

does arise it will be solved in a manner that is fair and is balanced for both the consumer and for the building practitioner. It achieves this by establishing a new dispute-resolution procedure for domestic building disputes to be run from Consumer Affairs Victoria under a body called Domestic Building Dispute Resolution Victoria (DBDRV).

The new provisions provide a comprehensive regime, which must be used before a party can go to the Victorian Civil and Administrative Tribunal with a dispute and includes the ability for DBDRV to order works and to order payments from both parties, and failure to comply with orders made by DBDRV will be a ground for disciplinary inquiry. This bill also provides for the introduction of a new streamlined disciplinary process for building practitioners, and it seeks to abolish the Building Practitioners Board; consequently the responsibility for registration and for discipline of building practitioners will fall on the Victorian Building Authority.

For when things do go wrong the bill provides for the Victorian Building Authority or the relevant building surveyor to issue directions to a builder to fix the building work, and builders who do not comply with a direction to fix will be committing an offence and a non-compliance can also be a ground for a disciplinary inquiry. I know I have probably got 30 seconds left. The whip probably wants me to wind up so we can move on to the next piece of legislation, but this piece of legislation is very important. I know that these changes will make substantial improvements to the system of residential building in Victoria, and this bill should provide consumers with confidence that safeguards are in place to ensure that they can expect a good building outcome.

I congratulate the minister for introducing this bill so early in our term. I know that it will go a long way. It will help many families. It will help many people in our community, and I wish this bill a speedy passage and commend the bill to the house.

Debate adjourned on motion of Ms HUTCHINS (Minister for Local Government).

Debate adjourned until later this day.

CONSUMER ACTS AND OTHER ACTS AMENDMENT BILL 2015

Second reading

Debate resumed from 25 November 2015; motion of Ms GARRETT (Minister for Consumer Affairs, Gaming and Liquor Regulation).

Mr NORTHE (Morwell) — It gives me pleasure to rise this afternoon to speak on the Consumer Acts and Other Acts Amendment Bill 2015. This bill amends a number of acts. I might start with part 2 of the bill, in particular clauses 3 to 22. Part 2 amends the Australian Consumer Law and Fair Trading Act 2012. The intent is to improve the alignment of provisions relating to enforcement and remedies with the equivalent provisions of the Australian Consumer Law (Victoria) and also the commonwealth Competition and Consumer Act 2010.

Clause 3 of the bill effectively seeks to enable the director of Consumer Affairs Victoria (CAV) to continue to exercise powers to require the provision of information and documents that relate to the contravention of the act until the director commences proceedings in relation to the matter. Of course a clarification there is: other than a proceeding for an injunction and, in relation to the matter, until the close of proceedings in relation to an application for a final injunction. The purpose of this is really to ensure the amendment aligns the powers of the director with those of equivalent powers of the Australian Competition and Consumer Commission (ACCC), which effectively operates under the commonwealth Competition and Consumer Act.

I cannot let this opportunity go by without referring to the Australian Competition and Consumer Commission (ACCC) and some of the work that it does, or in my view in some respects does not do. It has certainly been a topic of conversation in my local community which has been highlighted not only in recent weeks but also over recent years in the monitoring of fuel pricing. Although the price of fuel is effectively around \$1 a litre in metropolitan Melbourne, unfortunately in the Latrobe Valley what we are seeing at the moment is prices in excess of \$1.20 a litre. It makes no sense that we have townships to the east, the west and the south of the Latrobe Valley who pay lower fuel prices than we do. There is no logical reason or rationale for or sense in that, and I will certainly be taking the ACCC to task again about that; I will call for an inquiry into that particular matter. Nonetheless, I have digressed.

I turn back to the bill and clause 4, which enables an inspector from CAV, when searching premises with the consent of the occupier, to request the production of documents without first having to form a reasonable belief that the document is connected with an alleged contravention of the act. The explanation or rationale for that is to say that the inspectors simply have not been able to form a belief or a view without first examining the document itself. Entering and searching with consent is subject to a number of different aspects, including a requirement for a notice before entry, before the search commences, and the need for an inspector to obtain written acknowledgement of consent from the occupier. On that basis that seems relatively simple and acceptable.

I understand Consumer Affairs Victoria has approximately 80 operational inspectors and investigators, and they do play a critical role in Victoria across our communities in making sure that consumers are adequately protected. Their search and investigatory powers are very important, not only in holding businesses in many cases to account but also in holding individuals to account, and making sure that there can be confidence from a consumer point of view with respect to these particular provisions. I understand that there is quite a deal of training for the inspectors, in many cases at a police level where such training is required to undertake these types of investigations. I just make the point that there are probably 80 inspectors across Victoria, and they do play an important role in our community.

Clauses 4, 7 and 8 also talk about audiovisual recordings. There are amendments in relation to that. In the briefing I asked the department to provide an example of a situation where an anomaly had occurred with respect to the reason we are making these changes to clauses 4, 7 and 8. The example that was provided to me was that CAV, during its investigations, had made a recording of a salesperson, with regard to the Good Guys, and there were some misleading, if you like, or contrary guarantees that were given to a consumer, and they contravened Australian consumer law. Proceedings were then undertaken by the director of CAV, and this particular offence was challenged on the basis of the audio recording. It did not specifically authorise it as an audiovisual recording. As I understand it, the decision of the judge is pending. What this amendment seeks to do is ensure that the act would give certainty around the inspectors' powers to make either an audiovisual or an audio-only recording and make those admissible in that regard.

Clauses 5 and 6 of the act clarify that an occupier may refuse to produce any document requested for

examination. Clause 9 of the bill — we have already done 7 and 8 — states that the search warrant powers under the act will be amended by the bill to enable a warrant to be issued by a magistrate where an inspector believes on reasonable grounds that there is or may be on the premises within the next 72 hours a thing connected with a contravention of the act or regulations made under the act.

Again, the intent of this is to enable an inspector to apply for a warrant where, for example, they might have intelligence that a trader is scheduled to receive a shipment of goods that might be unsafe or banned within those next 72 hours. That would make absolute sense that you would have that particular provision.

With regard to clauses 10 and 11, effectively we are making sure that the legislation aligns with contemporary business practices. Existing search warrant provisions are predicated on the presence of physical evidence, including documents and business records, at a location specified in the search warrant. Of course in this day and age much of that evidence or many of those documents are located in computers and other such devices, so it is about making sure that we expand those powers to enable the inspectors through their search warrants to have a look at not just the physical side of things but also what is stored in computers and other such devices, which again makes clear sense, one would think.

Clause 14 of the bill updates injunction powers in the act by substituting new provisions based upon the injunction provisions in Australian Consumer Law (Victoria). It also enables the director to take action in any court for a breach of an undertaking given by a trader under the act. It will enable a person to seek a declaration from a court as to the operation or effect of any provision of the act or concerning the validity of any act or thing done or proposed to be done under the act.

Clauses 15 to 22 primarily make a number of technical amendments, updating particular cross-references to the act and also removing any redundant references. That effectively deals with part 2 of the bill.

Part 3 of the bill amends the Residential Tenancies Act 1997, and it talks about making provision for the service of documents by electronic communication. That is picked up in clauses 24 to 26. As I just mentioned, the way we operate in the contemporary world and the way we issue documents has changed dramatically; a lot of it is done electronically. So the principle of what these clauses seek to do is common

sense. However, I do wish to raise some concerns, particularly with regard to clause 24.

I will talk about incorporated associations soon, as part of the bill, but the introduction of myCAV, an online system for incorporated associations, has had its fair share of issues and challenges that have been brought to my attention by a number of people over previous months. Whilst I accept that there are always teething problems when you have a new system, it is something that we cannot afford to get wrong. We have to get it right, because a lot of volunteers and volunteer organisations are using the system, and it can be a frustrating ride for them.

I have received some feedback from the Tenants Union of Victoria (TUV), particularly on clause 24. It has expressed some concerns about this particular provision. I will read in part from its correspondence. What it states is as follows:

This amendment has the potential to completely transform the way in which notices are served within residential tenancies, including notices to vacate. As the vast majority of notices are served by landlords, this amendment, if passed, will have a disproportionate consequence for tenants.

The letter goes on to talk about a number of different elements of clause 24. The Tenants Union of Victoria sees some potential issues in changes to the current practice, including evictions by email. I was advised through the briefing that any notion of having electronic transactions of these details would have to be agreed to and approved. The TUV has expressed some concerns. In fact even if there is agreement with the electronic transactions, particularly around a notice to vacate, what if one has an issue with communications and intermittent internet access, for example? What if one has changed an email address? Who would then be responsible for informing the other?

The practical application of how it might work has prompted some concern from the TUV. We certainly ask the government and indeed the minister to provide some information to the house on some of the concerns conveyed by the TUV. Without going into all the details of the TUV's concerns, its letter suggests that there may be a lot of unintended consequences in relation to how this might work in a practical sense.

The conclusion of the TUV's letter is headed 'What you can do'. It states what the TUV would like to see:

... Notices to vacate must be exempt from electronic communication and must not be served electronically. A document of this consequence should never be sent by an unreliable method such as email, it should continue to be delivered in person or by registered post.

A landlord must not serve a notice via email or other electronic means, unless the tenant has expressly consented in writing to the service of notices at a specified email address.

The TUV states very clearly on behalf of its tenants and residents that it would like to see that, and it is certainly something that we ask the government to respond to in that regard.

Further on, part 3 of the bill, as I just mentioned, amends the Associations Incorporation Reform Act 2012 to provide that a committee member of an incorporated association vacate that office if the member is disqualified from managing a corporation or cooperative. Again I think that makes absolute common sense and that is picked up in clause 23 of the bill.

I always like to take the opportunity when we are talking about incorporated associations of bringing it back to a local level and the understanding that across Victoria there are around 38 000 incorporated associations. Many of them are full of amazing people who do terrific things across our community on a voluntary basis on the whole. I like to give a plug to a few of these as I go along the way.

However, I must say I was a bit disappointed this morning when I tried to do a bit of a search of the Consumer Affairs Victoria website. It came up with a message that said:

The search for an incorporated association and online extract request functions are currently unavailable. We apologise for the inconvenience.

...

Was this page helpful?

I had to say no, it was not helpful. Luckily I was able to go back through some old *Hansard* transcripts so I could highlight some of the incorporated associations. Hopefully that search will be rectified so that other members can search for incorporated associations.

Incorporated associations are wide and diverse and extend across a whole range of different things. There are many examples across my community including the Boolarra and District Horse and Trail Riding Club; the Churchill Amateur Basketball Association; the Churchill and District Lions Club; the Cowwarr Football/Netball Club; the Flynn Tennis Club; the Glengarry Community Association, the Newborough Hotel Angling Club — where is the member for Frankston; he would know about it? — the Morwell East Tennis Club, the Morwell Common Equity Rental Housing Co-operative Ltd, and the list goes on. I just intended to give an example of the work that many of our incorporated associations do across the state.

I want to mention specifically that the Traralgon Lions Club is an incorporated association. In the last term of Parliament the legislation changed the reporting structures for incorporated associations to what I thought was a much fairer system. A lot of that was brought about by the fact that during the 2009 bushfires the Traralgon Lions Club raised a substantial amount of money which put the club above a particular reporting threshold, which equated to additional costs and scrutiny through audits et cetera. The gentleman who brought it to my attention at the time was Allan Vickery. Allan was an absolute stalwart of our local community, and he was awarded Citizen of the Year a couple of years ago. Unfortunately Allan recently passed away, and it was a privilege for me to speak at his funeral. He was just a wonderful man, and I wish all the best for his family of course. Allan was typical of a person who is heavily involved in an incorporated association, in this case the Traralgon Lions Club. He did a marvellous job and he was recognised for that.

As I mentioned, clause 23 talks about the disqualification of a member of an incorporated association if they have been disqualified from a corporation or co-operative. I thank the minister's office again for providing a briefing on the bill itself. I had also asked whether this was going to be applied in a practical sense and retrospectively and asked if there was an example where this would apply now. I thank the department and the minister's office for providing an example, which was the Bunurong Land Council that was incorporated under the commonwealth Corporations (Aboriginal and Torres Strait Islander) Act 2006.

There was an investigation of that particular organisation around the misappropriation of funds, and the upshot of that was effectively that some of the members were disqualified from being a director of a company under the Corporations Act and a director under the Co-operatives National Law. I understand that some of those former directors then applied to become an incorporated association in Victoria. At that time, as I understand it — and I am happy to be corrected — we could not do anything in Victoria to stop that because the types of arrangements provided for by the bill were not in place. It gives some comfort to me and everyone else that those who are disqualified from corporations or cooperatives would likewise be unable to be a member of an incorporated association. My understanding is that this provision will be applied retrospectively with regard to that.

I move on to the amendment of the Retirement Villages Act 1986. This effectively puts the maintenance formula charge or adjusted maintenance charge from

the regulations into the act. There have been some concerns expressed around the reason and rationale for this particular aspect of the bill and why we would actually do that. I was advised in the briefing that it will not make a monetary difference to residents in retirement villages but nonetheless the Consumer Action Law Centre, which we were talking about earlier in relation to another bill, has made some comments with respect to this.

I will just read a few of its comments:

We are not opposed to moving the calculation of the adjusted maintenance charges (AMCs) to the Retirement Villages Act 1986, although the reasoning for doing so is unclear. We note that we have significant concerns about the ability of operators to increase these fees under the act. Under the act, the AMC can be increased in some circumstances in excess of the calculation set out in item 31. We have received numerous complaints from residents about the calculation of AMCs and increases to these fees, which are often perceived as excessive, unfair and arbitrary.

... We also recommend including an example AMC calculation in the act as set out in the Retirement Villages (Contractual Arrangements) Regulations 2006. We also note the change in wording from 'four consecutive quarters' to 'each of the reference periods ending in the previous relevant financial year' in the bill. It is important that the meaning of a 'reference period' is clear, to ensure that both residents and operators are able to accurately calculate their AMCs.

So there have been some concerns expressed about that. No doubt one of the concerns that has been brought to my attention as shadow minister on numerous occasions, both locally and across other areas of the state, is certainly the need for an effective maintenance regime, fee regime and dispute resolution regime for residents in retirement villages and homes.

I know from my neck of the woods, whilst it is in the member for Narracan's electorate, the ongoing saga down at The Range in Moe has been going on for about eight or nine years with some of the residents grappling with the activities of the owners and managers of the property, the change of hands and the promises that were not kept in terms of what the residents expected to see in terms of community facilities. It is just an awful, awful situation for people at that stage of their life when they should be involved in the community and enjoying life without having to contend with disputes with the owners of those properties. We really do hope the people down there can have an adequate outcome — Terry and the team down there.

Willow Lodge is another one in Dandenong, and the member for Dandenong is here. I know that the Consumer Action Law Centre is assisting 14 residents in that particular residential park, where there have been issues around deferred management fees.

More generally, I think we can do more to try to assist those residents who are in retirement homes and retirement villages, particularly around dispute resolution activities. Again it has been highlighted in recent times. On 1 September last year it was highlighted on the ABC's 7.30 report. It went into some detail about some of the issues that many in retirement villages are experiencing. Many are supporting the notion that there should be an ombudsman that resolves these types of disputes. I am not sure if that is something the government is considering, but certainly that is the pitch that many of the representative groups are calling for — and quite rightly. My mum lives in a retirement village herself. Of course you want to see your parents making sure they are well catered for, not being ripped off by people. That deals with part 3 of the bill.

Part 4 of the bill amends the Sale of Land Act 1962. It is really applying to conveyancers the same restrictions that apply to legal practitioners in relation to acting for both the vendor and the purchaser under a terms contract. It also means the Property Law Act 1958 will apply to conveyancers the same conditions that apply to legal practitioners in relation to payment by a purchaser of costs and expenses under a contract for the sale of land. Again, that generally makes fair sense to me.

The Consumer Action Law Centre has provided some commentary to basically say that it supports the notion of extending the obligation of legal practitioners to conveyancers to ensure that conveyancers cannot act for both vendor and purchaser under a terms contract. It goes on to say:

We note that we see substantial damage being caused by terms contracts. Consequently, while we do not oppose extending section 29W to conveyancers, we think that further consideration needs to be given to the regulation of vendor terms contracts generally.

I will not go any further on part 4.

Part 5 of the bill amends the Sex Work Act 1994. What we are doing here is changing all references from 'sexually transmitted disease' to a reference to 'sexually transmissible infection' and providing that action may be taken under the act against a person who is not a licensee if a person was a licensee at the time that the grounds for taking action existed. That makes sense. What we do not want to see is people who are licensed when in a bit of trouble simply throwing their licence in and therefore being unable to be charged. That is common sense.

It is interesting to note that in recent times there has been an application for a brothel in my home town of

Traralgon, and that has caused a fair bit of consternation — not so much about the notion that you would have a brothel but more about the appropriateness of the location. Nonetheless that is an interesting one that has caused a lot of local discussion in recent times.

Mr Edbrooke — In Traralgon?

Mr NORTHE — Yes, in Traralgon.

Part 6 of the bill amends the Second-hand Dealers and Pawn Brokers Act 1989 to provide that action may be taken under the act against a person who is not a registered second-hand dealer or an endorsed pawnbroker if a person was so registered or endorsed at the time the grounds for taking action existed. Again, it is very similar to the notion that, as I have just mentioned, if somebody had a licence under the Sex Work Act 1994 and transgressed at the time and then tried to hand in their registration or walk away, they could still be caught up in being prosecuted if they committed an offence at the time. That is common sense as well.

So, in summary, whilst we have expressed some concerns, in particular those of the Tenants Union of Victoria in regard to clause 24, most of the amendments proposed make minor differences and minor improvements to the act. As was said when we were talking about the building legislation earlier, it is imperative and paramount that we do provide protections for consumers in this state, and having those consistencies with investigatory powers in federal acts is important.

We would like the government to come back and address the concerns that have been raised with regard to electronic transactions and that the Tenants Union of Victoria has put forward. I think they are legitimate concerns that they have raised. Obviously they have a membership that in many cases can be quite vulnerable. For some people it is the reality that they do not use electronic devices as often as we might sometimes think. The last thing we want to see is the practical application of particularly clause 24 coming home to roost, where we are having legal disputes with landlords and tenants because of the impacts of this. It is important that we get this right, that we get this correct. Without any further ado, I will move on.

Mr PEARSON (Essendon) — I am delighted to make a contribution in relation to the Consumer Acts and Other Acts Amendment Bill 2015. This bill is an important piece of legislation because it enhances a nationally uniform approach to consumer law

enforcement and facilitates reference to the growing body of jurisprudence that exists around Australian consumer law provisions when interpreting equivalent provisions in the Australian Consumer Law and Fair Trading Act 2012.

The reality is that we are participants in a global economy. We need to make sure, as legislators in a small but significant state, that we have harmonisation, and we must try to make sure that there is streamlining of legislation so that there are greater levels of certainty. It is important from the point of view particularly not just of consumers but also of business, because from a business perspective it makes much more sense for businesses to have one set of policies and procedures in relation to dealing with consumer-related matters than having a plethora of procedure manuals in the bookcase. This reduces costs for business. This makes business leaner and more efficient and can ensure that businesses can actually get on with its core business.

The bill is also important because it aligns the search warrant provisions with equivalent provisions in other consumer acts, such as the Fundraising Act 1998, by removing the requirement that an inspector must obtain the written approval of the director before applying to a magistrate for the issue of a search warrant. Again, the benefit of this provision of the bill is that it will enable an inspector to move quickly if they consider that a breach of the act is likely to occur. This is about trying to make government services operate as efficiently and effectively as possible. This is about providing inspectors with that ability to say, 'Look, I think something has gone wrong' or, 'I think that something bad is about to occur' and to have the freedom of movement to approach a magistrate to seek an order rather than having to fill out a bit of paperwork, then trundling off to see the director of consumer affairs and asking the director to sign and then heading off to the magistrate. It is a waste of government resources, and it is a waste of the director's time. This is a more efficient way to operate.

I want to turn now to the issue of cloud computing. This bill is very important because it actually recognises the fact that cloud computing is very much front and centre of businesses and business practice today. The existing search warrant provisions are predicated upon the presence of physical evidence, including documents and business records, at a location specified in the search warrant. The reality in 2016 is, as we all know, that computer users are often connected to a network via a computer that simply functions as a terminal with data actually stored on servers located elsewhere in the network. So if an inspector simply searches a computer at a specified physical location, the

reality is that little data may actually be found because most of those documents will be stored elsewhere on the network — or indeed they may well be stored offshore.

The reality is that most businesses now would be looking at that electronic data storage in the cloud on the internet rather than on a corporate network. This bill amends the search warrant provisions of the act to enable a warrant to be issued that will authorise an inspector to access electronic material via any computer or electronic device located on premises and require any necessary assistance to do so, such as logon details, passwords or relevant software to view encrypted data. That is just the modern reality.

Bills like this are important because we have got to make sure that our regulatory framework and legislative framework reflect common practice. This is quite a new phenomenon when you think about it, because cloud computing really only started in 2008. It is quite extraordinary to think that we are now trying to craft legislation about something that is such common practice but that did not exist a bit over eight years ago.

The first evidence of cloud computing was NASA's OpenNebula, which was enhanced in the RESERVOIR European Commission-funded project. That was the first open-source software for deploying private and hybrid clouds and for — I did not know this — the federation of clouds. It is a very nice term. The notion of a federation of clouds reminds me of 20 years ago pondering the clouds as you lay on the South Lawn at Melbourne University. You would sort of see the clouds drift over, thinking that you really should be studying, but you were pondering clouds. I had not really thought of the concept of a federation of clouds, but in 2008 they referred to a federation of clouds. It has really come about quite suddenly and quickly that you can see cloud computing being all pervasive. It is evidence of disruptive technologies today, that are sudden and rapid — that happen quite quickly and suddenly. The reality is that legislation today must reflect common practice, as you would expect.

The bill also strengthens the governance requirements for incorporated associations by amending the Associations Incorporation Reform Act 2012 to provide that a person must vacate their position on the committee of an incorporated association where they have been disqualified from managing a corporation or an Indigenous corporation under relevant commonwealth legislation or have been disqualified from managing a cooperative under the Co-operatives National Law in Victoria.

I think all of us as legislators would know the important role that incorporated associations play and about making sure that you try to attract the best and brightest that you can get to attend these organisations. I chaired an incorporated association for a number of years, and it was a pretty significant business. This was Kindergarten Parents Victoria, which became Early Learning Association Australia. We were turning over something like \$2 million a year and we had \$1.5 million to \$2 million of assets, most of which were cash in term deposits, which at the time were not producing a particularly good return and now would be producing an even worse return, but nonetheless they were significant assets.

It is really important that you turn around and try to attract the right people. When you sit on these boards you want to make sure that you have got someone who has got legal training and legal experience to be able to understand the fiduciary duties of board members; you want someone who has got good financial experience to be a very good, competent and able treasurer in order to discharge their duties and functions; and you want people who know a bit about, say, marketing or advertising or communications. You also want to make sure that you have got people who have got a good sense of strategy and governance experience and an understanding of the saying 'Render unto Caesar what is Caesar's and unto God what is God's', so that they do not at a governance level start to try to micromanage the management of the organisation but try to set the strategic direction of the organisation and work with the executive to deliver.

These are all important things. But you also have to make sure that you do not have any thieves on the board — that is a good thing — or people who have been found to have breached the Corporations Act 2001. It is about making sure that at a state level we address these problems or issues where there are these inconsistencies in legislation. We need to make sure we reflect that. We need to have legislation that is in harmony or in concert with federal legislation so we do not have a ridiculous set of circumstances where a person who has breached the Corporations Act, and who may have breached it in a very systemic and significant way, can then turn around and basically be on a not-for-profit board which might be turning over a significant amount of money and where there might be significant assets on the books.

I commend the minister for bringing this bill to the house. It is a very good bill. It addresses a number of issues. I note the lengthy contribution from the member for Morwell who went through chapter and verse of the various clauses. I do not propose to do that in my

remaining 17 seconds. It is a great piece of legislation and again, I love the term the 'federation of clouds'. I commend the bill to the house.

Ms SANDELL (Melbourne) — The Greens do support the majority of measures in this bill, which are largely uncontroversial and which other members have ably outlined, so we will be supporting the bill. But I do want to speak to two parts of the bill in particular that we have some serious concerns about.

The first is around electronic service of documents. The Tenants Union of Victoria has contacted us with some deep concerns about clause 24 of the bill, which enables notices and other documents to be served electronically via email in accordance with the Electronic Transactions (Victoria) Act 2000. It means in practice that renters and tenants could be served eviction notices or other documents simply by their real estate agent or their landlord emailing them. That is our understanding of this provision. Under the Electronic Transactions (Victoria) Act a person must consent to notices being served electronically, but under the act 'consent' does not need to be expressly given; it can be inferred. For example, a tenant who has had some email correspondence with their landlord or their real estate agent in the past may be found to have actually consented to receive notices by email in the future without actually realising it.

The main concern that we have and that the tenants union has with this part of the bill is that there are some notices that have very significant impacts on people's lives; things like notices to vacate — eviction notices, essentially. What happens if you have emailed your real estate agent about a maintenance issue in the past but then in the future you are emailed a notice to vacate? What happens if, say, that goes to your spam folder? What happens if a tenant has had her internet disconnected or otherwise cannot access her emails for a variety of reasons? What if the tenant does not regularly check their emails? What if the tenant has actually changed their email address? We know that is a very common occurrence. It could result in a tenant being unaware that they have been served a notice and unaware that they are being evicted or being asked to vacate their property or, probably more commonly, it may result in a tenant finding out at the last minute that they have received a notice to vacate, because our understanding is that once a notice to vacate is sent through an email it is presumed to have been received even if the receiver has not actually read it.

We are talking about something that is really quite serious. It is about kicking someone out of their home. It is about asking somebody to leave the place where

they live, so it is pretty important that tenants are fully aware of their rights and are given really fair warning so they are able to change their living circumstances. Simply sending an email and presuming the tenant has read it is not really good enough, particularly when we are talking about something as serious as people's security of tenure. We are told that there was no consultation about that particular clause, at least not with the Tenants Union of Victoria or Consumer Action, previously the Consumer Action Law Centre. We would have hoped that these types of organisations would have been consulted, given it will have such drastic implications for the lives of tenants.

We also understand that the Residential Tenancies Act 1997 is presently under review anyway, so we are concerned that this particular amendment looks like it is being rushed through now rather than the government waiting and putting it together as part of a suite of initiatives or measures after consultation through the review. We are not really sure why this particular measure is being rushed through when the Residential Tenancies Act is under review anyway.

There may be a simple solution to this issue. It might be that we could just restrict the electronic service of documents to situations where the person receiving the notice is a corporation — for example, a real estate agent or an incorporated landlord. That might avoid the situation I have outlined. I think fixing that would be relatively simple in the bill. We will look to introducing amendments to that effect when the bill is before the upper house if there is no change to the bill as it currently stands, although I ask that the government considers making these changes on its own initiative. I think that would be a better way to do it.

The second issue we have with the bill is to do with retirement villages and the proposed amendments to the Retirement Villages Act 1986. Consumer Action has said that it is not opposed to moving the calculation of adjusted maintenance charges from the regulations to the body of the act, although it pointed out to us that the reasons for doing so have not been explained by the minister. It has expressed some concern about that. Consumer Action does get numerous complaints from residents of retirement villages about how adjusted maintenance charges are calculated, especially when those charges are increased in ways that are perceived to be excessive, unfair or arbitrary. It says it is unaware of any enforcement action that has been taken against an operator that has increased adjusted maintenance charges in excess of the calculation, so perhaps the minister could alert this chamber to the current enforcement mechanisms and the extent to which they have been used over the last two years.

We believe that the government could and should do more to amend the Retirement Villages Act so as to restrict unfair increases to adjusted maintenance charges and make enforcement mechanisms more effective, given they are so seldom used. In fact the Greens will be moving a motion in the upper house for a parliamentary inquiry into retirement housing, which is separate from but related to the bill. Our motion is supported by a range of stakeholders, including Consumer Action. We are doing this because the retirement housing sector is in need of a comprehensive review. Many other consumer acts are being reviewed like the Residential Tenancies Act and the Owners Corporations Act 2006, but the Retirement Villages Act is not being reviewed, and we think it should be.

That is because many constituents have come to me, and also stakeholders like Consumer Action, with instances where retirees are really being hit with quite surprising fee hikes, or where the reality of their retirement home looks significantly different to the one they were sold on paper, or families — and I know families in my electorate — that are being charged hundreds if not thousands of dollars a month up to 18 months after their loved one has passed away.

Some retirement housing providers are really not living up to the expectations of the residents and also not living up to some of the laws that they are required to. Contracts are often really, really complex and very difficult for retirees to understand, and we really need a comprehensive review of the act. I urge the government to support the Greens motion or to put in place its own inquiry into the Retirement Villages Act to make sure an inquiry does take place, because we are talking about the lives of thousands of retirees across the state.

Consumer Action also noted the change in the wording from '4 consecutive quarters' to 'each of the reference periods ending in the previous relevant financial year' in the bill. It is a bit of a mouthful and a little bit complicated. It seems quite important to me that everyone is clear, especially residents, about what 'reference periods' actually means in this context so that residents and operators can accurately calculate the adjusted maintenance charges. It seems like that would be a simple thing to do in this bill.

We in the Greens are supportive of most of the other relatively straightforward and commonsense changes that this bill proposes to make, but we do urge the government to address the two matters we have brought up — the electronic service of documents, which will affect lots and lots of tenants adversely, and also the introduction of a motion for an inquiry into the Retirement Villages Act to help retirees across the state.

Mr CARROLL (Niddrie) — I thank the member for Melbourne for her contribution. I was just getting a little bit of advice for the member from Consumer Affairs Victoria concerning the electronic service of documents and some of the concerns raised by the residential tenants union. I thank her for foreshadowing some of the amendments that will be moved in the upper house and also in relation to other matters. My notes, which I have read, do stress that electronic service has occurred in the past, that what is happening now is really just putting it into the legislation and that it is an option that can be considered. It does not mean that electronic service will always occur, but I understand the member for Melbourne's concerns. Obviously her electorate is one where she would have a lot of tenants and public housing, and it is important that service is done in an equitable manner. What she has foreshadowed will no doubt now be considered and looked at in more detail.

This legislation, though, is incredibly broad. It deals with a whole range of legislation; there are about 10 pieces of legislation on my count. There is the Associations Incorporation Reform Act 2012, the Australian Consumer Law and Fair Trading Act 2012, the Residential Tenancies Act 1997, the Retirement Villages Act 1986, the Sale of Land Act 1962 and even the Sex Work Act 1994. On the one hand it is very much a repair-and-amend piece of legislation for a whole range of acts and on the other hand it is also legislation that is very important because it is making our statute book contemporary. I note that with the amendments to the Sex Work Act it is really about making sure that the language in that act reflects this century and not the past century.

This legislation is important. The Minister for Consumer Affairs, Gaming and Liquor Regulation, with the support of Consumer Affairs Victoria and the Department of Justice and Regulation, has really gone some way to ensure that our legislation is of the 21st century. Electronic conveyancing is something that I have always had an interest in. I know that probably for two decades jurisdictions right around the country have been grappling with this issue of electronic conveyancing, because when you are doing an electronic conveyance — you have purchased a home, you are doing a large financial transaction at the same time and a settlement — in this day and age the old paper-based way of doing such things has become a thing of the past.

I know that Victoria and both sides of politics deserve credit. Victoria has really been a cornerstone in leading the way on electronic conveyancing and developing a national electronic conveyancing system. In fact the

Law Institute of Victoria dedicated one of its journals to the subject in an article entitled 'Farewell to paper — electronic conveyancing to go national'. In that article it says, and I quote:

Electronic conveyancing has been the goal of many property lawyers and Land Victoria (formerly the titles office) for at least a decade and a half. Those awaiting its actualisation with bated breath have been left gagging, notwithstanding that Victoria has its own state-based system but without adequate take-up. However, the Victorian model has been a building block on which the design of the national system has been developed, but with significant changes.

Conveyancing is very much the bread and butter of so many people, whether they be property lawyers, town planners or conveyancers themselves. The legislation we are passing today will make sure that all of those occupations are on an equal footing when it comes to property law transactions, ensuring that we have a 21st-century electronic conveyancing system. As I said earlier, our model has very much become the model that has been seen to be important and adopted by jurisdictions right around Australia.

Importantly though, this legislation ensures that the director of Consumer Affairs Victoria has adequate powers in relation to the storage of information. It is also important legislation in the sense that it gives the director and the inspectors at Consumer Affairs Victoria adequate powers in relation to search and seizure. They are very much powers for the 21st century when it comes to any alleged contravention of any legislation, including search warrants and seizure powers in relation to anything that may be held on an electronic device or a shared drive that we believe could be in contravention. It makes sure that our inspectors have the best and most important powers when it comes to making sure that all Victorians are protected under the law.

We are very much going through a housing boom. The state has been going through what is considered the biggest population boom since the gold rush. We know that both sides of politics have had to grapple with that issue. Housing, tenancy issues and conveyancing are a part of the whole large mix of the economy that is very much the bedrock of the Victorian economy. This includes property transactions, the sale of land, the Conveyancing Act 2006 and people getting advice on their purchase from a solicitor or a conveyancer on what to do next. This legislation very much tidies up the statute book on a whole range of legislative items, whether that be the Property Law Act 1958 or even the state Trustees (State Owned Company) Act 1994, to improve their operation, remove redundant

requirements and ensure that any outdated references are done away with.

It is very important, though, not to forget that this legislation, as I said in my introductory remarks, amends the Sex Work Act 1994 to change all references to a 'sexually transmitted disease' to the preferred contemporary term 'sexually transmissible infection'. It will also amend the act to provide, consistently with other business licensing acts in the consumer affairs portfolio, that action may be taken against the person who is not a licensee under the act if the person was a licensee at the time of the grounds for taking the action that existed. This will be important to ensure that any disciplinary action is dealt with immediately.

I think also the amendments to the State Trustees (State Owned Company) Act 1994 are very important to remove the redundant requirement for State Trustees to make a quarterly prudential declaration to the director, as a director now in today's day and age has no prudential supervisory role in relation to trustee companies.

This legislation is important. It is important that our consumer affairs director has adequate powers. It is important that those powers do reflect more and more in the information age that people are storing information on their shared drives or on their iPads.

I have heard the member for Melbourne's concerns on behalf of her electorate and her constituency, but I have got to say, I know that this legislation — and I commend the minister and Consumer Affairs Victoria — was consulted widely on. The Law Institute of Victoria and the Australian Institute of Conveyancers were consulted with respect to the amendments to the Sale of Land Act 1962 and the Property Law Act 1958.

Indeed the President of VCAT was also consulted in relation to the amendments to the Residential Tenancies Act 1997. The commissioner for privacy and data protection was also consulted in respect of the privacy implications of amendments carried by the bill, in particular the amendments to deal with the enforcement remedies. The Department of Health and Human Services was consulted in making sure that our legislation in relation to the Sex Work Act is contemporary and has the right and appropriate language for the 21st century.

More importantly, though, Consumer Affairs Victoria in doing its job will make sure when this legislation is passed that the consumer affairs website is updated so that anyone who is affected by the changes in the bill

will have clear links, whether or not it be the not-for-profit organisations. In the consumer affairs newsletter, which is well subscribed to, all that information will now be conveyed to everyone who might be affected by this bill and its many amendments to a range of some 10 pieces of legislation.

Finally, I want to commend the minister and the Department of Justice and Regulation for bringing a wide range of legislation into the 21st century. It is great that it has bipartisan support. The member for Melbourne has foreshadowed some amendments to be moved in the other place, and I look forward to working through with the Greens political party on what we can do to make sure this important legislation is passed soon.

Mr WATT (Burwood) — I rise to speak on the Consumer Acts and Other Acts Amendment Bill 2015. As has been said by the member for Niddrie, this is an omnibus bill that deals with a number of different acts that it is amending, such as the Associations Incorporation Reform Act 2012. What it does with the Associations Incorporation Reform Act 2012 is to make sure that if a person is disqualified from managing corporations under the Corporations Act of the commonwealth; or is disqualified from managing Aboriginal and Torres Strait Islander corporations under part 6-5 of the Corporations (Aboriginal and Torres Strait Islander) Act 2006 of the commonwealth; or is disqualified from managing cooperatives under division 2 of part 3.1 of the Co-operatives National Law (Victoria), that that person is also taken to have vacated their office as a committee member of an association or an incorporated association.

While we are talking about incorporated associations, I note the member for Morwell said that the website is down for people who want to check associations incorporations. But I just want to talk a little bit about one incorporated association for which I have had the pleasure of chairing the annual general meeting for the last two years. It is a very new organisation in my electorate called the Ashburton Community Residents Association (ACRA). It is a tireless group of people who, over the last few years, have done a lot of work to try to bring the community in Ashburton together in their own special way.

I pay tribute to Tuncay Bekler, who resigned as the chair this year, that position being taken up by Beverly Hocking. Tuncay has not been lost to the group, and he is still a member of the committee. He still wants to contribute in his way. I want to pay tribute to Beverley and Tuncay for the work they have done over the years, with Bev now the new chair of that particular

association. The members do some great work, and I was at their Christmas party at the Ashburton Support Services only in December 2015 — obviously, being a Christmas party — and a great time was had by all. I wish them well into the future. It is a great incorporated association which is new in the electorate of Burwood. It is fantastic to have such hardworking people in my electorate.

Among the other changes the bill makes are changes to the Retirement Villages Act 1986. The reason I particularly want to point out the Retirement Villages Act 1986 is because when I go around visiting retirement villages in my electorate, speaking to a lot of the senior members of my community, lots of the discussions I have with these people do not necessarily fit around the types of things we talk about in this bill. I do remember having a conversation with the residents at Hayville Retirement Community, and one of their issues was around the rates that they pay and the fact that they maintain their own roads in the retirement village, but they do not seem to get an awful lot of discount on their rates compared to some of the surrounding residents. It is an issue that I have been trying to raise, but nonetheless we will progress through those issues.

Cameron Close Retirement Village is another retirement village in my electorate near Wattle Park. I was speaking to a resident there just the other day, Carol Penman, who is a close friend of mine in Cameron Close. I pay tribute to her for that friendship and the discussions we have. Just down the road from Cameron Close we have also got Renaissance Living, which is an interesting concept as far as a retirement village goes because it is not the broadacre retirement village; it is somewhat more densified, which means that people do not have to travel too far to get to the amenities just down on Riversdale Road.

There is another one I would like to point out in my electorate. I have another friend, Trish Morphet. She is actually in Aveo Fountain Court on Station Street in Burwood. These are examples of retirement villages where, quite frankly, the management of the retirement villages does not always get everything perfect. But we can certainly see that the residents enjoy their time at these retirement villages, even such as to have a discussion with the ladies and gentlemen at Fountain Court about their indoor bowls. Many of them enjoy the indoor bowls at Fountain Court. They have also had some issues with the sale of Fountain Court and having new owners. We go through some teething problems with that, but I would say that we have some very good retirement villages in Burwood.

The other bill we are amending is the Sex Work Act 1994. I will not necessarily mention the establishments within my electorate that are affected by that particular act — but I digress. I point out that some of the amendments in this particular bill are pretty clear and obvious. If I look at, say, the Residential Tenancies Act 1997 amendments, I note the concerns of the member for Melbourne but I would also say that most people these days use electronic communication as a means to communicate.

I was just having a conversation with my own real estate agent today about notice that was given, and I was quite amazed that when I sent them communication by email, they responded with snail mail. I am going to have to go to my post office box later this week to find a response to an email that I sent nearly a week ago. I find it interesting that we have real estate agents stuck in the past, potentially through legislation, which I look at and say, 'It just makes sense that we update this legislation and say that if the tenant wants communication and says, "communicate with me via email" and the landlord thinks we should be communicating via email, it just makes sense that we do this'.

I acknowledge that the Tenants Union of Victoria has some concerns, and I note that we will be taking those on board when the legislation reaches the upper house. There could be some further discussions. I am not in any way saying that this particular part of the legislation is a problem; I am just noting that the Tenants Union of Victoria has some concerns. I am sure the government will take that on board if it is something that needs to be taken on board. I know that we will be looking at that between the two houses.

I will not talk for too much longer, but I do want to go back to what I was saying about associations, incorporated associations and the good work these people do — particularly, as I mentioned, ACRA. I also want to pay tribute to all of those people who work in my retirement villages.

As I am reminded, we have the changes to the Sex Work Act. I am not sure that the member for Warrandyte remembered me actually referring to the Sex Work Act and pointing out that I did not have any interest in mentioning all of those particular establishments within my electorate that would be affected by this particular part of the bill, noting that it is simply a change in language and updating language, so I do not see any reason for me to necessarily go into too much detail about that particular part of the bill. I commend the bill.

Ms KEALY (Lowan) — It is a great pleasure for me to stand today on behalf of the Liberal-Nationals coalition to speak on the Consumer Acts and Other Acts Amendment Bill 2015. We will not be opposing this bill. The crux of this bill, essentially, is a housekeeping exercise. It is tidying up a number of provisions in relation to a number of acts to clarify and improve their operation, to remove redundant provisions and to correct minor technical errors.

Of course this bill really goes to the heart of ensuring that we have strong protection for our consumers. In my electorate office we do get a number of concerns, complaints and issues that come through the doors from concerned constituents who have issues that they have to deal with, where they feel like they may have been exploited in some way or where they have an issue that they need some support and advocacy for. To see that we have legislation that will support protection for these consumers is, I think, very important.

The purposes clause of the bill goes through a number of acts that are going to be amended. Those include the Australian Consumer Law and Fair Trading Act 2012, the Associations Incorporation Reform Act 2012, the Residential Tenancies Act 1997, the Retirement Villages Act 1986, the Sale of Land Act 1962, the Property Law Act 1958, the Sex Work Act 1994, the Second-Hand Dealers and Pawnbrokers Act 1989 and the State Trustees (State Owned Company) Act 1994.

I really wanted to focus on the elements of the bill that relate to the Associations Incorporation Reform Act, and the reason for that is the high number of incorporated associations that we have in our communities dotted around the Lowan electorate. As many people would understand, and as I have had to mention on a number of occasions, both in this place and at local events, these small community groups, which are often run by volunteers, are the backbone of our communities. They are the sporting clubs that everybody is involved in in the country, whether they be footy, netball, shooting clubs, bowls clubs, golf clubs — the list goes on.

These are usually incorporated associations that need our support. Community groups like Rotary, Lions and Apex — these fundamental groups that are always at the community barbecues or running a barbecue, raising money — support worthy local courses. There are also a number of special-interest groups and not-for-profit organisations. All of these groups, which are usually quite small and manned by volunteers, obviously also need protection.

The element of the bill that amends the Associations Incorporation Reform Act actually specifically refers to providing ‘that a committee member of an incorporated association vacates that office if the member is disqualified from managing a corporation or a cooperative’. So it provides an extra layer of protection to these committees, whose members are often giving their own time. They may not have expertise in running a business or have governance training, so they certainly need the support of legislation to make sure that if there are people out there who are doing the wrong thing, it is least likely that our community groups will be exposed to any wrongdoing.

I just want to take the opportunity to run through a number of incorporated associations that we have in the Lowan electorate because I am not sure that there would be a comprehensive understanding of just how extensive the number is. The first one I would like to point out is the Rural Financial Counselling Service of south-western Victoria. These guys have been working exceptionally hard, particularly over the last six months. As most people in the chamber would understand, we are going through exceptionally tough seasonal conditions in our part of the state at this point in time. We have had droughts and failed seasons year on year which have been caused by exceptionally low rainfall and heatwave conditions early in the growing season last year. It is really tough going for these people who rely on a good income year on year so that they can afford to put their crops in the next year.

We do have areas of course in the region where they are running stock and they are now having to cart water, which is not just an expensive exercise but it absolutely does your head in to have to get up and go through this very heavy manual exercise of getting water to keep your stock alive. People who are doing that also have other financial pressures and are wondering how they can pay their bills.

The team at the Rural Financial Counselling Service does an exceptional job. They are working with families in their own homes and helping them pull together all their financial information to get their books in order to make sure they do not go broke and lose their family business, ensuring that they can pay the school fees and that they can put food on the table. I absolutely commend the work of the Rural Financial Counselling Service. It is wide and varied in our region.

Another group is the Sir Reginald Ansett Transport Museum. Some members may not know but coming up on 20 February the museum will be celebrating the 80th anniversary of Ansett Airways first flight. That was actually out of Hamilton, and it is a great story for

our local area. It is of course very disappointing for many that Ansett no longer flies, but we still hold our links to Sir Reginald Ansett very close. They are having a great celebration down there on 20 February, and I invite everybody to come down and enjoy the celebration. They have a fantastic museum there. People who are ex-Ansett employees often drop in. You can look through some old aircraft that started the original Ansett business, and there is also an old Studebaker on display. Ansett hosties will often drop in their old uniforms or their little travel bags. It is a great site that a lot of people do not know about, so if anybody would like to head down to Hamilton and join the celebration, I am sure they would be welcome.

The Wimmera Southern Mallee Local Learning Employment Network (LLEN) is doing fantastic work in our local community and in closing the gap to ensure that our younger people are getting access to people who read to them from a very early age. We know that education is essential for children from zero to four years, and the network has developed a fantastic project called the Let's Read program whereby every family, when they make a maternal child health visit, is given a bag which has got books in it. It has got a DVD in there so that if the parents cannot read, they can actually follow through the DVD with the child. It goes through an experience that the child might not otherwise be exposed to.

We all know how important it is that you read to your child every day when they are developing, and this is a great way to start to close the gap and raise literacy levels, particularly for a group of people who live in the community and have not had the opportunity to fulfil their educational opportunities. We are trying to bring everybody up to the same standard. Again I commend the work of the Wimmera Southern Mallee LLEN for its work in that area.

We have had some discussion about kindergartens today, and it is fantastic to see that the Premier has now backflipped and is going to fund free kindergarten for every student in all drought-affected areas. We have gone from putting eligibility criteria on it to actually coming back to what the Premier promised in the first place to our drought-stricken families and delivering free kindergarten to everyone. This is a fantastic win for our local people who raised the issue with me.

We have also got some other issues, and I would like to talk about them. Some people have spoken about the impact of transitioning our communities to the digital age. We have got a different challenge in some sections of our community. I have been contacted by James Parker of the Balmoral District Lions Club and also the Natimuk A&P Society. They have great concerns that there has been a shift in how annual returns must be

submitted. They must be online now. Members of some of our community groups are from an older age group; they have not grown up with computers. We also have this other challenge where in some areas of my electorate we do not have access to the internet, so to have this mandatory requirement that you can only submit your annual return online is really putting a lot of pressure on our community groups who cannot do it.

I really urge the government to consider this issue. It does not involve many groups out there, but I really would like the government to consider accepting manual submissions for a period of time so that groups like the Balmoral District Lions Club and the Natimuk A&P Society can continue to meet their obligations without being discriminated against because they cannot use a computer or they do not have access to the internet.

The Casterton Kelpie Association is organising another fantastic event. On 11 and 12 June it will be holding the Working Dog Australian Kelpie Muster. It is the 20th anniversary this year. They have an auction which is held on the Sunday. If you were to total up all of the money raised by the working dog auctions, it would amount to over \$2 million this year, which is quite astonishing for a community organisation. The association is greatly concerned about the puppy dog laws that are coming through, and it wants to be consulted. It has been told that the government will consult with them, but so far it has been silent, which is very concerning.

Members of the Hamilton Institute of Rural Learning are also celebrating their 10th anniversary. This is fantastic. There are so many things to celebrate in my region. They are celebrating 10 years of running their farmers market in that region, and I will be joining them on 27 February to help them point out how important it is. They have a community art gallery in Hamilton which supports 50 local artists and it is fantastic that they have a platform to support people like that.

In wrapping up, I would like to point out how much I appreciate the hard work of our volunteers. Most of the groups that I have pointed out — certainly all of our sporting clubs and our community groups like Rotary, Lions and Apex — are groups which rely on volunteers. They give their personal time and effort and have a passion for making a difference in their local community. I would like to make special mention of everybody who makes those contributions and helps our country communities to keep going.

Debate adjourned on motion of Ms SPENCE (Yuroke).

Debate adjourned until later this day.

LEGISLATIVE COUNCIL STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

Minister for Public Transport

Message from Council seeking agreement to following resolution considered:

Council's resolution:

That this house requests the Legislative Assembly to grant leave to the Minister for Public Transport, the Honourable Jacinta Allan, MP, to appear before the Legislative Council economy and infrastructure committee to give evidence and answer questions in relation to the committee's inquiry into infrastructure projects.

Mr PAKULA (Attorney-General) — I move:

That this house refuses to consent to the Legislative Council's request for the Minister for Public Transport to appear before the Legislative Council economy and infrastructure committee to give evidence and answer questions in relation to the committee's inquiry into infrastructure projects.

Honourable members interjecting.

Mr PAKULA — I hear the catcalls of those opposite who, for four years while they controlled 21 votes in the Legislative Council, refused on every single occasion every motion by members of the non-government parties for any minister to do anything — to appear before an inquiry to answer question, for legislation to be sent to an upper house committee for review. On every single occasion for four years those opposite stymied every single attempt at scrutiny, and now they sit here and cry, 'Shame!'. This is the second time now that the Liberal Party, National Party and Greens party majority, coalition majority, in the upper house — —

Mr R. Smith interjected.

Mr PAKULA — The member for Warrandyte asks whether I am joking. We saw yesterday the member for Hawthorn and Mr Barber skipping down to the Supreme Court together holding hands.

Honourable members interjecting.

The SPEAKER — Order! The minister will come back to the motion.

Mr PAKULA — I say to the member for Hawthorn, he — —

The SPEAKER — Order! The minister will resume his seat.

Mr Pesutto — On a point of order, Speaker, I ask the good Attorney-General to withdraw. I do not appreciate the suggestion that I was skipping down with the Leader of the Greens party. I did — —

The SPEAKER — Order! The member for Hawthorn has requested a withdrawal.

Mr PAKULA — If it is the reference to skipping that the member objects to, I withdraw.

The SPEAKER — Order! The member should withdraw.

Mr PAKULA — I withdraw, and I simply say to the member for — —

The SPEAKER — Order! The minister to continue on the subject.

Mr PAKULA — I will just say to the member for Hawthorn that he has the tiger by the tail. The Greens party came after the member for Prahran and got him, and they are coming after him next, so he should be careful about who he makes friends with.

Honourable members interjecting.

Mr PAKULA — As those opposite should be aware, a member of the Legislative Assembly cannot be compelled to appear before an upper house committee. Previous requests for ministers from the lower house to appear before upper house inquiries have been regarded as interfering with the privilege of this house.

Mr Clark — Rubbish.

Mr PAKULA — The member for Box Hill says, 'Rubbish'. I would say to him simply that in terms of this committee, the CEOs of V/Line and Public Transport Victoria have been there. They have appeared before the committee; they have already provided evidence about the millions of dollars that the former government cut from V/Line's budget. They have provided clear and incontrovertible evidence about that. Now a standing committee can compel ministers from its own house to appear in front of a committee but it cannot compel ministers from the other house. Whilst the Legislative Council standing committee has the power to ask a member of the Legislative Assembly to appear before the committee, it cannot compel an Assembly member to do so. That point is mirrored in the federal Parliament, as stated in *Odgers' Australian Senate Practice*:

... the Senate may not summon members of the House of Representatives ...

So we have got the situation now where a committee has sent a message to the Assembly requesting that leave be given for the member to attend, but even if leave were to be granted it would be a matter for the discretion of the member of this house to determine whether or not they wished to attend a committee meeting of the Legislative Council.

It is a long-held principle in the Westminster system to not have a member of one house compelled to appear in front of another house. As stated by John Hatsell in *Precedents of Proceedings in the House of Commons*:

The leading principle ... between the two houses of Parliament is ... that they shall be, in every respect, totally independent one of the other — from hence it is, that neither house can claim, much less exercise, any authority over a member of the other ...

It goes on to state:

... the Lords have no right whatever, on any occasion, to summon, much less to compel the attendance of, a member of the House of Commons ...

... it is essential to the House of Commons, to keep itself entirely independent of any authority which the Lords might claim to exercise over the house itself or any of the members ...

I say that that is a principle that is not just asserted by this house in relation to the Council, but is asserted by the Council in relation to this house all the time. I have heard members of the opposition, both in their current characterisation as members of the opposition but also when they were members of government, assert in the strongest possible terms the independence of the Council from the activities and deliberations of the Assembly. So ultimately, whilst an upper house committee can seek leave for a minister from this house to attend, there is no compulsion on a minister to do so.

It goes against the principles of the sovereignty of this house and of our bicameral system, and it stands in direct — direct — contravention of every action of the Baillieu and Napthine governments. When they were in government and had control of this place and that place they never on any occasion consented to a minister being scrutinised in any way other than via question time. No referrals were agreed to to upper house committees. No motions to have ministers attend before inquiries were ever agreed to. This is pure, unadulterated hypocrisy from those opposite, and they simply seek to assault the independence of this chamber for cheap political points.

Mr CLARK (Box Hill) — There is one clear point that the Labor benches need to answer — and that is why they are trying to protect their minister from going

to the upper house to account to the parliamentary committee and to the community as to her mishandling of the V/Line issue. It is absolutely clear, and even the Attorney-General admits it, that the minister can volunteer to appear before the upper house committee, and certainly so with leave of this house. The question is: why is the government seeking to deny the leave of this house for the minister to appear before the Legislative Council committee? What is the government afraid of in terms of having its minister go before the Legislative Council committee and explain to it and the community what she has done and what she has failed to do in respect of this crisis in the operation of V/Line that is causing such disruption and such distress to so many Victorians.

We have had a lot of sophistry from the Attorney-General seeking to justify why this motion should not be agreed to. But there was a massive gap in the Attorney-General's logic. He starts from a proposition that is not in dispute that a member of this house cannot, simply by resolution of the other house, be compelled to appear before the other house. No-one is arguing about compulsion. What the debate is about is whether or not the minister should appear before the committee in the other place and whether this house should agree to her doing so. There is absolutely nothing in the precedents that supports that not being allowed to occur.

Indeed, we had a similar debate last year in relation to the Minister for Energy and Resources. The member for Niddrie, the Parliamentary Secretary for Justice, gave the lie to the argument that was then being made by the Leader of the House, who happens to be the minister who is the subject of this current message. The member for Niddrie in fact quoted from *Odgers' Australian Senate Practice*. He said:

... the Senate may not summon members of the House of Representatives ...

He went on to say:

For a member to appear, the Senate must send a message to the lower house requesting that leave be given for the member to attend.

Lo and behold, what is happening here? We have got a message from the upper house requesting that the member attend. Indeed the commonwealth practice is even more liberal than that. If we refer to commonwealth parliamentary information paper 13 on the rights and responsibilities of witnesses before Senate committees, it says under the heading 'Parliamentarians as witnesses':

Under the principle of comity, a house of Parliament does not seek to compel the attendance of members of another house (including members of state or territory parliaments). It is common, however, for members of the House of Representatives and members of state and territory parliaments, including ministers, to appear by invitation or by request before Senate committees, to assist with committee inquiries.

So if we want to talk about commonwealth practice, it does not need a resolution of the House of Representatives for a member of that house to go and give evidence before a Senate committee. It is done as a matter of practice. Similarly, if we refer to a paper given by Mr Ian Harris, the Clerk of the House in Canberra, at an Australia and New Zealand Association of Clerks-at-the-Table conference on Norfolk Island in 2009, he said:

A member volunteering to appear before a Senate committee does not require the leave of the house. Senators cannot be compelled by the house to appear before it or one of its committees, or to produce evidence. The same applies to members in relation to the Senate and its committees. This immunity is entrenched practice, but derives ultimately from the Australian Constitution. Leave of the Senate or the house would be required for attendance by one of its staff before the other house or one of its committees.

And I would add, I think, in parenthesis more accurately: by compulsion. But even on the basis of what Mr Harris says, it is clear that by resolution that is exactly what can and should happen with the leave of this house, and this is the process that is being followed.

Since we debated this issue last year, I have had a chance to examine more closely some of the standing orders of this house and indeed of the Legislative Council that do not receive a lot of attention, but are highly germane here. We have, for example, in this house standing order 189, which relates to requests for Council members or officers to attend. It says:

If the house or a select committee of the house (except one on a private bill) wishes to examine a member or officer of the Council, it must send a message to the Council asking leave for that member or officer to be examined on the matters stated in the message.

So quite clearly our own standing orders provide a procedure by which this house can request a member of the Legislative Council to appear before this house or before a committee of this house, and even more relevantly there is a parallel provision in the standing orders of the Legislative Council. It is standing order 17.03, 'Attendance of Assembly member or officer', which says:

If the Council or a Council committee desires the attendance of a member or officer of the Assembly as a witness, a message will be sent to the Assembly requesting that leave be

given to such member or officer to attend to give evidence in relation to the matters stated in such message.

That is exactly what is happening here. The Legislative Council has passed a resolution, as required by its own standing orders, to request that leave be given to a member of this place to appear and give evidence. This message has now reached this house, and it is up to this house to say yes or no, on the merits of it, as to whether or not this house agrees. This message and the motion that should come out of it are completely in accordance with the procedures that are laid down in the Legislative Council's standing orders, and there are parallel, almost identical, provisions in our standing orders. Indeed I venture to say that our standing orders are better worded in that regard because they are expressed to ask leave for a member or officer to be examined, and in my view that puts beyond doubt that, if such a motion is carried, that member will be obliged to do so.

But we need not enter into that issue. All this house needs to be satisfied of is that it is perfectly in accordance with the standing orders of this house and those of the Legislative Council. It is perfectly in accordance with longstanding parliamentary practice in Westminster and in Canberra that this house can give permission for a member of this house to appear before a committee of the other house, and there is absolutely no reflection or question as to any impact of that on the privileges of this house. It is a matter for the discretion of this house; it is entirely open and proper for this house to give that permission. The only question that this house needs to decide is whether there is any good reason why it should not, and the Attorney-General has not advanced any such argument on the merits of the issue. He has not given any reason as to why a minister in his government should not be accountable to a committee of the Legislative Council for the way she is handling her portfolio.

This is a matter of great interest and concern to many hundreds of thousands of Victorians. It has turned their commuting patterns on their heads. It has caused enormous inconvenience, disruption and dislocation. At the end of the day, ministers are in office to be accountable for the conduct of their portfolios. It is all very well for the experts to come along and give evidence. It is proper and appropriate that they come along and give evidence, but the question the Attorney-General has failed to address or answer is: why should the minister not appear before a committee of the Legislative Council to answer those questions? There would be no doubt that the minister should appear before a joint committee — that she should appear before an estimates committee — so why, given

that this matter is being inquired into by the Legislative Council, by a perfectly properly and appropriately constituted committee of the Legislative Council, should the minister not appear before it?

I get back to the point that I made at the outset. The question that the Attorney-General failed to answer, the question that any other member of the government that gets to their feet needs to answer, is: what do they have to hide? Why are they trying to protect their minister, keep their minister away from public scrutiny and accountability and not let the community hear from the minister or have the minister held to account for the way she has conducted this matter and for the damage that is being inflicted on hundreds of thousands of Victorians?

Mr HODGETT (Croydon) — I rise to make a few important points in relation to this matter. This is an important matter. It relates to an upper house committee with Labor members represented on it. The committee has respectfully requested that the minister appear before it. I do not know what the government is afraid of. I do not know why it wants to block or protect the minister or stop her from appearing before an upper house committee with Labor MPs on it. The government runs V/Line. The government has a Minister for Public Transport. You have to ask what the hell the minister does if she is not going to even present before this committee.

I would have thought that the minister would have been keen to appear before the committee to assist it with its inquiry. There are questions to be asked. I would have thought the minister would have been very keen to front up and help the committee with its inquiry. It raises the questions: what does the minister have to hide? What does the government have to hide? Is this a protection racket? Why does the government wish to reject the request and protect its minister from appearing before an upper house committee inquiry?

V/Line is in crisis. We have had months and months of delays, of cancellations, of people being turfed off at platforms, of problems with timetables and of problems with maintenance. We now have the wheel wear problem, with wheels falling off. We have the boom gate problem. The people of Victoria deserve answers. They certainly deserve better from this government. This is a very important inquiry. People want answers. They want to know what the problem is, when the problem will be fixed and how much it will be cost — all the things that the minister could address by appearing before the inquiry. I have heard comments. The minister comes in here and is subject to questions during question time, and the minister appears before

the Public Accounts and Estimates Committee. It is not a big ask. It is not a vicious, dangerous committee. It is an upper house committee that is conducting a very important inquiry. Well, it does have Bernie Finn on it! But it is nothing to be afraid of. The people of Victoria deserve to have the minister appear before the committee and answer questions, rather than ducking, hiding and running for cover.

In summary, all that the committee is asking is that the minister appear before it. It is an upper house all-party committee. This is a very important matter. I think all of us on both sides of the house agree that the V/Line problem is a very important matter. The people of Victoria deserve answers. As I have said, the government runs V/Line. It has a Minister for Public Transport. If the minister wants to block, to run, to hide, to not appear before the committee or to not be accountable, well, then it raises the question as to just what the hell the minister does in her portfolio. It adds to her own backbenchers' belief that she is incompetent.

We are all aware of the emergency, crisis phone hook-up, where a backbencher was screaming down the line. Maybe they can have another phone hook-up and scream down the line for the minister to appear before this inquiry. They know the minister is incompetent, and they know she is not up to the job. They know she is not across her portfolio, and they know she does not read her briefs. By blocking or not agreeing to the minister appearing before the upper house inquiry, the government is clearly sending a message to the people of Victoria that the minister can add no value by appearing before the committee. If that is the case, the minister should resign or be sacked. She adds no value to her portfolio. We respectfully ask that she clear all this, appear before the committee and answer the questions related to this very important inquiry.

Mr HIBBINS (Pahran) — The Greens do believe that the minister should appear before an upper house inquiry. It is what the Victorian people would expect of their minister.

Honourable members interjecting.

Mr HIBBINS — We have V/Line in crisis, and we have the head of V/Line no longer in his job. We have a committee looking into these issues, no doubt to seek to make recommendations, and for the committee to do its job properly I think it is entirely reasonable that the minister appear before it and allow it to ask any questions that it sees fit to ask.

We have been given the reason that it is somehow the Westminster tradition that the minister should not come before the committee. Of course the upper house cannot compel a lower house member or minister to appear before it, but certainly there is provision for it to ask or for there to be a request, as has occurred in this instance and as there is provision for in the standing orders. In my view the government should adhere to that request, because I think it is an entirely reasonable request. The only other reason that has been given is that the previous government never did it. That does not really wash with us, and I do not think it washes with the Victorian people. The Greens certainly do support that the minister should appear before this upper house committee.

Mr WALSH (Murray Plains) — I rise to support the request of the upper house that the Minister for Public Transport attend upper house committee hearings around her failings as Minister for Public Transport. As has already been very well laid out by the manager of opposition business, this is something that needs to happen — the minister does need to appear before this committee. If you think about the minister's performance with the issues around the regional rail link, the issues around V/Line and the absolute misery that regional commuters are going through and have been going through since early January — and as has been reported, will be going through until at least June — I think that the minister and the government by defending the minister and by stating that the minister will not appear before this committee are showing an absolute lack of respect for regional Victorian commuters, who actually want answers and want answers from the minister as to why the regional rail link project is not delivering the benefits that were promised, as to why V/Line trains are now being taken off the tracks because of excessive wheel wear and as to why the boom gates are not coming down for those trains that are coming in from Gippsland in particular.

Those communities want answers. They do not want the bureaucrats coming along and stonewalling. They want the minister in front of that committee, and I believe to show respect to those communities she needs to attend that particular committee. Otherwise the government is using its numbers in this house to protect the minister from scrutiny. And on that issue I think the Attorney-General in this case also has an interest in this, because he was actually the transport minister when decisions were made around the regional rail link that led to some of the problems that we have here. There are some vested interests by the Attorney-General in making sure the minister does not appear before this committee, because she will have to point the finger towards him in terms of the decisions

he made that caused some of the problems that we have.

Honourable members interjecting.

Mr WALSH — I think you will find they were made by the Attorney-General.

I believe that the minister should attend. This house should support the minister attending the all-party upper house inquiry into this absolutely critical issue, particularly for regional Victoria. For the government to use its numbers to block the minister attending I think shows its absolute lack of respect for regional Victorians, particularly for regional Victorian commuters who are going through weeks and weeks and months and months of misery because of this minister and this government.

Mr R. SMITH (Warrandyte) — I rise to join the member for Box Hill in supporting the request by the Standing Committee on the Economy and Infrastructure to have the Minister for Public Transport appear before it. This government has shown that it was certainly full of fine words before the election, but less so afterwards. This is a government that was elected on the basis of transparency, which seems to have been thrown out the window following the election in November 2014.

It is appalling for this government to come into this place, particularly the Attorney-General, and protect the Minister for Public Transport, ensuring that she is not held accountable. It is appalling that this very Attorney-General is here, in place of the minister. At the very least you would think the minister would come into this place and defend for herself the reasons why she thinks she should not appear in front of the economy and infrastructure committee and be accountable to those communities who have been affected by the absolute, unprecedented shambles that is now V/Line. I would have thought that at the very least the minister would come here and tell this house and those communities why she should not appear.

The Attorney-General has made a number of claims that are clearly false. He has claimed that the upper house committee is trying to usurp the Assembly's authority by compelling or demanding that the minister appear in front of it. That is not the case at all. The fact of the matter is that the all-party committee — and I stress that it is an all-party committee, which has on it Labor members — has requested that this minister appear before it. It is not a demand, it is not compelling her, it is merely a request, and I think, given that V/Line is in such a shambles, the minister really should show

that the buck truly does stop with her. The fact of the matter is that while the Attorney-General says that bureaucrats have appeared in front of the committee, the buck does stop with the minister, and certainly she should be held accountable.

With those words I think that this house should absolutely support the request from the economy and infrastructure committee. The minister should appear before it. The minister should explain why the V/Line system has fallen apart on her watch, and to do anything other than that would be to show absolute contempt to the communities that have been affected.

If I can go one step further, the Attorney-General said that the correct place to get answers is during question time in the Assembly. Well, we have been in this place this week, we have asked questions, and no-one in this place would for a moment believe that we have had answers from the minister. The minister should appear in front of the upper house committee.

Mr M. O'BRIEN (Malvern) — The question is: why does the minister not wish to appear before this committee? I would have thought that, given what country communities have been put through by this V/Line meltdown, the very least they deserve is for the minister to front an all-party committee and explain as the minister — as the supposedly responsible minister — what went wrong. She should take responsibly for this mess and explain how it is going to be fixed. It is not as though members of Parliament and ministers do not appear before all-party committees from time to time.

The Public Accounts and Estimates Committee is an all-party committee with members from different houses before which ministers appear and are accountable, so there is no reason why the minister should not also appear before another all-party committee, albeit consisting of members of the other place. Victorians do deserve answers as to how this went on. This is not a minister who has been in the job for 2 seconds; she has been the minister here for over a year. This government is responsible for what happens on its watch. It is responsible for this dereliction of services to country Victorians.

We heard from the member for Morwell in question time of exactly the sort of personal toll this V/Line meltdown is having on vulnerable Victorians. Yet the minister goes into hiding. Not only will the minister not appear before the upper house inquiry, but the minister will not even come to this place and explain for herself why she is dodging the hard questions. That is not only weak and cowardly, it is a slap in the face to the country

Victorians she has let down. The fact that she purports to represent a country electorate makes it so much the worse.

The minister should do the right thing. The minister should say, 'Thanks, Attorney-General, for trying to protect me, but I am big enough, I am responsible enough — —

Mr Nardella interjected.

Mr M. O'BRIEN — I will not pick up the interjection from the member for Melton. Let us just focus on the issues, because these are serious issues. The minister should say, 'I am prepared to accept responsibility as the minister. I am prepared to appear before this committee and answer questions, including from Labor MPs who are members of this committee'. She should explain to Victorians how she has let them down so badly with this V/Line meltdown, this debacle, and it is up to the minister to explain to the committee and, through that committee, to the people of Victoria what she is going to do to fix it. Anything else will be seen by the public for what it is — a shameful, cowardly act of turning her back on the Victorians she has let down.

Mr DONNELLAN (Minister for Roads and Road Safety) — I move:

That the question be now put.

Mr Donnellan's motion agreed to.

House divided on motion:

Ayes, 44

Allan, Ms	Kairouz, Ms
Andrews, Mr	Kilkenny, Ms
Blandthorn, Ms	Knight, Ms
Brooks, Mr	Lim, Mr
Bull, Mr J.	McGuire, Mr
Carbines, Mr	Merlino, Mr
Carroll, Mr	Nardella, Mr
Couzens, Ms	Neville, Ms
D'Ambrosio, Ms	Pakula, Mr
Dimopoulos, Mr	Pallas, Mr
Donnellan, Mr	Pearson, Mr
Edbrooke, Mr	Richardson, Mr
Edwards, Ms	Richardson, Ms
Eren, Mr	Scott, Mr
Foley, Mr	Spence, Ms
Garrett, Ms	Staikos, Mr
Graley, Ms	Suleyman, Ms
Green, Ms	Thomas, Ms
Halfpenny, Ms	Thomson, Ms
Hennessy, Ms	Ward, Ms
Howard, Mr	Williams, Ms
Hutchins, Ms	Wynne, Mr

Noes, 39

Angus, Mr	O'Brien, Mr D.
Asher, Ms	O'Brien, Mr M.
Battin, Mr	Pesutto, Mr
Blackwood, Mr	Riordan, Mr
Britnell, Ms	Ryall, Ms
Bull, Mr T.	Ryan, Ms
Burgess, Mr	Sandell, Ms
Clark, Mr	Sheed, Ms
Crisp, Mr	Smith, Mr R.
Dixon, Mr	Smith, Mr T.
Fyffe, Mrs	Southwick, Mr
Gidley, Mr	Staley, Ms
Guy, Mr	Thompson, Mr
Hibbins, Mr	Tilley, Mr
Hodgett, Mr	Victoria, Ms
Katos, Mr	Wakeling, Mr
Kealy, Ms	Walsh, Mr
McLeish, Ms	Watt, Mr
Morris, Mr	Wells, Mr
Northe, Mr	

Motion agreed to.

Business interrupted under sessional orders.

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house now adjourns.

Mr Southwick — On a point of order, Speaker, in last night's adjournment debate the member for Bentleigh raised the point that the former government had a woeful record when it came to investing in schools in his electorate and in fact that no money was spent. I would like to just point out that this is factually wrong — \$260 000 to Coatesville, \$7.8 million to Coatesville, and Valkstone, \$3.5 million — so I would ask that the member be asked to be factually correct, because this is incorrect.

The DEPUTY SPEAKER — Order! There is no point of order. The member for Caulfield knows that they are points for debate and there is not a point of order.

Caulfield electorate constituent

Mr SOUTHWICK (Caulfield) — The matter I wish to raise is for the Minister for Health. The matter is regarding a constituent in my electorate, Eddie Chehab, who has unfortunately been ill over several months. He was readmitted to hospital recently, and he has certainly been in a serious state of late. He currently has a level 3 support. I had written to the minister some months ago when this situation arose initially, asking for him to be put on a level 4 package. He was readmitted, and unfortunately his situation has deteriorated.

The letter I wrote to the Minister for Health was on 28 January, to which I have not received a response. I asked that the minister attend to this matter as a matter of urgency, particularly considering that Mr Chehab's health has deteriorated severely since that time. He is now at home — he left the hospital two weeks ago — and he is on oxygen full time. I was speaking to his family only today and was informed that last night they had to call on emergency to attend to him because he had issues with his oxygen and so on.

The letter that I wrote to the minister on 28 January attached a letter from his doctor at the Elsternwick Medical Centre saying he had 'severe progressive deterioration of his lungs', that he 'urgently needed' support at his home and the 'level 4 package is urgently required'. There is also a letter from the Alfred which says that Mr Chehab is a 76-year-old man, urgently needs additional attention and his current package is not suitable. So in both instances it is obvious that this is a matter of urgency. I ask the minister to act quickly to ensure that Eddie Chehab gets the attention that he needs and particularly that his family at this point in time have their minds put at ease. I am told that they are working around the clock to try to assist him in the last coming days. I would ask the minister to take up this as a matter of urgency.

Sunbury Primary School

Mr J. BULL (Sunbury) — The adjournment matter I raise is for the Minister for Education, and the action I seek is that the minister commit funding to Sunbury Primary School from the Inclusive Schools Fund. I ask the minister to support the application to the Inclusive Schools Fund by Sunbury Primary School for an industrial yard based on the successful PlayPod design theory.

As members know, the Inclusive Schools Fund is a \$10 million fund designed to help make Victoria the education state, providing Victorian government schools with quality new spaces and more inclusive facilities based on best practice research and design. The school is seeking funding for the development of an industrial yard within the existing school grounds, plus additional shrubs and ground work, including a large crawling pipe and basic modifications to an equipment shed.

Sunbury Primary School is housed in what was the Sunbury Industrial School, and it has been there since the mid-1860s. In acknowledging and respecting the history of the site, which has a quite sad past that I have spoken about before in the house, it is fitting that the school seeks to have a project which honours the

memories of the industrial school and at the same time gives the students of today a happy place to flourish, grow and play together.

In developing the industrial yard, the school aims to improve children's access to self-directed creative play, self-awareness and self-regulation, imagination and resilience, as well as social interactions, including negotiation, compromise and acceptance, inclusion and learning, wellbeing and confidence levels, leadership and teamwork, physical activity and enhanced school attendance. This project has broad community support, with the school already raising an impressive \$20 000 in locally raised funds for this initiative. Once again, I ask the minister to fund this very important project and continue to make Victoria the education state.

Benalla police station

Ms RYAN (Euroa) — I raise an important matter this evening for the attention of the acting Minister for Police. I ask the minister to visit Benalla police station with me before the budget is finalised this year to consider the station's urgent need for funding. The coalition constructed a number of new police stations across regional Victoria during the four years it was in government. Police stations at both Sale and Echuca were rebuilt, a new station was built at Waurin Ponds among other places, and plans were being developed for a new station at Benalla.

As a result, when Labor came to government in 2014 a budget bid for about \$11 million had already been prepared and all Labor had to do was allocate the funding. Unfortunately, like so many other projects across regional Victoria that the coalition had committed to, that did not happen and the upgrade was put on the backburner. I feel confident that if the minister accepts my invitation to visit, he will realise that the safety risks there cannot be ignored indefinitely.

Benalla's police station was built in 1956, and it is now the oldest 24-hour police station in Victoria. The building has become a serious occupational health and safety issue. It is riddled with asbestos and mould, it does not have sprinklers or fire alarms and walls are cracking throughout the complex. Police officers are undertaking maintenance jobs around the building just to keep it in working order. The facilities for female officers and staff are also totally inadequate. In addition to addressing serious safety risks and providing appropriate facilities for both male and female officers, the new building would include a co-divisional incident police operations centre, which would be purpose built for emergencies. This would have been invaluable in circumstances such as those we faced in December

2014 when we had major fires at both Stewarton and Creightons Creek. Both fires fell within the Benalla police area, but one was run from Wangaratta and the other from Shepparton, stretching police resources.

Policing has a long and, at times, contentious history in Benalla. A police station was first established in the town in 1839 following a massacre at Faithfuls Creek in which eight settlers were killed. It is no secret that 140-odd years ago my family were not the biggest fans of the Benalla police, and I am pretty sure the feeling was mutual. When I visited the station last week I stopped to look at the photos on the walls of the station. One shows a group of photographers taking pictures of Joe Byrne's dead body propped against a wall. There is another of an officer wearing Ned Kelly's armour after the siege at Glenrowan. There is a good chance my ancestors would roll over in their graves if they could hear me making a case for additional funding for the police force in Benalla. But the 1870s were a long time ago, and so too were the 1950s. The men and women who do a fantastic job protecting our community deserve better than what they currently have. I am disappointed that we did not get a chance to finish the work that we started.

Rockbank Primary School

Ms KAIROUZ (Kororoit) — My adjournment matter is for the Minister for Education, and the action I seek is that the minister join with me in supporting the application to the Inclusive Schools Fund by Rockbank Primary School for the creation of a flexible learning space. The Inclusive Schools Fund is a \$10 million fund promised before the election and delivered in government by the Andrews Labor government. It is designed to help make Victoria the education state, providing Victorian government schools with quality new spaces and more inclusive facilities based on best practice research and design.

Rockbank Primary School's building is designed for open learning, and although some classroom doors can be closed, they can never be completely closed. Whilst this suits most students, it does cause some of its students with autism spectrum disorder to have limited options, as the open-plan learning can make it difficult for them to study and concentrate. Creating this space will not only allow greater flexibility in teaching and learning spaces at Rockbank Primary School but it will also allow for those in the classrooms to have more choice in the size of their learning spaces, which will benefit teaching and learning outcomes. I call on the minister to support Rockbank Primary School's application to the Inclusive Schools Fund in order to

provide much-needed assistance to this school to help improve the learning outcomes for all students.

Esplanade, Mount Martha

Mr MORRIS (Mornington) — I raise a matter for the Minister for Roads and Road Safety. This is an urgent matter. It is an issue that is related to the Esplanade in Mount Martha, 1.8 kilometres south of the village and between Deakin Drive and Marguerita Avenue, an area known locally as The Pillars. The action that I am seeking from the minister is that he require VicRoads to undertake the necessary works to resolve the current serious traffic and road safety concerns in the vicinity.

The Pillars in Mount Martha has a long history. It is an area — known to locals but not generally known to others — where people dive from the cliff, snorkel and swim. Usage until recently has been relatively low, but social media has changed all that. It appears on YouTube, Facebook and elsewhere. There is now very high pedestrian activity on the Esplanade in an area that does not have shoulder treatments suitable for pedestrians. We are also experiencing coastal erosion because of the visitation and the goat tracks that have developed, and regrettably there have been some incidents of public nuisance and offensive behaviour.

There are a number of agencies involved: VicRoads, the local council, the Department of Environment, Land, Water and Planning, and others. The council is doing what it can. It now has shire rangers patrolling the area many times a day; it has advocated to VicRoads — and I will come back to that; it has installed advance warning signage; it has the cleansing team now doing regular litter pickups; and it is working with Victoria Police with regard to unsafe parking and the antisocial behaviour that is occurring. But the council can only do so much. We need the support of the government, and we need the support of VicRoads as the road manager to deal with what has become an urgent safety issue. Feedback from VicRoads, bluntly, has not been at all helpful, and in my view it has been obstructive. It is time to step it up and actually solve this problem.

The shire sought two actions from VicRoads. It sought vegetation trimming and the implementation of a speed limit reduction. The vegetation trimming requested was along the edge of the road seal. People are walking along the edge of the road where they are less visible to approaching traffic. The shire was not seeking the removal of vegetation beyond the shoulder but simply improved visibility to improve safety. The second action was the introduction of a reduced speed limit.

VicRoads has said, ‘Yes, you can do that, but you’ve got to do it only between 9.00 a.m. and 9.00 p.m.’, which necessitates having traffic managers in and out every day and makes the whole thing very, very expensive. This is an urgent matter. We need the minister to direct his attention towards it now. Hopefully he will talk to VicRoads. The evidence is clear. We need him to act, and we need him to deal with this issue before we have the inevitable tragedy.

Montmorency South Primary School

Ms WARD (Eltham) — My adjournment matter is for the Minister for Education. The action I seek is for the minister to come to my electorate and visit the fabulous Montmorency South Primary School. Monty South is a fantastic school in my electorate. It is an inclusive, welcoming school which caters to students with diverse needs and is highly regarded in my community. It has great kids, happy chooks, a flourishing veggie garden, dedicated teachers and principal, and a beautiful Building the Education Revolution building.

However, this school deserves more. The school is experiencing significant enrolment growth and is approaching its practical enrolment capacity. Just this year the school required yet another new portable classroom, which is not enough. With this continued growth in enrolments, the school will also have an insufficient number of toilets to meet staff and student need. I ask the minister to visit the school and meet with its dedicated principal and wonderful students to see the fantastic work school does and fully understand the needs of the school as it continues to grow.

Punt Road planning overlay

Mr HIBBINS (Pahran) — My adjournment matter is for the Minister for Planning. The action I seek is for the minister to remove the Punt Road acquisition overlay. There is currently a planning panel looking at removing, amending or retaining the overlay. Information submitted by VicRoads makes it clear that continuing with the overlay and pursuing a road widening would be an expensive, destructive and pointless exercise.

It will be expensive because the estimated cost for the road widening is half a billion dollars, money that should be used to invest in public transport options and managing the existing road network. It will be destructive because 130 properties would have to be taken to widen Punt Road, with many homes destroyed, including some buildings with heritage value and a local pub. It will have a negative impact on local

amenity, making residents' access to schools, parks, shops and services more difficult. It will be pointless because in VicRoads's own words, Punt Road volumes would increase significantly under the six-lane concept when compared to the base case, as additional demand is attracted to the corridor.

VicRoads's own projections show a 65 per cent increase in traffic along Punt Road with a road widening and only a marginal improvement in travel times of 4 kilometres an hour in the morning peak — that is \$125 million per kilometre an hour. This is all based on VicRoads's projections, mind you, that suggest that after years of declining traffic on Punt Road we are suddenly going to have a massive growth in the number of cars on our roads. The projections need to be looked at very carefully.

I accept that acquisition overlays can be a tool to use to reserve private land for public use. In Stonnington we use them to reserve land for parks and open space as part of our planned and funded open space strategy, but to have an overlay on for 50 years for an unplanned and unfunded project that, if put in place, would be an expensive, destructive and counterproductive folly is not appropriate. The Punt Road area is not just a road that people drive through that needs to be widened at all costs; it is an area where people live, go to school, play in parks, walk along and visit family in hospital or in aged-care homes.

There is a good alternative. VicRoads currently owns around \$19 million worth of assets along Punt Road. Some of these could be sold off to invest in Punt Road improvements — an improved route 246 bus service that links in with other services for an inter-city orbital route, modern bus stops with real-time electronic timetable displays and amenity improvements such as street trees and park benches, which are lacking in the area. Half a billion dollars could and should pay for increasing capacity on our train and tram network by upgrading our outdated rail signalling and providing new and upgraded stations, rolling stock and line extensions and an integrated transport network where tram lines and bus routes link up with train stations.

Much of the Punt Road area is in a residential growth zone. Removing the overlay would result in improved street frontages and the retention of heritage buildings and modern urban developments that cater to sustainable transport and add to the local amenity, rather than vacant blocks and unrenovated homes. That would be a good future for Punt Road and the surrounding area.

Dandenong South level crossing

Ms WILLIAMS (Dandenong) — My adjournment matter is for the attention of the Minister for Public Transport. The action I seek is that the minister ask the Level Crossing Removal Authority to convene a public forum with industry in Dandenong to discuss the upcoming removal of the Abbotts Road level crossing in Dandenong South. This level crossing has been a great frustration to local industry, with trucks being held up, causing a loss of productivity, as well as a number of extremely serious accidents. Both industry and the broader community were delighted when the government announced this level crossing would be going. This project of course forms part of the Victorian Andrews Labor government's historic commitment to remove 50 of the worst level crossings across Victoria.

Abbotts Road is the central industrial arterial in Dandenong South. It is a road that services Dandenong's thriving industrial precinct. It is a key connection between Dandenong-Frankston Road and the major arterials intersecting at South Gippsland Highway. The effectiveness of its traffic flow not only impacts on local business operations but also on many road users from across Dandenong and the broader south-east, many of them employees of local businesses travelling to and from work.

When I visit businesses in the Dandenong industrial precinct that surrounds and uses Abbotts Road, people regularly raise concerns with me about the impact that the level crossing has on the flow of traffic in the area. Twenty-three thousand vehicles use the Abbotts Road level crossing each weekday. Commuters and freight operators often suffer long delays when the boom gates are down, halting many trucks and motorists. With the crossing gone, traffic congestion will be reduced. This will deliver important economic benefits by improving productivity in the transport of goods.

I am glad to hear that planning and consultation is already underway, with community drop-in sessions beginning this month. It is important that industry is also actively consulted in the design and construction process of the level crossing removal. I call on the minister to ensure a public forum is held with industry to discuss the removal of this dangerous level crossing.

South-West Coast electorate schools

Ms BRITNELL (South-West Coast) — I rise on this evening's adjournment debate to seek an action from the Minister for Education. The action I seek is that the minister visit my electorate and accompany me to visit the special developmental schools in both

Warrnambool and Portland that are in desperate need of capital funding.

Warrnambool Special Developmental School is currently located on a steep and inadequate site, which is particularly difficult for wheelchairs. When it was established in 1999 there were 30 students enrolled at this site. Today that same facility has 128 students, and it is inadequate for them.

The coalition government responded to the need and allocated \$10 million to fund a new school on a new site. However, the Andrews government only allocated \$5 million in last year's budget for the Warrnambool special needs school. This funding will not be adequate to purchase the land and build the school. It is my understanding that land has been purchased for the school at 189 Wollaston Road on the outskirts of Warrnambool, which is an ideal location on the banks of the Merri River. The site has a domestic house on it in which the school intends to run an independent living program, which will be a terrific asset to enhance the school curriculum. However, without classrooms the site is not usable. We need the project properly funded in Warrnambool.

Whilst the minister is in the region I would ask that he accompany me to Portland to visit with the principal and the school president, Deb Robinson, of the Portland Bay special development school. The school faces another year in facilities that have been recognised to be in urgent need of upgrading by the department. This school, which I have raised before in the house, has nowhere for the boys and girls to kick a football or play together. The amount of grassed area could be reasonably described as no bigger than a postage stamp. Many of the boys and girls are in their later teen years. When they kick a football together they regularly have to jump over the fence and run onto the road to retrieve the ball. Clearly this is an unsuitable risk to the safety of the students. The teachers also have an inadequate area for their needs, and attracting teachers with the specialised skills required is compromised when asking teachers to work in conditions not up to the standards available in other schools. The school was built for approximately 10 students and is now accommodating 44, with enrolments growing.

The parents of special needs children in many cases are under enormous pressure due to the needs of their children, and they should not have to deal with the worry of their children being educated in second-rate facilities when a solution for both schools is at hand and ready to go. I urge the minister to come to my region and meet the parents who face yet another school year with inadequate facilities for their children, and with no

hope of progressing — with inadequate funding given in last year's budget by the Andrews government to fund the task in Warrnambool's case and no funds given in the case of Portland. I urge the minister to take action, come to the South-West Coast electorate and accompany me to visit with these schools and reassure the families that the funding is imminent.

Skye Primary School

Ms KILKENNY (Carrum) — My adjournment matter is for the Minister for Education. I would like the minister to join me in visiting Skye Primary School in my electorate of Carrum to hear about the great work this school is doing and also to discuss how the extra \$279 318 in needs-based education state funding is ensuring that every student at Skye Primary School gets the opportunities they need to help them reach their full potential.

The previous Liberal government signed up to the Gonski national schools partnership agreement but failed to fund any of it. Under the former Liberal government, schools in Carrum received not one dollar of extra funding. I know the principal, Chris Short, and the rest of the Skye Primary School community would welcome a visit by the minister and the opportunity to show him how the education state funding is being implemented in their school. I look forward to hosting the minister at Skye Primary School.

Responses

Mr PAKULA (Attorney-General) — The member for Caulfield raised a matter for the Minister for Health regarding the level of support for a constituent.

The member for Sunbury raised a matter for the Minister for Education regarding funding for Sunbury Primary School.

The member for Euroa raised a matter for the acting Minister for Police regarding a visit to the Benalla police station.

The member for Kororoit raised a matter for the Minister for Education seeking funding for Rockbank Primary School.

The member for Mornington raised a matter for the Minister for Roads and Road Safety seeking rectification of traffic concerns on the Esplanade, Mount Martha.

The member for Eltham raised a matter for the Minister for Education regarding a visit to Montmorency South Primary School.

The member for Prahran raised a matter for the Minister for Planning regarding the removal of the Punt Road acquisition overlay.

The member for Dandenong raised a matter for the Minister for Public Transport seeking that the Level Crossing Removal Authority convene a public forum in Dandenong.

The member for South-West Coast raised a matter for the Minister for Education seeking that he visit the special developmental schools in Warrnambool and Portland.

The member for Carrum, who gets the chockies, raised a matter for the Minister for Education seeking that he visit Skye Primary School.

I will pass all those matters on.

The DEPUTY SPEAKER — Order! The house stands adjourned.

House adjourned 7.25 p.m.

Thursday, 11 February 2016

The SPEAKER (Hon. Telmo Languiller) took the chair at 9.33 a.m. and read the prayer.

Mr Clark — I wish to raise a point of order regarding the handling of the closure motion that was moved by the Minister for Roads and Road Safety in relation to the message from the Legislative Council requesting the attendance of the Minister for Public Transport.

Speaker, you will recall that the last item of business yesterday was the consideration of the message from the Legislative Council. Shortly before 7 o'clock the Minister for Roads and Road Safety moved that the question be put and you put that question forthwith. This relates to standing order 155. As you will be aware, it does require that the question be put without debate. However, my understanding is that it is customary prior to the Speaker putting such a question to close a debate that the Speaker declares his or her reasons for accepting it.

I draw your attention to standing order 155(2), which is that:

The Chair is to put the question immediately without amendment or debate unless he or she believes that:

- (a) it is an abuse of the rules of the house; or
- (b) it is a denial of the rights of the minority; or
- (c) it has been moved to obstruct business.

As you will be aware, Speaker, this is a very powerful motion which can open up wide potential for abuse of the procedures of the house and suppression of the rights of the minority, and it is therefore of course important for the Speaker to carefully consider whether or not it should be accepted.

This motion came up late in the debate. It in fact came up in circumstances where we on this side of the house wanted the question put because we wanted to see the government on the record covering up and protecting its minister from going to the other place. If the motion had not been accepted by the Chair and had the motion not been put — as there were no further speakers from the opposition — you would have put the substantive question in any event.

I submit, Speaker, that you should confirm that it is your responsibility to form a judgement as to whether or not such a question to close the debate should be accepted. I would submit that had there been time for reflection, you would not have accepted that question

because there had not been an exhaustion of the time that it would have been reasonable for a minority to put positions to the house.

Accordingly, Speaker, I think it would be very unfortunate if the handling of the motion yesterday were to form a precedent, and I ask you to confirm that standard practice is that the Chair would consider this issue and make a declaration of his or her reasons for accepting such a closure motion in those circumstances.

Mr Pakula — On the point of order, Speaker, the member for Box Hill belled the cat in his contribution in which he conceded that the opposition in fact was supportive of the motion. There had been extensive debate from the opposition side and the Greens party, about half a dozen speakers, all of whom were making identical points. There was nothing new being added, and I would suggest that as a matter of common sense when the Chair receives a motion such as that moved by the Minister for Roads and Road Safety, one of the things the Chair is entitled to take into account is the attitude of the house. It was quite clear upon the moving of the motion by the Minister for Roads and Road Safety that there was absolutely no objection to it. If the member — —

Honourable members interjecting.

Mr Pakula — The opposition wanted it put. They did not object at the time. The member for Box Hill had it open to him, given that he was in the chamber at the time, to have indicated to the Chair that it would not be appropriate for the Chair to consider that motion, and he said nothing. In fact the opposition indicated that it was quite happy with the motion that was put by the Minister for Roads and Road Safety. On this side of the house all we would say is: what are you on about?

Mrs Fyffe — On the point of order, Speaker, I support the manager of opposition business's point of order, but I would like to alert the house to the difficulties that you, Speaker, were facing last night at the close of that debate. We had lovely young children quite excited in the gallery, and you had members — —

Honourable members interjecting.

Mrs Fyffe — Stop it — please let me speak. You had members on the other side communicating with the gallery. You had the member for Essendon — not Essendon, Broadmeadows — a couple of times waving his hands in the air. Speaker, it was a very distracting time, and I quite sympathise with you at that time having to carry on with the procedures of the house, at a

time when it was not a normal motion coming up to an adjournment debate.

While I support the manager of opposition business, I do understand the position you were in and I think it is time that members realise that we actually have rules in this house. They are not there just because somebody invented them. They are actually there for a reason, and that is so that what we do in this house is a legal matter. It is legal what we do. We are installing laws; we are making decisions that affect people. For these matters to be treated in such a frivolous manner and for the rules of this house, the standing orders, to be so disregarded makes it very difficult for you as Speaker to carry on with your job.

Mr Donnellan — On the point of order, Speaker, I was actually here from the start to the end of the debate, obviously, and the debate was very much exhausted by the time the motion was actually —

Mr Howard interjected.

Mrs Fyffe — On a point of order, Speaker, the member for Buninyong made a comment I find offensive, and I ask him to withdraw.

Mr Howard — I apologise for whatever I said.

Honourable members interjecting.

Business interrupted.

SUSPENSION OF MEMBERS

Minister for Roads and Road Safety, and member for Hastings

The SPEAKER — Order! The Minister for Roads and Road Safety and the member for Hastings will withdraw from the house for a period of 1 hour respectively.

Minister for Roads and Road Safety, and member for Hastings withdrew from chamber.

Business resumed.

The SPEAKER — Order! I take into consideration the submission made by the manager of opposition business, and I welcome his contribution and accept that there was a level of confusion and in fact that to some extent the Chair was not clearly able to take this matter through as one would have wished. However, I put to members page 67 of the standing orders, standing order 155:

- (1) A member may move a closure motion 'That the question be now put' without notice:
 - (a) at any time during debate on a question in the house; and
 - (b) whether or not a member is addressing the Chair.
- (2) The Chair must put the question immediately without amendment or debate unless he or she believes that:
 - (a) it is an abuse of the rules of the house; or
 - (b) it is a denial of the rights of the minority —

which the manager of opposition business referred to, or —

- (c) it has been moved to obstruct business.

I put to the manager of opposition business — and I am quite happy to request that a number of members of the opposition discuss the matter with me privately — that I was absolutely of the view that I had been consulted by both the government and the opposition, with a number of members indicating in fact that not only did I want to hear as Chair from the government and the opposition but that I also wanted to hear from the Greens, as I indicated. My recollection was that informally — not through formal submission to the house — the list of speakers on the subject had been exhausted and that was the only reason the Chair determined to indicate that the question could be put.

To the credit, if I may say, of the government, the government had consulted with the Chair also and requested to know if I was aware of additional speakers. To my knowledge there were no additional speakers on the subject; therefore the Chair formed the view that the question had to be put. If required, I welcome a discussion privately with a number of members. I will call them and indicate that I would be very happy to have a conversation with them in my office should there be any doubts in relation to my ruling now.

Mr Watt — On a point of order, Speaker, I know you have made a ruling previously about members walking around the chamber while you are on your feet, and I just noticed then the member for Thomastown walking around the chamber while you were on your feet. I would ask that you remind members that they should not be walking around the chamber while you are on your feet.

The SPEAKER — Order! Standing order 116 reads:

When the Speaker stands members must sit down and be silent.

I require all members to do so. The Chair had not sighted the member for Thomastown on her feet. I have had different reports. I request that all members comply with that ruling.

BUSINESS OF THE HOUSE

Notices of motion

The SPEAKER — Order! Notice of motion 2 will be removed from the notice paper unless the member wishing their notice to remain advises the Clerk in writing before 2.00 p.m. today.

PETITIONS

Following petitions presented to house:

Leongatha South landfill site

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house:

The proposed development of a quarry in Leongatha South as a landfill for waste from south-east Melbourne, which could irreversibly contaminate the water catchment, compromise agricultural production and cause an unjust impact on the people of South Gippsland.

The petitioners therefore request that the Legislative Assembly of Victoria calls on the state government to protect South Gippsland from becoming a landfill for south-east Melbourne: dump the dump!

By Mr D. O'BRIEN (Gippsland South)
(1457 signatures).

Keysborough and Dandenong South bus services

To the Legislative Assembly of Victoria:

The petition of residents, workers and businesspeople of south-east Melbourne draws to the attention of the house the urgent need for improved public transport servicing Keysborough and Dandenong South.

The petitioners therefore request that the Legislative Assembly of Victoria urges the government to introduce additional bus routes and increase the frequency of existing bus services in the Keysborough and Dandenong South areas.

By Mr PAKULA (Keysborough) (465 signatures).

Christmas carols in schools

To the Legislative Assembly of Victoria:

The petition of residents in the Ovens Valley electorate draws to the attention of the house that the government has imposed

the ban on singing traditional Christmas carols in Victorian government schools.

The petitioners therefore request that the Legislative Assembly of Victoria ensure that the Andrews government reverses this decision and allow students attending government schools to sing traditional Christmas carols.

By Mr McCURDY (Ovens Valley) (561 signatures).

Tabled.

Ordered that petition presented by honourable member for Gippsland South be considered next day on motion of Mr D. O'BRIEN (Gippsland South).

Ordered that petition presented by honourable member for Ovens Valley be considered next day on motion of Mr McCURDY (Ovens Valley).

DOCUMENTS

Tabled by Clerk:

Climate Change Act 2010 — Independent Review of the Climate Change Act 2010

Legal Services Council — Report 2014–15

Parliamentary Committees Act 2003 — Government response to the Economic Development, Infrastructure, Outer Suburban/Interface Services Committee's report on the Inquiry into Marine Rescue Services in Victoria.

MEMBERS STATEMENTS

Paul Curran

Ms VICTORIA (Bayswater) — Today I rise to pay tribute to a truly amazing man and friend, Mr Paul James Curran, who sadly left us on 5 December 2015. Paul was a Vietnam veteran who served in 1968 and 1969, but it was his service and hard work upon returning home to Bayswater which will remain his biggest legacy.

Paul was one of the prime movers in setting up the RAASC Vietnam Veterans Association and was its secretary for 27 years. The association's membership now extends across the whole country and is highly regarded throughout the veteran community. Paul was a leader in the important area of welfare for vets, undertaking the study to become a pensions officer and then training others to assist veterans obtain their service pension. A great many returned servicemen owe their lives to Paul and the work he did for them. Paul was also a prominent member of the RSL in Ringwood and was much appreciated by neighbouring sub-branches such as Bayswater and Boronia.

Aside from all that, Paul was a genuinely darn good bloke — something confirmed by those who spoke at his standing-room-only service. He looked after his mates and his family and gave freely of his time to anyone who asked. Paul is survived by his dedicated and beautiful wife, Nancy, their daughters and their grandchildren. Paul will be sadly missed by the Vietnam Veterans, the RSL and the local community — a true local hero whose legacy will live on in the hearts of all he touched, including mine.

Chandler Highway bridge

Ms RICHARDSON (Minister for Women) — My community has been waiting a long time for the bottleneck that is the Chandler Highway bridge to be fixed, and of course it is Labor that is getting on with it. Last month VicRoads' plans for the upgrade were endorsed and released by the Minister for Roads and Road Safety following community consultation last year. I do acknowledge that the choice of the western alignment is not supported by all residents; however, no homes will need to be acquired and the western alignment has also guaranteed the home for our much-loved residents, Guide Dogs Victoria.

I will continue to ensure that the project addresses noise impacts on what is already a very busy and noisy road, but the opportunity to actually improve outcomes here should not be missed. I am particularly proud that the safety of cyclists and pedestrians has also been prioritised — with a continuous bike path from Heidelberg Road over the Yarra River — and that there will be minimal environmental impacts.

St Georges Road, Northcote

Ms RICHARDSON — The second cause for celebration was the confirmation by the great minister for water of the revegetation plan for the St Georges Road median strip following works by Melbourne Water. This is a win for Northcote, as our much-beloved tree-lined strip will continue to provide much-needed natural shade and vegetation to our inner-city community.

Ms Neville interjected.

Ms RICHARDSON — Yes, indeed, our best minister for water. A big shout out to Louise Tinney, Jane Miller and the Protect St Georges Rd Landscape Group. It has been a pleasure advocating on your behalf.

International Day of Women and Girls in Science

Ms RICHARDSON — Today is also the first International Day of Women and Girls in Science, drawing all our attention to the need to improve outcomes in this area. It is certainly something our gender equality strategy will seek to address, not just because it is good for women and girls but because it will be a key win for our economy — in fact a win-win for all.

Australia Day

Mr McCURDY (Ovens Valley) — I was honoured to attend Australia Day ceremonies across the Ovens Valley electorate last month, where I spoke about the spirit of Australia Day as well as what it means to be Australian. Our way of life, freedom and values continue to be the envy of countries throughout the world.

I would like to pay particular tribute to the following Ovens Valley residents who were recipients of Australia Day 2016 honours: George McPherson, OAM, for service to disabled winter sports and to the community of Myrtleford; Valerie McPherson, OAM, his wife, for service to the community of Myrtleford — and I enjoyed a lovely chat with Valerie at Whorouly recently; Malcolm Milne, OAM, of Myrtleford, for service to snow skiing; Marg Pullen, OAM, for service to the community of Wangaratta; Des O'Meara, ESM, for service to veterans and their families and to the community of Yarrawonga-Mulwala; Judy Brewer, AO, of Mudgegonga, for distinguished service to people with a disability, particularly those with autism spectrum disorders, to refugees living in rural areas, to women and to education; of course David Evans, AM, of Moyhu, for significant service to the Victorian Parliament and the community of Victoria, to local government and to aged care, education and land conservation groups; and also the late Mrs Helen Curtis of Wangaratta, AM, for service to wetland conservation and urban landcare.

The combined Greta committee received the Rural City of Wangaratta Community Event of the Year award, which was a great accolade for them. I was at the official opening of the World War I Centenary of ANZAC Memorial Wall at Greta-Hansonville Hall last year. It was a terrific day.

Stella Dunne

Mr McCURDY — It was an absolute pleasure to be at Stella Dunne's 100th birthday recently. She is a

resident of St Catherine's in Wangaratta, after growing up at Norong, near Rutherglen.

Dick Gray

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I take this opportunity to pay my respects to the late Dick Gray, who recently passed away at the age of 62. Dick was a true champion of the labour movement, committing much of his life to the trade union movement and the Australian Labor Party.

Dick was born in Reservoir, but tragically his mother died when he was only young. His father from that time on became a great influential force in his life. On leaving school, Dick took up an electrical apprenticeship, a step that saw him join the Electrical Trades Union (ETU) and eventually become an official of the union. Having built a reputation as an effective organiser for the ETU, Dick was recruited to the Australian Workers Union (AWU) by the then secretary, Bill Shorten. Dick was soon elected president of the AWU, a reflection of the respect held for him by the rank and file membership.

On his retirement three years ago Dick, together with his much-loved wife, Kaylene, moved to the Bellarine. Dick quickly gained the respect of those involved in the labour movement in Geelong, including of course the Labor Party. He was a much-respected member of the Portarlington branch, where he earned a reputation for respectfully, but assertively, speaking his mind, with others left in no doubt what Dick's views were on the issues of the day. Even through serious illness Dick provided the party and myself with strong and stoic support through the 2014 state election.

Dick Gray was a fine man who had three loves in life. First and foremost, Dick loved his family — Kaylene, their two daughters and their grandchildren — followed by the Geelong Cats and then the labour movement. I pass on my sincere condolences to Kaylene and family. Vale, Dick Gray.

Gippsland rail services

Mr BLACKWOOD (Narracan) — Gippsland commuters have faced confusion and delay now for weeks, with months more to come, and are rightly fed up with the inaccurate and misleading information they are receiving from the Andrews government and the Minister for Public Transport. The Brumby government's failure to include the Gippsland line in the regional rail link program, signed off in 2010 by then Minister for Public Transport, Martin Pakula, has now come back to hurt Gippsland commuters who face

cancelled rail services and slow buses day in, day out until midyear because of mismanagement and underinvestment by Labor.

To compound local commuters' frustrations the minister stated on 4 February that regional services were stable, with 80 per cent of trains running in regional areas. That number was based on an average across all regional lines deliberately hiding the extent of cancellations on the Gippsland line. Only 27 per cent of weekday rail services are running as trains, with the remaining 73 per cent running as buses. The minister has buried the real extent of rail disruption from local commuters who have been left to fend for themselves under this Andrews government and its inaction.

As well as working parents not getting to see their children before bedtime and students being late for classes or missing lectures, businesses are also suffering — for example, Choochoo's coffee shop on the Warragul station platform is suffering an 80 per cent drop in turnover.

The Andrews government is all talk and no action on the Gippsland line, with no real plan or direction to improve services in the future. The minister should apologise to Gippsland commuters for the contempt she has shown them, and she should provide accurate information going forward to assist them.

Australia Day

Mr CARBINES (Ivanhoe) — I would like to acknowledge several local residents for their work and awards they received in the General Division of the Order of Australia citations at this year's Australia Day awards, in particular Alan and Barbara Brook of Ivanhoe East for their many decades of work for the scouting community. They are very well known right across the Ivanhoe electorate and across the north-eastern suburbs for their long-term commitment to scouting in Victoria.

Associate Professor Michael Woodward was recognised for his work and significant research in the fields of aged care, geriatric research and Alzheimer's disease, particularly in that research work with Austin Health at the Austin Hospital. I would like to acknowledge his work and his being awarded an AM in the General Division of the Order of Australia. I congratulate Professor Ego Seeman for his being awarded an AM in the General Division of the Order of Australia in the citations on Australia Day for his wonderful work in research and medical progress in the field of osteoporosis, again also doing a lot of work at Austin Health.

Sister Jane Gorey and Sister Kathleen Tierney both received Order of Australia recognition for their work principally with Mercy Health and more generally in the community around education and health care. And a good friend, a member of the Bundoora electorate, Ellen Smiddy, received a Medal of the Order of Australia for her tireless decades of work for the Watsonia community.

Graeme McEwin

Mr WAKELING (Ferntree Gully) — I firstly wish to recognise and congratulate Graeme McEwin, who was recently recognised in the Australia Day honours with an Order of Australia medal. Graeme has been a longstanding member of the Rowville community and a longstanding member of the Rowville Uniting Church and the Rowville-Lysterfield Community News, amongst other organisations. I congratulate him, and it is certainly a great recognition.

Dr Graeme Emonson

Mr WAKELING — I would like to place on the record on behalf of the Knox community my congratulations to Dr Graeme Emonson, who recently stood down as the chief executive officer of Knox City Council, a position he held for 14 years. He has ably served the Knox community well, and I congratulate him for everything that he has done. I had the honour of serving with him when I was a councillor at the City of Knox, and certainly he is duly recognised by his new role as the head of Local Government Victoria. I wish him all the best in his future career.

Australia Day

Mr WAKELING — Congratulations to those recognised at the recent Knox Australia Day honours, which I, together with the member for Rowville and the federal member for Aston, had the honour of attending. Congratulations to Helen and Daniel Sefton, who were recognised as citizens of the year; to Isabella Fias, the Young Citizen of the Year; to Anne Boyd, a longstanding member of the Ferntree Gully community, as Volunteer of the Year; to John McLeod, who is a longstanding member of the Country Fire Authority, as a Local Hero; and to Beryl Owers, the Elder Citizen of the Year, who at 90 acknowledged she was not an Australian citizen.

Maldon

Ms EDWARDS (Bendigo West) — I want to congratulate all involved in the very successful 10th anniversary Maldon Twilight Dinner on Saturday,

16 January. I want to especially acknowledge the enormous contribution made by the local volunteers who put in the hard yards to make the event possible and thank them for making the event run so smoothly. With over 1500 people there on the night it was a mammoth effort. It was a fun-filled summer evening with a very festive and happy atmosphere. It was so wonderful to be part of it and to have the event honoured with the Governor of Victoria, Linda Dessau, and the Minister for Regional Development and Minister for Agriculture, Jaala Pulford, attending.

This year marks 50 years since Maldon was declared Australia's first notable town by the National Trust of Australia (Victoria), and the community is preparing for many celebrations over the year. At that time the Victorian government was encouraging this type of venture as a way to boost tourism to small country towns, and it has been hugely successful for Maldon. The Victorian Goldfields Railway will be a significant part of those celebrations, as it has become an icon for the Maldon township. Easter 2016 will mark the 50th anniversary of the opening of what is now Maldon District Museum.

It is just as important now as it was 50 years ago to preserve the heritage that Maldon celebrates and that efforts are made to ensure the encroachment of development does not in any way alter the historical landscape nor the historical buildings not just in Main Street but across the whole town. This would be an absolute travesty, and it is for this very reason, the protection of Maldon's heritage, that the town was honoured 50 years ago.

Gippsland cheese producers

Mr D. O'BRIEN (Gippsland South) — I rise to congratulate some exceptional local cheese producers in South Gippsland who brought home a swag of awards from this week's prestigious Sydney Royal Cheese and Dairy Awards. After late last year winning a super gold at the World Cheese Awards in the UK for its Tarwin Blue, Berrys Creek Gourmet Cheese was crowned champion for its Riverine Blue cheese in the sheep, goat and buffalo section. It also brought home another gold, two silvers and a bronze. Well done to Barry Charlton and Cheryl Hulls. Pangrazzi Cheese, run by Paul and Carolyn Pangrazzi, which shares facilities with Berrys Creek and which only started producing last year, won a silver, while Prom Country Cheese, a sheep dairy at Moyarra, won two golds. Well done to Burke and Bronwyn Brandon.

Max Jelbart

Mr D. O'BRIEN — Still on dairy, the lifelong dairy and community work of Max Jelbart from Pound Creek was recognised with an OAM in the Australia Day awards. Max has been a tower of strength in the dairy industry and a great contributor to Gippsland. Well done to Max on his award, and good luck to him as he continues to face significant health struggles.

Seaspray Surf Life Saving Club

Mr D. O'BRIEN — With much anticipation the rebuilt Seaspray Surf Life Saving Club building opened on Boxing Day, and it has already proven to be a resounding success. The club raised over \$500 000 from the local community, and with state and local government grants the \$2.5 million new clubrooms are a sight to behold. They have also become a great success already, with up to 300 meals a day being served, bringing in great income for the club and creating a focal point for the town.

Port Welshpool jetty

Mr D. O'BRIEN — Still on the coast, around 100 people attended a public meeting in support of the restoration of Long Jetty at Port Welshpool last month. We have a commitment of \$1 million from South Gippsland Shire Council and \$5 million from the state government, which we hope will remain on the table until we can confirm a contribution from the commonwealth.

Hume Junior Chess Tournament

Ms SPENCE (Yuroke) — Good luck to all participants in Hume's third junior chess tournament, which will take place at Craigieburn Library on 20 February. Trophies and medals will be awarded not only to the overall winner and runner-up but also in categories based on school year level, from prep right through to year 6 — and there is a special award to encourage the participation of more girls in the tournament.

The tournament is an initiative of the local Bandicoot Chess Club, which passionate community members and chess players have led with huge success in the short time since the club started up. Club president Danny Basobas has been the driving force behind the club, which he established in August 2015, and the club has since grown rapidly to a membership of over 40 members. Danny's passion for chess extends beyond the game itself — he has a keen awareness of the

benefits for local kids of developing logical thinking, problem solving and creativity skills.

The Bandicoot Chess Club has also donated several chess sets to local schools to help to promote interest in this great game beyond the club's members. Those schools include Mount Ridley College, Willmott Park Primary School and Mother Teresa Catholic Primary School. Congratulations to Danny and the club's executive for their fantastic work and their successes to date, and all the best to the eager young chess players participating in this month's tournament. I look forward to hearing about all of the winners.

Privatisation

Ms SANDELL (Melbourne) — I rise today to voice my deep concerns about the ongoing privatisation of assets and services here in Victoria. The very reason we have government is so that people can work together to share resources for the common good. No one person can build a hospital, a port, an education system or a road, but together we can. The question is: who should then own these services and assets? A private company who charges to use them, or the public?

The primary objective of a private company is by law to make money. Even if companies are run by good people, the end result is that the public good will always be put second to profits; that is just the way the incentives work. Look at the electricity sector: privatisation wreaked havoc on the Latrobe Valley, and because of privatisation we have now created a powerful lobby group fighting against the necessary move away from coal and towards clean energy.

The privatisation of TAFE led to roting and poor educational outcomes that we now have to spend millions of dollars fixing. Yet despite these failures, I am disappointed that Labor is pressing ahead with the privatisation of the port of Melbourne and continues to believe the fallacy that the private sector delivers services better, whether they be roads, public housing or aged care. History shows us this is simply not the case, especially when it comes to a natural monopoly.

The ACTING SPEAKER (Mr Carbines) — Order! The member's time has expired.

Police custody officers

Mr CARROLL (Niddrie) — On 8 January this year I had the pleasure to represent the police minister on behalf of the Andrews government to welcome and congratulate Victoria's first police custody officers who graduated from the Victoria Police Academy. It was an honour, on behalf of the Andrews Labor government,

to join the Chief Commissioner of Police as well as friends and families of the graduates for this significant milestone, the commencement of the rollout of our first custody officers.

The Andrews Labor government delivered a record \$2.5 billion to Victoria Police in its first budget.

Mr Pearson — How much?

Mr CARROLL — It was \$2.5 billion. This is more than the opposition ever did when in government. We have significantly increased police resources, funding almost 700 additional police personnel in our first term of government. The government is delivering on this important election commitment, and we look forward to more police returning to the front line as the custody officers are progressively rolled out. With funding of \$148 million, the Andrews Labor government is redeploying 400 extra police back on the beat by introducing custody officers into police stations from January this year.

The first squad to graduate — thanks to the Daniel Andrews Labor government's \$148 million strategy to recruit, train and deploy 400 police custody officers in police stations, many in regional Victoria — is a significant milestone and an important event, particularly for regional Victoria. It will put more police officers back on the beat.

I finish with a quote from the police minister which appeared in the *Age* on 5 October 2015:

Custody officers will play a critical role in community safety by allowing more police to do what they do best — fight and prevent crime.

Narre Warren ambulance services

Mr BATTIN (Gembrook) — My first contribution is in relation to the ambulance station at Narre Warren. The issue is on the front page of our local newspaper this week. It looks as if the staff there have been speaking to the media about their concerns regarding the relocation of the ambulance station from Narre Warren to Hampton Park, therefore putting at risk about 10 to 15 minutes extra time due to non-access to the highways and freeways in our area. I think the issue of ensuring that we keep the ambulance station in Narre Warren so that it can service not just our area but areas through to the gateway of Gippsland will continue to be a topic.

Beaconsfield football match

Mr BATTIN — On another very important topic, I know that you, Acting Speaker Carbines, and I agree on

one thing. We both share a dear love of the Geelong Football Club. We have been very involved with the Geelong Football Club over a long time. But I am going to change my allegiance. I am putting it on the record that I am going to change my allegiance for a day. On 27 February we are proud to welcome the Richmond Football Club to Beaconsfield to take on the Hawthorn Hawks at Holm Park Recreation Reserve. This is something we have been so keen on —

Mr Katos interjected.

Mr BATTIN — Do not worry about it, member for South Barwon; I will be going for the Tigers. The Tigers will be coming to show their wares and show what they can do.

It is so important to our community to host these two football clubs — clubs that have done a lot to promote issues around mental health, and we have had a lot of mental health concerns in our area. The two clubs are very keen to get involved in our community. I congratulate both of the football clubs and the AFL on taking the initiative to come down to Beaconsfield on 27 February. Anyone who has got a free day should come along. I will have my Tigers top on.

Level crossings

Mr DIMOPOULOS (Oakleigh) — I would like to speak about the Andrews government's commitment to remove nine level crossings between Caulfield and Dandenong. This has been an amazing effort to propose, in just one year, one of the most significant pieces of infrastructure investment in Victoria's history. This is taking the world's best and making it even better. That is exactly what we expect in the world's most liveable city: nine level crossing removals, five station rebuilds, upgraded signalling, 225 000 square metres of new community parkland, more car parking, 37 new trains, increased passenger capacity and, most importantly, relief for tens of thousands of locals like me who have been long frustrated by the congestion and the lack of effort by governments to fix the problem. That changes now.

Many of us remember, while those opposite forget, the hollow commitments made by the Liberal Party about removing level crossings in my area. In 2010 they promised to remove just one level crossing in Murrumbidgee. It never happened. In 2014 they then promised to remove only four level crossings on the Dandenong line. After lots of bluster we learned it was all bluff. They did not sign a contract, and there was certainly no money to complete it.

Last year over 50 meetings, events and information consultations were held. We had thousands of individual conversations and received over 1500 pieces of community feedback. There will always be varying views in the community on major infrastructure, and I have heard many different views — from those who would prefer the trenching method to those who are thrilled with the prospect of new parkland created from a dirty no-go zone. As always I will work with the whole community during the ongoing consultation process to get the absolute best final outcome for our community. They deserve nothing less.

I thank in particular the Premier, the Treasurer and the Minister for Public Transport. The time they have afforded me —

The ACTING SPEAKER (Mr Carbines) — Order! The member's time has expired.

Government performance

Mr DIXON (Nepean) — Happy New Year to all the members. It is good to make my first contribution.

It was the first day of the new school year and the teacher asked the class what they did for Christmas and what they did over the holidays. It went like this:

'James, how was your Christmas?'

'Well, it was pretty miserable, Teacher, especially because I had to ban Christmas carols'.

'Oh, dear. Cesar, did you have a good holiday?'

'No. Everybody was picking on me, but I think I'll soon be going on a long holiday'.

'You will, Cesar. What did you get for Christmas, Luke?'

'I got a new bike because I wore out my old one on my \$12 000 cycling trip to Amsterdam'.

'And John Eren, what did you do?'

'I got tickets to the Taylor Swift concert but I gave them away to my good friend Richard'.

'Good boy! Dan, what about you?'

'I went to the tennis and I got to sit in the front row'.

'Did you get a good view of the tennis?'

'Yes, but I could not see my new \$20 million logo'.

'Jacinta, what did you get for Christmas?'

'I got a train set, but the wheels fell off'.

'Well, that's all we've got time for, students. It's now time to do our numbers'.

The Stella Prize

Ms THOMAS (Macedon) — One of the great pleasures of summer is the opportunity for some uninterrupted reading time and to catch up on some of Australia's finest writers. I was able to enjoy new books by Joan London, Charlotte Wood, Sofie Laguna and Evie Wyld amongst others. I know so many of my colleagues love political bios and the like, but for me literary fiction keeps me alive to the complexity of humanity, to beauty and to cruelty, to hardship and triumph and to the rawness, depth and power of human emotion.

Australia's Stella Prize was born of a panel discussion held in Melbourne on International Women's Day 2011 concerning women's under-representation as literary prize winners. Particularly galling was the fact that of the 54 winners of the Miles Franklin prize at that time only 10 were women. How fitting then that the Stella Prize has reclaimed Stella Maria Sarah Miles Franklin's unmistakably female first name. With support from Victorian philanthropist Ellen Koshland, the Stella Prize seeks to recognise and celebrate Australian women writers' contribution to literature, bring more readers to books by women and thus increase their sales, provide role models for schoolgirls and emerging female writers, and reward one writer with a \$50 000 prize, money that buys a writer some measure of financial independence and time.

The inaugural prize was awarded in 2013 to Carrie Tiffany for *Mateship with Birds*, in 2014 the prize was awarded to Clare Wright with *The Forgotten Rebels of Eureka* and in 2015 it went to Emily Bitto for *The Strays*. On Tuesday of this week the Stella longlist for 2016 was announced. From 170 entries, 12 books have been chosen. I encourage all members to check out the Stella Prize website.

Blackburn level crossing

Mr CLARK (Box Hill) — The Andrews government is short-changing the community over the Blackburn level crossing removal project. This project was fully funded under the Napthine government in 2014, and the Andrews government needs to implement it properly instead of cutting corners. The government is refusing to enlarge the current narrow pedestrian underpass at Blackburn station or to make other station upgrades. It is planning to run a bike path right across

the busy South Parade underpass entrance, risking danger to pedestrians and cyclists alike. It is rushing ahead with a bike path route along the southern side of the railway line without properly determining whether a north-side route would be better for cyclists and avoid impacts on trees, parklands and local streets. The government's current plans will leave the community with a dark narrow pedestrian underpass that will become increasingly inadequate with the growing number of apartments being built on the north side of the railway line.

Local residents have been scathing in their comments. Comments that I have received include:

For an elderly person it is too steep, the walkway, very slippery and dangerous in the wet. It is also very dirty and smelly. We use the station at night when visiting family and there is an uncomfortable feeling in the subway. Our grandchildren also have this feeling.

And:

The underpass has many problems. Colliding with people as one turns the corner, narrow, steepness which makes it difficult if you are pushing a pram, or in a wheelchair or just elderly or have difficulty with walking ...

Indeed there are questions as to whether or not what the government is doing is compliant with disability requirements. The underpass needs to be widened, with entrances opened up in a way that gives better visibility and 'see-through', provides a welcoming link between north and south of the line and helps integrate the Blackburn Station Village.

Lorraine Francis Community Award

Mr STAIKOS (Bentleigh) — Over October, November and December last year I had the pleasure of visiting schools in my electorate to present the inaugural Lorraine Francis Community Award, which is named after my former principal at St Peter's Primary School. Lorraine was a dedicated educator who was committed to instilling in her students a sense of social justice. She believed that in order to be a great leader, one must empower others.

Congratulations to the following worthy recipients: Draylyn Hurunui from Bayside Special Developmental School; Fotinie Zacharis from Bentleigh Secondary College; Chiara Bertolini from Southmoor Primary School; Liam Head from McKinnon Secondary College; Natasha Sly-Clavisi from Brighton Secondary College; Oliver Kipnis from East Bentleigh Primary School; Ben Killian from Coatesville Primary School; Olivia May from Bentleigh West Primary School; Harrison Crisp, Simon Yanni and William Spark from

St James College; Sarah Daniel from St Peter's Primary School; Lily Davidson from Moorabbin Primary School; Kaelem Campbell from Tucker Road Bentleigh Primary School; Kiana Lynch from St Catherine's Primary School; Alice Pfeiffer from McKinnon Primary School; Alishia Francis from Our Lady of the Sacred Heart College; Peta Woodburn and Elleni Macris from Ormond Primary School; and Jarrod Newell from Valkstone Primary School.

Each student was chosen by their teachers for their good work in making a difference in the local and broader community, as well as their ability to encourage others to do the same. From raising awareness of human rights violations around the world to selling lip balms as a fundraiser for people with multiple sclerosis, these young people have set an impressive example for others to follow. Well done!

Joe Sweeney

Mr KATOS (South Barwon) — On 18 January it was a sad day for the Torquay community as it saw the passing of surfing legend Joe Sweeney just short of his 83rd birthday. I was one of the over 1000 people who farewelled Joe at a service at the Torquay Surf Lifesaving Club. Joe had a passion for surfing along with many other sports and represented Australia in Greco-Roman wrestling at the 1956 Melbourne Olympic Games. His love of the waves was such that in the early 1960s he bulldozed the original track through the scrub to Bells Beach, something that I do not think the environment minister would look on too kindly today, but those times were certainly different.

Joe had a passion for his community, being a member of the Torquay Surf Lifesaving Club, a founding member of the Jan Juc Surf Life Saving Club and a member and captain of the Torquay Country Fire Authority. I wish to express my sympathies to his sister Mary, son Jeff, daughter Kim and his extended family. Vale Joe Sweeney, a true legend of the Torquay community.

Beach Road–Surf Coast Highway, Torquay

Mr KATOS — The Andrews Labor government continues to ignore the signalisation of the intersection of Beach Road and Surf Coast Highway, Torquay. The Minister for Roads and Road Safety has stated that 'it does not rank highly on a statewide basis'. Well, I can tell the minister that this intersection is loathed by Torquay residents and many accidents occur there. It may not be his priority, but it is a major priority of the Torquay community.

I know the minister was in Torquay last week at The Sands, but he obviously was too busy dealing with Labor factional infighting to bother going and having a look at the intersection. The coalition is committed to fix this intersection, while Labor continues to ignore the needs of the Torquay community.

Bushfires

Mr HOWARD (Buninyong) — The families of the Scotsburn area faced a devastating bushfire on Saturday, 19 December, that destroyed many homes, farm property and livestock. I would like to thank our Country Fire Authority and Department of Environment, Land, Water and Planning firefighters who were at the fire front saving people and property on a very difficult day. In the days and weeks that have followed it has been impressive to see that, once again, this adversity has brought out the very best of human nature in supporting those in need. In addition to the staff from Moorabool council and state government agencies being on hand to offer well-coordinated support, volunteers from the local community and further afield have rallied together to offer support.

It is impossible to thank everyone that has lent a hand, but it includes individuals and businesses that have provided generous donations of food and clothing. Thanks to those that have come from far and wide to lend a hand, including the BlazeAid crews that have worked to rebuild kilometres of fences, and the impressive convoy of 47 vehicles as part of the Need for Feed initiative that delivered over 1000 bales of hay to the local farmers.

I, along with several of our ministers, have talked with many of the people who have lost their homes and learnt of their personal experiences and have discussed the support that they have received and further support that they may require. Clearly there is much follow-up support needed over the coming weeks and months. Not only does this include the provision of funds to support the rebuilding of homes and lost property, but it will include emotional support. I am confident —

The ACTING SPEAKER (Mr Carbines) — Time!

Burke Road level crossing

Mr M. O'BRIEN (Malvern) — I was very pleased to see the Burke Road level crossing, a project entirely funded by the former coalition government, removed. I was pleased to welcome the Premier and the Minister for Public Transport down to my electorate — I do not think they were expecting me to be there to welcome

them — as they sought to claim credit for a project entirely funded by the Liberal Party.

The ACTING SPEAKER (Mr Carbines) — Order! The time for making statements has now ended.

CRIMES LEGISLATION AMENDMENT BILL 2016

Statement of compatibility

Mr PAKULA (Attorney-General) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 ('the charter'), I make this statement of compatibility with respect to the Crimes Legislation Amendment Bill 2016.

In my opinion, the Crimes Legislation Amendment Bill 2016, as introduced to the Legislative Assembly, is compatible with human rights as set out in the charter. I base my opinion on the reasons outlined in this statement.

Overview

The purposes of the Crimes Legislation Amendment Bill 2016 (the bill) are:

- to extend offences and penalties that currently apply to emergency workers who are victims of violent offences whilst on duty, to the new category of custodial officers; and

- to provide for the use of recorded evidence in appeals against conviction for serious sex offences heard in the Children's Court, and for a general regulation-making power with respect to the Crimes Act 1958.

Charter rights are relevant to the extension of statutory minimum sentences to offenders who commit violent offences against custodial officers. The bill creates the category of custodial officers which will include prison governors, prison officers, escort officers and police custody officers. The bill also amends the Crimes Act 1958 and the Summary Offences Act 1966 to provide that custodial officers be included in emergency worker specific provisions, including the following statutory minimum sentence provisions for certain violent offences:

- a minimum 5-year non-parole period for causing serious injury intentionally or recklessly, in circumstances of gross violence;

- a minimum 3-year non-parole period for intentionally causing serious injury;

- a minimum 2-year non-parole period for recklessly causing serious injury; and

- a minimum six-month term of imprisonment for intentionally or recklessly causing injury.

Charter rights in criminal proceedings are also relevant to the extension of protections that prevent vulnerable witnesses

repeating difficult evidence. The bill will enable the recorded evidence of complainants in serious sexual offence matters heard in the Children's Court to be admitted in certain other proceedings.

Human rights protected by the charter that are relevant to the bill

Right to protection from cruel, inhuman or degrading treatment (section 10), and right to liberty (section 21)

Section 10 of the charter provides that a person must not be subjected to torture or treated in a cruel, inhuman or degrading way. International courts have adopted a low threshold for this test and statutory minimum sentences in some circumstances have been viewed as arbitrary or excessive when a court has been compelled to impose a grossly disproportionate sentence. Section 21 of the charter sets out the right to liberty and security of person, including the right not to be automatically arrested or detained and not to be deprived of liberty except as provided by law. Where a law is vague or unjust, an arrest or detention may be arbitrary even if it is lawful.

These rights need to be balanced against the rights of custodial officers not to be subjected to occupational violence, which is a risk and feature of all correctional jurisdictions. The significant expansion of the Victorian prison system in recent years has led to a concomitant increase in violent incidents.

Statutory minimum sentences are part of a holistic strategy to ensure that offenders are deterred from employing violence with correctional staff, to denounce occupational violence within the correctional system and to signal to custodial officers that occupational violence is not acceptable and not simply part of their job. In addition, Corrections Victoria is implementing a range of systemic and local strategies to reduce the seriousness and frequency of violent incidents in custodial settings.

Under these provisions, custodial officers will not encompass everyone who works at a prison or in police cells; only those workers with duties that involve regular and routine close contact with prisoners in closed environments and potentially high-risk or volatile situations. The statutory minimum sentences will only apply to offenders who intentionally or recklessly cause injury, or serious injury, to custodial officers while they are on duty.

The statutory minimum sentences do not apply to juvenile offenders (those under 18 years of age). The statutory minimum provisions also include safeguards which maintain judicial discretion and protect against the imposition of sentences which are arbitrary or unwarranted. In my opinion the extension of statutory minimum sentences does not compel a court to impose an arbitrary sentence, or a sentence that is disproportionate to the violent acts relevant to that sentence.

Furthermore, safeguards, in the form of special reasons, will be extended from emergency worker provisions, to apply to offences against custodial officers on duty. A court is not compelled to impose the relevant statutory minimum sentence if it is satisfied that one of the following special reasons is present:

the offender assisted or has undertaken to assist in the investigation or prosecution of an offence;

the offender was aged over 18 but under 21 years of age at the time of the commission of the offence and can prove that due to psychosocial immaturity was unable to regulate his or her behaviour;

the offender can prove he or she has impaired mental functioning;

the court makes a hospital security or residential treatment order; or

there are substantial and compelling reasons that justify a departure from the statutory minimum sentence, having regard to Parliament's intention that the relevant minimum sentence should apply and whether the cumulative impact of the circumstances justify a lesser sentence.

The following additional safeguards exist for offenders who were aged over 18 but under 21 years of age at the time of the offending to take into account the particular vulnerability of young people:

if found guilty of causing injury, a court may find that a special reason exists if it believes that there are reasonable prospects for the rehabilitation of the young offender, or it believes that the young offender is particularly impressionable, immature or likely to be subjected to undesirable influences in an adult prison.

if found guilty of causing serious injury, a court may impose a youth justice centre order rather than a sentence of imprisonment if it receives a pre-sentence report from the secretary of the Department of Human Services and believes that there are prospects of rehabilitation or that the offender is particularly impressionable, immature or likely to be subjected to undesirable influences in an adult prison. In these circumstances a court may impose a youth justice centre order for a specified length.

These special reasons provide sentencing courts with limited but appropriate and sufficient exceptions to impose sentences that are suitable to individual offenders. In this regard, the bill safeguards against the imposition of a disproportionate sentence by allowing a court to depart from the statutory minimum if it finds the personal characteristics of the offender and/or the circumstances of the case justify doing so. Once a court finds a special reason exists, it has full sentencing discretion to impose any sentence it considers appropriate.

Further, in Victoria there are strong and fundamental procedural and legal safeguards that — in addition to the above special reasons — protect against people being detained arbitrarily, and that protect against the imposition of grossly disproportionate and unjust sentences.

These provisions can be distinguished from the recent Canadian case of *R v Nur* [2013] ONCA 677; *R v Charles* [2013] ONCA 681, where the Ontario Court of Appeal held that a mandatory minimum sentence scheme for firearm offences was a violation of the right to protection against cruel and unusual punishment. The court stated that the test for assessing the proportionality of a mandatory minimum sentence scheme required consideration of the nature of the offence and the circumstances of the offender. These statutory minimum sentence provisions only apply to violent offences, the relevant sentences are within the normal range for such

offences, and are also subject to special reason exceptions. For these reasons, the statutory minimum sentences for violent offences against custodial officers on duty can be distinguished from Nur.

In my opinion, the extension of statutory minimum sentences to custodial officers does not limit the rights to protection from cruel, inhuman or degrading punishment or the right to liberty and security.

Right to fair hearing (section 24) and rights in criminal proceedings (section 25)

Section 24 of the charter provides that an individual charged with a criminal offence has the right to have the charge decided by a competent, independent and impartial court or tribunal after a fair and public hearing. Although this section is relevant because the bill affects a court's sentencing discretion, as outlined above, the special reasons protect against the risk of a disproportionate sentence being imposed and ensure that any special individual circumstances of the offender are considered by the sentencing court.

It is also worth noting that the High Court has consistently held that provisions imposing mandatory minimum sentences — which this bill does not do given the special reason provisions — do not constitute a usurpation of judicial power.

Section 24 is also relevant to the amendments in part 4 regarding the use of recorded evidence, as is section 25 of the charter. Section 25 sets out specific minimum rights in criminal proceedings. Section 25(2)(g) effectively creates a right of cross-examination, to ensure that the accused has an adequate opportunity to challenge and question a witness who will give or has given evidence against him or her. The right to cross-examine prosecution witnesses is qualified by the words 'unless otherwise provided by law'.

Clause 387B allows the court to admit a recording of the evidence of a complainant in the Children's Court if it is in the interests of justice to do so. This enables recorded evidence of complainants in serious sexual offence cases to be admitted on appeal instead of a complainant repeating their evidence.

Replaying recorded evidence on appeal will minimise trauma to a vulnerable class of witness and help reduce the likelihood of serious allegations being discontinued if complainants are not willing or able to give evidence for a second time.

Clause 387B applies existing safeguards contained in division 7 of the Criminal Procedure Act 2009, for example:

that the court must have regard to whether the evidence is complete or whether the accused would be unfairly disadvantaged (section 381);

an accused person will be permitted to examine, or have examined, complainants when they give evidence at first instance in the Children's Court;

the court may also direct a complainant to give direct testimony additional to a recording admitted into evidence (section 384);

an accused person will be able to cross-examine a complainant on appeal if leave is granted by the court (section 385); and

leave for further cross-examination may be granted in instances such as the accused becoming aware of a matter of which the accused could not reasonably have been aware at the time of the recording, or if further cross-examination is in the interests of justice (section 385).

The changes are consistent with existing provisions for the evidence of complainants in serious sexual offence cases heard in the adult jurisdiction. The changes balance protection for vulnerable witnesses against accused's rights in criminal proceedings and recognise the importance of all relevant evidence being available to the court on appeal.

The impact of the changes are relatively minor in that they provide extra protections for a particularly vulnerable category of witness without unduly restricting the procedural rights of an accused person. The changes appropriately maintain a minimum guarantee for an accused to examine, or have examined, witnesses against him or her as required under section 25(2)(g) of the charter.

In my opinion, this bill does not limit the right to a fair hearing or the right in criminal proceedings to question and cross-examine witnesses.

For the reasons above, I consider that the bill is compatible with the rights protected by the Charter of Human Rights and Responsibilities Act 2006.

The Hon, Martin Pakula, MP
Attorney-General

Second reading

Mr PAKULA (Attorney-General) — I move:

That this bill be now read a second time.

Speech as follows incorporated into *Hansard* under sessional orders:

The Crimes Legislation Amendment Bill 2016 introduces statutory minimum sentences for those who attack custodial officers, and makes it easier for victims of sexual assaults to give their evidence on appeal.

The reforms in this bill will deter those in custody from assaulting and injuring a custodial officer on duty, by boosting protections for those people who look after prisoners and people in police cells on behalf of the Victorian community.

Custodial officers

Recent incidents at prisons, including the Metropolitan Remand Centre and Barwon Prison, have demonstrated the difficult and unique challenges faced by custodial officers. Intrinsic in their role is the supervision, monitoring and direction of offenders who pose a degree of risk to the community. Incidents involving occupational violence to prison officers are an increasing concern. Occupational violence usually occurs as either a result of a staff member intervening in assaults between prisoners or detainees, or because a staff member is attempting to manage a non-compliant person.

Like police officers and protective services officers, custodial officers are employed in a public-safety role and are entitled to a safe working environment. They are also entitled to be protected as far as is possible from violence in the conduct of their duties.

The Sentencing Amendment (Emergency Workers) Act 2014 inserted statutory minimum terms of imprisonment for certain violent offences committed against emergency workers on duty, and expanded existing assault offences to specifically include emergency workers. Police officers and protective services officers are considered to be emergency workers. This bill extends these provisions to custodial officers to recognise the special role they perform in managing people who pose a degree of risk to the community. This will see people who commit certain violent offences against custodial officers on duty receive higher penalties in accordance with the statutory minimum sentences.

As custody and prison officers do not strictly perform emergency work, this bill creates the category of 'custodial officer' to recognise those staff whose safety is at risk due to the role they perform. A custodial officer is anyone who works as a police custody officer, prison officer, prison governor or escort officer, and private contractors performing roles of that nature in private prisons. This category will not include everyone who works in police cells or prisons — such as cleaning or culinary staff — only those workers with duties that involve close contact with prisoners in closed environments.

These changes are also necessary to respond to changes in the management of people in police custody and in prisons. Until recently, members of Victoria Police managed people in police custody. To free up police to focus on frontline duties, police custody officers were created by the Justice Legislation Amendment (Police Custody Officers) Act 2015. In the 2014 amendments police officers were included as emergency workers, but prison and custodial staff were not. As police custody officers have taken on this aspect of police work, it is necessary to extend the extra protection given to police to these new officers by enacting similar sentencing provisions for offences committed against them. This will recognise the special role that police custody officers play in managing the custody of detainees and prisoners in high-risk environments.

Sentencing provisions relevant to custodial officers will only apply when that custodial officer is on duty. This is consistent with the emergency worker provisions which only apply when the emergency worker is 'on duty'. This bill specifies that a custodial officer is on duty when performing any relevant function or exercising any relevant power.

This bill imposes statutory minimum sentences to violent offences committed against custodial officers when they are on duty. For example, if an offender is found guilty of intentionally causing serious injury to a custodial officer on duty, a court will have to impose a three-year non-parole period, unless special reasons exist. For the offence of causing serious injury in circumstances of gross violence there is a statutory minimum five-year non-parole period, for recklessly causing serious injury there is a two-year minimum non-parole period, and for causing injury either recklessly or intentionally a six-month minimum term of imprisonment.

If a court considers that special reasons exist, the relevant statutory minimum sentence does not have to be imposed. The special reasons are limited and specific. Special reasons

include an offender who has impaired mental functioning at the time of the offence or who has provided assistance to authorities. A court can also find that there are substantial and compelling circumstances which justify a departure from the statutory minimum. This special reason requires courts to consider a number of factors, including the clear intention of Parliament that a certain sentence of imprisonment be imposed. For young offenders, special reasons also include the presence of a particular psychosocial immaturity that has substantially diminished the ability to regulate behaviour, and in certain circumstances a court can impose a youth justice centre order instead of a term of imprisonment. The statutory minimum sentences do not apply to offenders who are under 18 at the time of the offence.

This bill will also amend the Crimes Act 1958 and the Summary Offences Act 1966 so that custodial officers will be explicitly included in assault provisions which apply to emergency workers on duty.

These changes will promote the safety of police custody officers and other custodial officers, and recognise the key role that they play in managing people who pose a degree of risk to the community.

Use of recorded evidence

Complainants in sexual offences cases in the Children's Court are currently required to repeat their evidence in the County Court if an accused person appeals their conviction. Repeating difficult evidence causes additional delay and unnecessary trauma for complainants. Sometimes the prosecution will discontinue serious charges because a complainant is unable, or does not wish, to repeat their evidence at the appeal. This bill also allows the use, in certain circumstances, of the recorded evidence of sexual offence complainants.

This bill amends the Criminal Procedure Act 2009 to allow the complainant's recorded evidence to be used on appeal from the Children's Court and in other related criminal or civil proceedings. These amendments will avoid the repetition of evidence by complainants in serious sexual offence cases that are heard in the Children's Court, if the accused appeals their conviction to the County Court.

These amendments will protect complainants in serious sexual offence matters heard by the Children's Court. Serious sexual offences include offences such as rape, sexual penetration, incest and persistent sexual abuse of a child.

Regulation-making power

This bill will also insert a general power into the Crimes Act 1958 to allow the Governor in Council to make regulations with respect to that act.

This technical amendment is required to ensure that any necessary regulations can be made in relation to the Crimes Act and are consistent with general regulation-making powers in other acts.

This bill will ensure that greater protections are provided by our criminal justice system to those in particularly vulnerable or high-risk situations.

I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Thursday, 25 February.

DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT BILL 2015

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 5, line 22, omit "300" and insert "500".
2. Clause 6, page 4, line 7, omit "300" and insert "500".
3. Clause 9, line 18, omit "300" and insert "500".
4. Clause 9, line 24, omit "300" and insert "500".
5. Clause 17, line 12, omit "300" and insert "500".
6. Clause 17, line 29, omit "300" and insert "500".

Mr SCOTT (Minister for Finance) — I move:

That the amendments be agreed to.

I rise to confirm that the government will support the technical amendments proposed by the opposition. I understand the member for Box Hill will speak to the nature of the amendments, which essentially relate to a 300-metre versus 500-metre area. I also indicate that the previous speaker for the government in this house, the member for Niddrie, confirmed our support for the amendments to clauses 5, 6, 9 and 17.

This is a bill to implement the commitment the government made in the lead-up to the November 2014 election to introduce new laws to crack down on the production and sale of ice. These laws form part of the government's response to the challenge that ice presents, and I would hope that all members, with goodwill, will support legislation in this house to prevent the scourge of ice damaging more Victorians.

The government has taken a number of actions to deal with the issue of ice, including establishing an ice action task force. Members will recall that last March the Premier committed \$45.5 million to support efforts to reduce supply and demand and the harm that ice causes. The bulk of this funding was for treatment, rehabilitation and support for families and friends of those impacted. The new laws form part of a government response to the challenge of ice. These laws keep the promise that was made to protect our community from the damage caused by ice. I will not speak at length on these matters, but I will say that the

government is pleased to support these new laws. I commend the amendments to the house.

Mr CLARK (Box Hill) — The opposition welcomes the government's support for these amendments, which were initiated by the shadow Minister for Police, Mr O'Donohue, in the other place. As the Minister for Finance and Acting Minister for Police indicates, they deal with the proximity to a school where various of the new offences being created by this bill will apply, such as trafficking or attempting to traffic a drug of dependence to a child. The amendments initiated by Mr O'Donohue and now before this house bring Victoria into conformity with South Australia and specify that the offence with the higher penalty will apply if it occurs within 500 metres rather than 300 metres of a school.

I do not want to redebate the substantive matters to which this bill relates. The opposition supported the amendments made by the bill, but a lot of them are in fact simply providing increased maximum penalties for conduct which is already an offence. In our view they do not go anywhere near far enough to tackling problems of ice, and they do not reflect a lot of what the Premier said prior to the election. But nonetheless the bill does make some small change towards increasing penalties for ice-related offences, and the bill will be strengthened by the amendments put forward by the Legislative Council at the initiative of the opposition and Mr O'Donohue. They are supported by the government and, as I said at the outset, the opposition welcomes the government support for the amendments.

Mr HIBBINS (Pahran) — The Greens will be opposing these amendments, just as we opposed this bill when it came before the house last year, because it represents a failed approach in tackling drug issues and drug addiction. If you think that simply lifting a maximum sentence from 20 to 25 years or creating these exclusion zones is going to have any impact, I think you are absolutely kidding yourself. The minister says, 'Well, this is all part of ice. It is all part of targeting ice'. From my understanding, the bill does not specify which particular drugs are actually going to be covered under this legislation, and in fact what we are going to see are unintended consequences of young people actually being affected by these laws themselves, because it is young people at risk. If they happen to be involved with marijuana or other substances, they are the ones who are going to be at risk for prosecution as a result of this bill. We will be opposing these amendments, just as we opposed this bill.

Mr CRISP (Mildura) — I rise on behalf of The Nationals to support these amendments. We know that these principally deal with distances or proximity of areas around schools to which a penalty is applied. We know that ice is a challenge in our communities. We know that control is a bigger challenge in our communities and that schools are a target. I think that these measures just further reinforce a whole suite of measures that are necessary and are being undertaken against ice. Briefly, in my community we have a Project Ice approach for educating the community and preventing the scourge of ice.

We also have treatment programs in place. This is just another vital piece of a jigsaw that is extremely important in sending a message that we are serious about these drug issues, that we will take action on these drug issues, and that schools are targeted and we will not tolerate that. I support the amendments.

The ACTING SPEAKER (Mr Carbines) — Order! There being no other contributions, the question is:

That the motion be agreed to.

All of that opinion say aye, to the contrary no.

Honourable members — Aye.

Mr Hibbins — No.

The ACTING SPEAKER (Mr Carbines) — Is a division required?

Mr Hibbins — Yes, I call for a division.

The ACTING SPEAKER (Mr Carbines) — Order! A division is required. I ask the Clerk to ring the bells.

Bells rung.

House proceeded to divide on motion:

The SPEAKER — Order! As there is only one vote for the noes, I am informed that we cannot proceed with the division. I therefore declare the question agreed to. Does the member for Prahran wish to register his dissent?

Mr HIBBINS (Prahran) — Yes.

Motion agreed to.

ACCESS TO MEDICINAL CANNABIS BILL 2015

Second reading

Debate resumed from 10 December 2015; motion of Ms HENNESSY (Minister for Health).

Mr WAKELING (Ferntree Gully) — It gives me pleasure to rise to contribute to this important debate on the Access to Medicinal Cannabis Bill 2015. The significance of this bill is that it will implement the recommendations of the Victorian Law Reform Commission's report on medicinal cannabis and will establish a legal framework for its cultivation, manufacture and supply to eligible patients and support ongoing research in this important field. I wish to place on the record from the outset that the coalition will not be opposing the bill before the house.

The purpose of this bill is to provide for medicinal use of the products derived from cannabis by establishing a scheme for the supply and treatment of Victorians with specified conditions using approved medicinal cannabis products of a reliable quality and known composition. The bill preserves the prohibition of unlawful cultivation, trafficking, supply and use of the drug of dependence known as cannabis, obviously, and also provides for the lawful cultivation and manufacture of cannabis for medicinal cannabis products.

Many in this house would understand the long history associated with this issue, and back in 2014 the previous coalition government passed legislation in the other house regarding this issue, but this did not get debated in the lower house, given the election. The bill that was then debated in the upper house, which was to amend the Drugs, Poisons and Controlled Substances Act 1981, was going to make it easier for clinicians and researchers to conduct clinical trials of cannabis.

Upon the election of the current government this matter was referred to the Victorian Law Reform Commission, and in October 2015 that body presented its report, which was tabled in the Parliament. The government, in dealing with the recommendations of the report, accepted 40 recommendations in full and 2 recommendations in principle. Chief among the recommendations of the report are that medicinal cannabis be provided compassionately to eligible patients, that the product be of a known composition and safe, regulated quality, and that the use of cannabis outside of this scheme should remain prohibited.

In effect the bill seeks to put in place a regime under which people who are identified as requiring the

assistance of the substance in order to assist them to deal with a range of health issues will be able to access this in a prescribed manner. It will obviously involve the issue of cultivation, it will specify the eligibility of specific patients, it will identify the role of physicians and it will also identify the role of hospitals and hospital pharmacies in this process. In a practical sense, the way in which the bill will operate is that cultivators will be enabled to import cannabis seeds from countries where this process is currently well established, including countries such as the Netherlands and Israel. The cultivator will then be able to cultivate legal cannabis for a horticultural trial, and they will be able to provide this cannabis extract to a licensed hospital for its manufacture. This will be overseen by the Department of Economic Development, Jobs, Transport and Resources.

Eligible patients who will be able to access this new product, in the first instance, will be juveniles who are suffering from epilepsy. This will ensure that the actions of parents who are known to already be treating their epileptic children with cannabis are decriminalised. It has been estimated, using Australian Institute of Health and Welfare data, that there are expected to be about 430 eligible and willing patients who will participate in the use of this new product across the state of Victoria. The definition of an eligible patient allows for further categories of eligible patients to be prescribed in the regulations, and this will be on the advice of an expert committee.

With respect to physicians, they will be able to apply to the newly established Office of Medicinal Cannabis for a licence to participate in the trial. They will be able to prescribe the new product to eligible patients, and they will also be in a position to monitor the results of the new trial. With respect to hospitals and hospital pharmacies, with applications to the new office one hospital will be licensed to conduct the new trial. It will receive cannabis extract from a cultivator. It will be able to manufacture it in a form — that being oil — to be consumed by patients. It will be able to select eligible patients. It will then be able to conduct open-label trials, monitor the results and report these results back to the new Office of Medicinal Cannabis.

As I said from the outset, the history of this issue is well known in the Victorian community, and the coalition has indicated that it will not be opposing the bill. However, it is important to place on the record that the passage of this bill will in fact potentially place the state of Victoria in a situation where our laws will be inconsistent with our existing international treaties on narcotics. The commonwealth believes that states that cultivate cannabis for this purpose will be in breach of

the UN Single Convention on Narcotic Drugs 1961, which provides that the federal government must control all aspects of cultivation. The federal government is expected, as we know, to introduce a bill on this issue, and I will deal with that in a second.

The Victorian government has indicated, obviously, that it wants to proceed with this bill, and that was made clear last year. However, the federal government has been in dialogue with the states regarding the development of federal legislation on this important issue. Just yesterday the federal Minister for Health, the Honourable Sussan Ley, announced that the federal government is in fact introducing legislation on this important issue, so the dialogue that occurred between respective state and federal departments and state and federal ministers has certainly been occurring prior to the decision by this government to introduce legislation.

Yet despite the fact that the state government and the state minister were aware that the federal government was going to be introducing legislation, the state government decided to proceed with this legislation. That is a decision for the government, as to whether it wishes to proceed with the legislation at this point in time. But the net effect of that may be that when the federal government legislation is passed — and it is anticipated that it will be in place by 17 March federally — this bill, if enacted as legislation with respect to issues affecting cultivation, will in fact be in conflict with the legislation enacted by the federal government.

Given the fact that, as we know, under the constitution federal legislation overrides state legislation, the Victorian government will in fact have to revisit this bill in this house this year to deal with the net effect of the legislation that is being introduced by the federal government. Again I say that it is a decision for the Minister for Health. It is a decision for this government to determine whether or not it wishes to proceed on the basis of this bill being enacted and then having to be revisited in this house in a short period of time to deal with that issue. It is important that that issue is placed on the record. The simple fact is that this government is clearly aware that the federal government was seeking to enact legislation in a short period and that there in fact is going to potentially be an unnecessary conflict. But we are dealing with the legislation that is before the house today, and again I say that is an issue which the current government here in Victoria is going to have to deal with and explain to Victorians why that will be the case.

The other issue I wish to address is regarding the cost associated with purchasing the product. An *Age* article

of 11 October, written by Farrah Tomazin, says that with regard to the new product it is anticipated that it will cost about '\$50 to \$58 a month at selected pharmacists, for children whose epilepsy is so profound it can be life threatening'. Whilst the issue of access is important for those families who have children who are affected by this, there is a clear request to provide some clarity on this — and we would be interested to have this from the minister or, if not, a representative from the government — as to what the anticipated cost will be. Is the cost of \$50 to \$58, as quoted here in the *Age*, correct? If not, what is the anticipated cost going to be to Victorian consumers?

Clearly we understand that this is a new product. Clearly we understand that there will be a cost that will be associated with that and that it will be determined at a market rate on the basis of the production and access capacity of this new product. But the government needs to clarify whether in fact the new product is going to cost Victorians within the realm of \$50 to \$58 and whether in fact there will be a sliding scale depending on people's capacity to pay, whether or not they are in receipt of a healthcare card, whether or not there is a sliding scale for children versus adults et cetera. I think it is imperative that the government provide an explanation of this issue, because families who are affected — adults who are affected — who believe they will be accessing this new product want to actually know what the ultimate cost will be to them. As we know, many of these sufferers, particularly adults, are themselves on healthcare cards, and they would want to know the potential costs they will be facing.

The third area I wish to raise is eligibility. It has certainly been identified that the access for this new product will be initially limited to patients under the age of 18 years who are experiencing severe seizures resulting from epilepsy and where other treatment options have not proved effective. In fact this was identified in a press release from the Premier in which he says:

Victoria will take part in a groundbreaking international clinical trial of a new medicine to treat paediatric patients with refractory epilepsy.

Whilst it is important that this product is made available to those children — and I can only think of the pain and suffering of not just the child but the families involved, because this is something that is certainly a heartbreaking situation — questions have been asked more broadly about whether or not access will be expanded on an initial basis to include adults or people suffering from other ailments.

This issue has been raised by both organisations and individuals. An individual providing correspondence to my colleague Ms Wooldridge, the shadow minister and a member in the other place, said that with regard to it being accessed for children with epilepsy — this person is a sufferer — there are people who will not be around in 2017 who would benefit from this treatment now. Whilst that is emotive and whilst this person is a sufferer, it still raises the obvious question that there are people who are sufferers who want to know when they will have access.

Without naming anyone, I know one woman in my electorate for whom this is a major issue. She has been a sufferer for many years of a condition for which she is seeking other forms of treatment, and the passage of this legislation has been important to her. Again, it is imperative that this woman and other adult sufferers like her in our community are provided with clarity and with an explanation as to when this product will be available. It is certainly my understanding that once this product is being provided on a commercial basis, that is when other sufferers in our community will be able to access it.

I understand that a process has to be put in place with respect to the cultivation and delivery of this new product, but again I say that it is imperative that the government provides an explanation to Victorians because, as emotive and as important as this issue is for sufferers, there is now an expectation by some that once the legislation passes they will be able to access this product very swiftly, and we know for a whole range of reasons that that will not be the case.

Ms Thomas interjected.

Mr WAKELING — I understand that it is going to take a process; all I am saying is that the government will need to explain to Victorians what the process will be, because there will be adult sufferers who, once the legislation has passed, will believe they can access this product straightaway. It is clear that that will not be the case, and all I am saying is that it is imperative that this government provides an understanding and an explanation to Victorians as to what the anticipated rollout will be and how adults who are sufferers themselves will access the product, and it needs to ensure that this is provided in a timely manner.

The government has indicated previously that it will seek to continue a ban on the legalisation of the smoking of cannabis. The second-reading speech states:

It is intended that medicinal cannabis products will not be available in a form that can be smoked.

Whilst that in itself makes reference to the capacity for Victorians to smoke cannabis in a legal form, there are many in the community who believe that statement is not explicit. I would then call upon the government in dealing with this issue to ensure that it is explicit and that this is not going to be seen, as some believe, as the thin edge of the wedge for the introduction and legalisation of cannabis. I am not proposing that that is the government's intention, but I am saying that this is an emotive issue. Clearly the issue of cannabis oil being used for the purposes of the treatment of illness is different to people accessing cannabis for the purpose of smoking it, but I think it is incumbent on the government to be more explicit in its language on this issue so as to provide clarity for people in the health sector who are raising these concerns. This is a concern that has been raised by people within the health sector and people involved in the public policy debate who have a strong view on this important issue.

I would also like to refer to some of the concerns that have been raised by the Australian Medical Association (AMA). The AMA indicated in a statement that was put out on 6 October 2015 by the AMA Victorian president, Dr Tony Bartone, in response to the Victorian Law Reform Commission's recommendations that were tabled in the Parliament, that:

This is an exciting development for a specific group of patients with specific conditions.

But he went on to say:

However, AMA Victoria holds reservations as there is a lack of significant evidence and information on its side effects, potential harms, and implications of long-term use or use at a young age.

He went on to say, and I quote:

The Victorian government, on the recommendation of the VLRC, is not waiting for the results of further clinical trials, such as the NSW/Vic/Qld trials which are currently underway. This deviates from the usual process of how medications are approved for use in Australia, where there is either thorough international evidence and/or Australian evidence. Given this gap, we hope that the patients who are authorised to use medicinal cannabis under this new scheme are closely monitored on a comprehensive patient register.

He went on further:

We stated in our submission to the VLRC that more evidence is needed before there is a full rollout. This has not happened yet. We understand the distress and pain that some patients, and their families, with serious conditions like MS, cancer, epilepsy and seizures, HIV and those with chronic pain suffer. However, checks and balances, evidence, data, proof, risk analysis, warnings and quality control are always needed for medications and medical procedures. This step has been

skipped here, and is an important part of good medical care ...

I place that on the record for no other reason than to say that, whilst we all understand and appreciate the importance of this issue and the concerns of families and other Victorians for sufferers and the fact that Victorians with a caring heart want children — sufferers, both young and old — to be able to access a range of medical products to assist them in the treatment of their illnesses, we must remember that we are in fact talking about a medical condition. We are talking about a product that is going to be legalised by the Victorian Parliament.

The AMA has ensured that it places on record its view that we all must be mindful of the consequences of this new approach. Again, it is not going to stop this process from continuing, but it certainly ensures that the views of the AMA, the views of the medical profession, are on the record and there is a very clear view that there are potential medical consequences if this is not managed properly. Again I say to the government that it will be imperative for the government to ensure that this process is closely monitored.

I would also like to visit the views of the Cancer Council Victoria, which have been provided. These are comments by Todd Harper in his capacity as CEO at the cancer council. He, similar to the AMA, has raised some areas of concern. The first area that I wish to address regarding the council is in regard to the Independent Medical Advisory Committee. He stated:

Cancer Council commends the inclusion of clause 12, which authorises the minister to establish an Independent Medical Advisory Committee to advise the health secretary and minister on which ... products should be approved ...

However, he went on to say that:

We query whether the legislation should specify that regulations prescribing new categories of 'eligible patients' be made only on the advice of the Independent Medical Advisory Committee. This requirement appears to be contemplated by the bill but is not made explicit.

Another issue which the cancer council has raised concerns about is regarding practitioner medicinal cannabis authorisation involving the issue of the power to suspend or to cancel, and I quote:

We note that clause 85 permits the health secretary to suspend or cancel a practitioner ... authorisation at any time 'if satisfied that this is appropriate to do so in all the circumstances'.

Business interrupted under sessional orders.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Level crossings

Mr GUY (Leader of the Opposition) — My question is to the Premier. Can the Premier confirm that the decision not to pursue the undergrounding of level crossings on the Dandenong line, or Dandenong rail corridor, in favour of entirely elevated sky rail was never one approved by his full cabinet?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question, and, no, I cannot confirm that. What I can say to the Leader of the Opposition, who yet again has proven to us in a question littered with errors that he is opposed to everything, is this: not happy enough that he spent four years building nothing, he now opposes this government delivering on its commitment to remove nine deathtraps on the Dandenong line. The Leader of the Opposition is opposed to the removal of those nine deathtraps, and for that he stands condemned.

Mr Guy — On a point of order, Speaker, as you can imagine I am raising a point relating to relevance. It was a simple question about whether sky rail went to cabinet, and I am asking the Premier to give a yes or no answer to the Parliament. Did it go to cabinet or not?

The SPEAKER — Order! As the Leader of the Opposition understands well, the Chair is unable to direct the Premier to respond in any particular way; however, the Premier was being responsive to the question asked.

Mr ANDREWS — The Leader of the Opposition seems to be unaware of the actual question he just asked. He asked me to confirm a matter, and I have answered the question fully. What I will also put on the record is this: those opposite are opposed to the removal of these level crossings, and for that every one of them stands condemned.

Supplementary question

Mr GUY (Leader of the Opposition) — How can a community expect to be properly consulted on decisions of this magnitude if the Premier does not even consult his own cabinet?

Mr ANDREWS (Premier) — Again I reject the question put forward by the Leader of the Opposition, which was full of errors and inaccuracies. The Leader of the Opposition is known by many different tags; Captain Consultation is not one of them. He has never seen a project he could not approve quickly enough

without any due process at all: 'If you would like to build a high-rise, go higher. If you would like to have your land rezoned? Well, you buy it, and I will rezone it'.

Mr Guy — On a point of order, Speaker, on relevance, I know it is hard for the Premier to look his backbench in the face. I know it is hard for him to look them in the face.

Honourable members interjecting.

The SPEAKER — Order! The Leader of the Opposition is to be heard in silence.

Mr Guy — The Premier was asked a simple question around community consultation, and I know he does not want to look his backbench in the face, but maybe he should give us an answer as to whether it went to cabinet or not.

The SPEAKER — Order! The Premier will come back to answering a supplementary question.

Mr ANDREWS — The Leader of the Opposition would know more about kitchen cabinet than cabinet. Sitting around a table, 'You buy the land, and I will rezone it; whatever you like'. Old Mr Ventnor over there will not be lectured on process from this one over here.

Honourable members interjecting.

The SPEAKER — Order! The Chair understood that discussions were being had with both the Premier and the Leader of the Opposition in relation to their interjections on the Chair whilst the Chair is on his feet.

Mr Hodgett — On a point of order, Speaker, the Premier is debating the question. I ask you to bring him back to answering the question.

The SPEAKER — Order! The Premier has concluded his answer.

Ministers statements: group training organisations

Mr ANDREWS (Premier) — I am very pleased to be able to rise to announce to the house that the government has in further support of jobs and skills announced its commitment to group training organisations across Victoria. To Minister Herbert I extend the government's congratulations and thanks. This is a great decision from a minister with passion to support TAFE, to support apprentices, and to support jobs and skills.

I was very pleased to be with the Minister for Sport and the member for Geelong — again two further proud advocates of those working families who need a start, who need the skills, the ticket, so that they can get the life opportunities they are entitled to — when we were down in Geelong at Breakwater Kitchens last week to announce \$9.3 million, not just funding on behalf of our government but funding to replace savage cutbacks made by the Turnbull federal government to this valuable program.

Breakwater Kitchens is a family business built from nothing that is now so successful that we met five of the apprentices that are working there. This partnership with group training organisations will support additional young apprentices — some 17 000 apprentices — to get the skills they need for the jobs they want, for them to have the life opportunities they are entitled to and for all of us as an economy and a community to benefit from their productive contribution.

There are some who would cut TAFE, there are some who would walk away from young people and then there is the verdict of the Victorian people. Those who would do those things have been judged appropriately, and they sit on that side of the house because of it.

Level crossings

Mr HODGETT (Croydon) — My question is to the Premier. Why did the government reject the bid by the John Holland consortium for the Dandenong rail section that featured six rail-over-road and three underground level crossings, far fewer elevated track sections and was estimated at \$200 million less than the ultimately successful Lendlease bid?

Mr ANDREWS (Premier) — I thank the Deputy Leader of the Liberal Party for his question. Nine deadly level crossings will all be history under this government's hard work and this government's commitment. It is hard to know: are those opposite advocating on behalf of the community or on behalf of an under-bidder, on behalf of an unsuccessful tenderer? That is the question, Speaker. Are they advocating on behalf of the community, themselves or an unsuccessful bidder in a tender process run against the highest standards of probity? That is the question for the deputy leader to answer.

A proper process was run. Nine level crossings will go. Those opposite are almost infuriated that we are going to do what they only ever talked about.

Honourable members interjecting.

The SPEAKER — Order! The Premier will resume his seat. The Attorney-General!

Mr R. Smith — On a point of order, Speaker, the Premier should answer the question that was asked. The question was about why the John Holland consortium bid was rejected in favour of the Lendlease project that the government has committed to. I ask you to bring him back to the question that was asked.

The SPEAKER — Order! The Premier, to continue. There is no point of order.

Mr ANDREWS — I am indebted to the oracle from Warrandyte for his point of order.

The SPEAKER — Order! The Premier, to continue his answer to the question.

Mr ANDREWS — This is about a contract to remove nine deadly level crossings, and that is what this government will do in full, because that is what it committed to do. If those opposite had ever built anything, if those opposite had ever actually done anything, they would know — —

Honourable members interjecting.

Mr Clark — On a point of order, Speaker, the Premier is debating the issue. This is a very serious question about why the government rejected a cheaper proposal that was on the table and that also appears to be a better proposal. The community is entitled to an answer to that question. The Premier should not be debating it; he should be answering it.

The SPEAKER — Order! I ask the Premier to come back to answering the question.

Mr ANDREWS — As the member for Box Hill made clear, it is what he says things appear to be. His assertion is wrong, as is that of the Deputy Leader of the Opposition, as is that of the member for Warrandyte. This is an outstanding project. It has been determined against the highest standards, and it will be delivered in full by a Labor government against the highest standards.

Supplementary question

Mr HODGETT (Croydon) — I ask the Premier: is it not a fact that the only reason the government has chosen the substandard, entirely elevated rail bid is to pay off Lendlease for the cancellation of the east–west link contract?

Mr ANDREWS (Premier) — I thank the deputy leader for his question. The answer is no. If you want to

talk about pay-offs and payouts, who backed up the truck and paid the east-west consortium everything it wanted and more?

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Kew

The SPEAKER — Order! The member for Kew will withdraw from the house for the period of 1 hour.

Honourable member for Kew withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Level crossings

Supplementary question

Questions and statements resumed.

Mr ANDREWS (Premier) — They could not pay out the east-west consortium fast enough. It was a government that did nothing, but it could find reverse, back the truck up and pay out as much as that consortium wanted. That is what those opposite did, and that is what the history of this state will forever record. They were cowards to the end. They signed the contracts, backed up the truck and paid out the money. Those opposite were afraid of the Victorian community.

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Clarinda

The SPEAKER — Order! The member for Clarinda will withdraw from the house for the period of 1 hour. The Chair is not to be interrupted and there are to be no interjections while the Chair is on his feet, according to standing orders adopted by this house.

Honourable member for Clarinda withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Questions and statements resumed.

Ministers statements: rural and regional schools

Mr MERLINO (Minister for Education) — It is my pleasure to inform the house of a key achievement on the rollout of the education state across regional Victoria. The government has now employed more than 40 new staff across our regional offices as part of our \$82 million regional package. The recruitment process is well underway, and in total the package will create 150 new jobs across regional offices.

We have listened to our principals and our schools in regional Victoria. They told us of the devastating impact of those opposite when they completely gutted our regional offices and left our schools abandoned. We are correcting this. We are focused on supporting our educators so they can get back to guiding our kids.

There is a similar story when it comes to regional school infrastructure. School infrastructure funding fell under the former government to a mere \$200 million per year. Across regional Victoria it was a pitiful \$40 million, leaving regional schools neglected and falling apart. Where were The Nationals? Where was The Nationals' voice when they were in government?

In contrast, Labor is delivering the biggest school infrastructure program in Victoria's history, with more than \$160 million allocated to regional Victoria, creating 520 jobs. Labor is investing almost as much in regional Victoria as those opposite invested for the whole of the state of Victoria — the new Bannockburn P-12, the new Sale Specialist School, Daylesford Secondary College, Delacombe Primary School and Beaufort Secondary College, just to name a few. Only Labor supports our regional schools.

Level crossings

Mr CLARK (Box Hill) — My question is to the Minister for Planning. Given the large-scale vibration, noise, overshadowing and visual amenity issues that will impact local residents along the sky rail route, will the minister require a full environment effects statement to be completed before construction commences?

Mr WYNNE (Minister for Planning) — I thank the member for his question. Can I say by way of my opening comments that I note the pathetic attempt on Tuesday, the first day of the parliamentary year, when the opposition sought to verbal me, claiming my

criticism of flyovers for the east–west road, which would have ripped the guts out of Royal Park and the wetlands of west Parkville, was in some way analogous — —

Honourable members interjecting.

The SPEAKER — Order! The minister will resume his seat. The minister is to be heard in silence. The minister, to continue.

Mr Guy interjected.

The SPEAKER — Order! The Leader of the Opposition will allow the manager of opposition business to make a point of order. The manager of opposition business will be heard in silence.

Mr Clark — On a point of order, Speaker, the minister is not being relevant to the question. If he wishes to respond to a question that was asked on Tuesday, he has other opportunities to do so. I ask you to bring him back to answering the question that I have just asked him.

The SPEAKER — Order! It is now almost a minute into the minister's providing a response. I ask the minister to now respond to the question. I uphold the point of order by the manager of opposition business.

Mr WYNNE — Labor's project is to remove nine level crossings and rebuild five stations within an existing rail corridor — not through parkland, not through wetlands but through an existing rail corridor that has been there for more than a century. My obligation is to deal with this project once a proposal is brought before me. This project is subject, as the minister has already indicated, to extensive consultation over the next six weeks, and when that proposal comes before me, I will deal with it according to my obligations under the Planning and Environment Act 1987.

Supplementary question

Mr CLARK (Box Hill) — Will the minister rule out using a power of ministerial intervention to bypass normal procedures and approve the sky rail project, given that, as he has said before, that power, and I quote, 'prevents the community from having a say' and 'excludes the community'?

Mr WYNNE (Minister for Planning) — I thank the member for his question because it goes to the use of a very important power that resides with the Minister for Planning, and that is using section 20(4) of the Planning and Environment Act to exempt himself from normal

processes. That is at the heart of this question. I will never be lectured by that side of the Parliament on the use of this ministerial power. On 858 times this minister — —

Honourable members interjecting.

The SPEAKER — Order! The minister will resume his seat. The Leader of the Opposition will resume his seat. The minister is to respond succinctly to the question as put by the manager of opposition business. There are 11 seconds. The minister will continue.

Mr Guy interjected.

Mr WYNNE — Raining down like confetti at a wedding! Use your power inappropriately; I will use the power as it is required, appropriately, not like you.

Mr Clark — On a point of order, Speaker, I draw your attention to sessional order 11(2) relating to answers not being responsive to questions and your power to require an answer. You directed the minister to return to answering the question. He failed to do so. I ask you to instruct him to provide a written answer.

Ms Allan — On the point of order, Speaker, in encouraging you to rule out the point of order, I do not think the planning minister could have been more fulsome or more clear about how he will acquit his responsibilities under the required legislation. I would ask you to rule that point of order out of order.

The SPEAKER — Order! The Chair found the responses advanced by the Minister for Planning responsive. Therefore there is no point of order.

Ministers statements: health funding

Ms HENNESSY (Minister for Health) — I rise today to inform the house about the actions taken by our government to defend Victorian hospitals against the Turnbull government's most recent \$73 million funding cut.

Despite previously agreeing to fund Victorian hospitals under a method supported even by the previous Liberal government, and having paid for surgeries and activities over the past two financial years, the federal government via its administrator has recently backflipped on this arrangement and is coming after Victorian patients. This will see \$73 million clawed back from our hospitals from March and \$36.6 million clawed back every year thereafter. This funding could have provided up to 12 000 elective surgeries. These are cuts that not even Tony Abbott would approve, and they are cuts that will really impact upon our rural and

regional health services — for example, this will mean a \$1.85 million cut from Ballarat health service.

Mr Clark — On a point of order, Speaker, I draw your attention to sessional order 7, which provides that ministers statements are ‘to advise the house of new government initiatives, projects and achievements’. While the minister said at the outset that she was going to talk about what the Victorian government was doing, she has been speaking for well over half the time allotted and she has not even begun to address what the Victorian government is doing. I ask you to bring her back to compliance with sessional order 7.

Ms HENNESSY — On the point of order, Speaker, I will indeed be addressing the action that the Victorian government will be taking, and it is absolutely imperative to understand the scale of these cuts and the impact of those cuts, because they go to our response.

The SPEAKER — Order! I do uphold the point of order. The minister, to come back to providing a statement.

Ms HENNESSY — Thank you very much, Speaker. Given the scale of these cuts, given what they will impact upon in terms of elective surgeries and rural and regional health services, we have indeed raised this matter with the federal health minister to ask her to reverse these cuts and to reconsider. The administrator was directed by the federal Treasurer to claw back this important amount of money.

Given that it was in fact an agreement that the previous much-maligned health minister of this state signed up to when those opposite were in power, we are also calling upon those opposite to stand up to their Liberal mates who keep attacking our health system and stand up for Victorian patients. That is exactly what our government is doing with more funding, and it is time that those opposite joined us.

Ombudsman jurisdiction

Mr PESUTTO (Hawthorn) — My question is to the Premier. Given that the Ombudsman has been directed by the Parliament to investigate allegations of rorting by the Labor Party and Labor MPs, is not the involvement of the Premier’s ministers and staff, as well as the use of internal government legal advice, all to obstruct the Ombudsman, a blatant conflict of interest and an improper use of public resources?

Mr ANDREWS (Premier) — I thank the member for Hawthorn for his question, and I can indicate to him that the answer is no. The matter is before the courts, and it is appropriate that that matter be allowed to run

its course. That is the approach the government takes, and it is certainly the approach that I take as the leader of the government.

But while I am on my feet, having fully answered the question, I might just say that the member for Hawthorn, former chief counsel to the former failed government — you know, the bloke who held Don Coulson’s hand through all of that sordid affair —

Mr R. Smith interjected.

The SPEAKER — Order! The member for Warrandyte is warned.

Mr Clark — On a point of order, Speaker, the Premier is now debating the question. If he has concluded his answer, he should simply sit down. This is not an opportunity for him to grandstand on whatever he feels like talking about.

The SPEAKER — Order! Has the Premier concluded his answer? The Premier to continue, in silence.

Mr ANDREWS — On the point of order, Speaker, I am simply outlining to the member for Hawthorn, who seems to have questioned the integrity of many people in the government in his question, the integrity of the questioner is relevant as well. That is the point I am going to, in full accordance with the standing orders.

The SPEAKER — Order! Has the Premier concluded? The Premier has not concluded his answer. The Premier to continue answering the question.

Mr ANDREWS — The member for Hawthorn can be assured that this matter will be allowed to run its course, as it should. The Ombudsman, as an officer of this Parliament, is perfectly entitled, having received an instruction from one chamber of this Parliament — not the Parliament, but a chamber of it — to seek clarification. That is what she is doing, and that is a perfectly appropriate thing to do. Each and every member of the government and its agencies will, very much unlike those opposite, act appropriately.

Mr Clark — On a point of order, Speaker, I draw your attention to the substance of the question, which related to the use of government resources in connection with this matter. The house does not need an explanation as to what the role of the Ombudsman is or what the proceedings before the court are. That is not what the question related to. I ask you to bring the Premier back to answering the question about the appropriateness of the usage of government resources.

The SPEAKER — Order! Has the Premier concluded his answer?

Mr ANDREWS — Yes.

The SPEAKER — Order! The Premier has concluded his answer. The Premier was responsive. The member for Hawthorn, to be heard in silence on a supplementary question to the Premier.

Honourable members interjecting.

The SPEAKER — Order! The Premier and the Leader of the Opposition will stop interjecting and allow the member for Hawthorn to put a supplementary question.

Supplementary question

Mr PESUTTO (Hawthorn) — Given the Premier's answer, in which he said that he is going to allow the matter to take its course, my question is: if the Premier is not trying to scuttle the Ombudsman's investigation, why did his minister, with the endorsement of the Premier and his office, write to the Ombudsman seeking to shut down her inquiry?

Mr ANDREWS (Premier) — Again I thank the member for Hawthorn for his question. There are different views on the statute, the act of this Parliament, on what its intention is and what the spirit of it is. In perfectly appropriate circumstances, I would have thought, the Ombudsman, seeking clarification and clarity, goes to the court and seeks just that — clarity as to her powers. That is appropriate, and we will all wait to see what the determination of the —

Honourable members interjecting.

Mr ANDREWS — That is why the Ombudsman is, of course, advancing both arguments. She herself says it is a test case. She is advancing both arguments. The member for Hawthorn, as with most things, is wrong, wrong, and wrong again.

Mr Clark — On a point of order, Speaker, again on the question of relevance, the question did not relate to why the Ombudsman was going to the court; it related to why the minister wrote to the Ombudsman seeking to shut down her inquiry. I ask you to ask the Premier to come back to answering that question.

The SPEAKER — Order! The Chair does not uphold the point of order. The Premier has concluded his answer.

Ministers statements: Murray Basin rail project

Ms ALLAN (Minister for Public Transport) — I am very pleased to provide new information to the house about how the Andrews Labor government is moving on with the Murray Basin rail upgrade. This is an important project for regional Victoria. Already, because of the actions we have taken where we have fast-tracked funding, we have seen 28 000 sleepers already installed on the Mildura line and a further 98 000 sleepers are planned to be installed by the end of the year.

Not only is this a great construction project but it is a project that is creating jobs. It is creating 270 jobs during construction, 270 jobs for people in regional Victoria that unfortunately — and it is with regret that I have to say it to the house — clearly those opposite are not supporting and particularly their friends in Canberra are sadly yet to support as well. Through the actions of the Andrews Labor government, six months ago we sent the full business case for this project to the commonwealth infrastructure minister and Deputy Prime Minister, Warren Truss, seeking their support for this project. Why did we do this? Because actually a large part of this project runs on the national land transport network, a commonwealth piece of infrastructure that is within their responsibility.

So we are asking the now clearly departing Deputy Prime Minister to hand a final gift over to regional Victorians. We are pleading with him in his final days to do what we know he knows in his heart of hearts is the right thing, to support this project — because it creates jobs, it invests in our regions, it supports industry and it backs in our farmers and primary producers, and those in the mining and horticulture industries. It ticks all the boxes.

When you consider that Victoria only receives a very small 8 per cent of the commonwealth infrastructure budget, the least the federal government could do would be to support this project, because, as I said, it is a project that stacks up.

Ministerial office capability review

Mr GUY (Leader of the Opposition) — My question is to the Premier. Noting the Peter Allen governance review recommended capability reviews for ministerial offices be applied over time to all ministerial offices, I ask: have these capability reviews been done and will they be made public like Adem Somyurek's?

The SPEAKER — Order! The Premier, to answer.

Mr ANDREWS (Premier) — Thank you so very much, Speaker — and to the Leader of the Opposition. So we had the last words from the Minister for Public Transport on a project that stacks up, and then that pathetic question from the Leader of the Opposition, someone who does not stack up, someone who thinks they should be in government. We had one really big capability review on 29 November 2014 — and you know what the result of that was? The result of that was that those who sit opposite were put over there where they belong, because for four years they wasted the precious gift the community had given them and did nothing, nothing, nothing at all.

Honourable members interjecting.

Mr Guy — On a point of order, Speaker, on relevance, this has nothing to do with the capability reviews the Premier was recommended and he came to this chamber and said he would adopt. His answer has nothing to do with that. I ask you to bring him back to the question: will those capability reviews be made public, yes or no?

The SPEAKER — Order! I do ask the Premier to come back to the question.

Mr ANDREWS — The Leader of the Opposition asked me about capability reviews and that is exactly what I am talking about — a really big capability review that saw him and his party rejected by the great people of this great state. Every member of this government, every member of the cabinet, every member of the Labor caucus works hard every day to deliver on our commitments to do better, to do more, to repay the gift, to deliver on the trust that has been placed in us by the people of Victoria. That is what we have been doing, and it is what we will continue to do. Whilst those opposite are very angry with the Victorian people, whilst they think the Victorian people got it wrong — —

Honourable members interjecting.

The SPEAKER — Order! The Premier to continue in silence.

Mr ANDREWS — The Victorian community never got it wrong, and those opposite would do well to learn that lesson. Rather than being angry because they were rejected, rather than disputing the biggest capability review we run every four years, they should accept that result and accept it really fast — —

Honourable members interjecting.

The SPEAKER — Order! The Premier will resume his seat.

Mr Clark — On a point of order, Speaker, on the question of relevance, the Premier so far has been speaking about anything but the substance of the question asked by the Leader of the Opposition, which related to the Allen report's capability review recommendations. I ask you to bring him back to answering that question.

The SPEAKER — Order! I do ask the Premier to come back to answering the question.

Mr ANDREWS — I have been very clear. Every member of this government, whether it be ministers, parliamentary secretaries, local members — each and every one of us strives every day to deliver on our promises and to improve and be better for the great people of this state. If that is not delivering, I do not what is. For those opposite to be on about capability, in the first instance they have not got any, and in terms of being reviewed they were reviewed into opposition where they belong.

Supplementary question

Mr GUY (Leader of the Opposition) — Given the Premier was so quick to launch a capability review into Adem Somyurek's office, can he advise the house given the V/Line, Metro, Uber, sky rail, train and tram strike fiascos, why not one has commenced into the Minister for Public Transport's office?

Mr ANDREWS (Premier) — I do very much thank the Leader of the Opposition for his question. I would just say to the Leader of the Opposition that when I wished him a good holiday and a happy Christmas at the end of the year, I could only have dreamt that he would have literally have spent the last eight weeks doing nothing except for drafting pathetic questions like that. If that is the best he can do, he should keep them coming.

Mr Guy — On a point of order, Speaker, it was a very simple question about why is there no capability review into the failed current transport minister?

Honourable members interjecting.

The SPEAKER — Order! Government members and opposition members! The Premier will come back to answering the question.

Mr ANDREWS — Speaker, nor will getting angry advance their argument or make it any more worthwhile or give it any greater credence. Those

opposite have spent the summer on banana lounges drafting questions like this.

Mr R. Smith — On a point of order, Speaker, you directed the Premier to come back to answering the question. He has defied your ruling, and he needs in the last 18 seconds to be brought back to the substance of the question, as you have already told him to do.

The SPEAKER — Order! The Premier to return to answering the question.

Mr ANDREWS — As I said, every member of the government regardless of position is committed to delivering on all of our commitments and improving and getting better every day in the service of the great people of this great state and not sitting on a banana lounge with a drink with a little umbrella in it drafting this sort of dross questioning.

Honourable members interjecting.

The SPEAKER — Order! The Premier will resume his seat. The Premier has concluded his answer.

Mr R. Smith — On a point of order, Speaker, on two occasions during the Premier's answer you directed him to come back to answering the question as it was asked. In the last 18 seconds that the Premier had he only repeated what he had already said. So I put it to you, Speaker, that that is good grounds for you to ask the Premier to provide the house with a written response to the supplementary question.

Mr Andrews — On the point of order, Speaker, I was asked about capability, and I have answered about continuous improvement and capability. I have answered the question in full accordance with the standing orders. The fact that the opposition leader does not like the answer is more a reflection on him than on the quality of the answer.

Mr Pesutto — On a point of order, Speaker, the Leader of the Opposition's question went to the capability review which the Premier himself commissioned and which Chris Eccles returned with specific recommendations that the Premier said he would adopt, including a recommendation that all ministers and parliamentary secretaries over time would be subject to capability reviews. It is a simple yes or no answer. Have the disgraceful failures and incompetence of the transport minister been subject to a capability review? It is disgraceful. Sky rail, V/Line, train strikes, tram strikes, the list goes on. There are —

Honourable members interjecting.

The SPEAKER — Order! I remind the member for Hawthorn that interjections in other languages, as he just did in Italian, are welcome in our multicultural Parliament; however, they are disorderly. The member for Hawthorn has concluded. If there no additional points of order, the Chair will give himself the benefit of the doubt, review the response and come back to the house.

Ministers statements: employment

Mr PALLAS (Treasurer) — I rise to update the house about the Andrews Labor government's achievements in creating jobs for Victorians. This is great news story for Victoria. This is a government that works hard for all Victorians.

Honourable members interjecting.

The SPEAKER — Order! The Treasurer will be heard in silence.

Mr PALLAS — I am sure I have the undivided attention of the National Party, because for regional Victoria the story is outstanding. And on the Back to Work program, there is great news on that too — an exponential update. In December 2015 regional Victoria saw 13 000 additional full-time jobs created. Let us compare that to the four years in government of the previous hopeless mob. They managed to get 5500 full-time jobs in four years. In one quarter we created 13 000 full-time jobs. That is what action looks like.

Look at this in the context of regional unemployment, which is now at 5.4 per cent, the lowest in the country, and down from 6.6 per cent when we came to government. Places like Geelong have gone from 8.2 per cent down to 3.6 per cent. Shepparton has gone from 7.8 per cent down to 6 per cent. Hume has gone from 5.8 per cent down to 4.1 per cent. Lowan has gone from 5.6 per cent down to 4.4 per cent. South West Coast has gone from 6.7 per cent down to 3.2 per cent.

These are more than just numbers; these are regional cities being given a new energy. They are essentially developing and continuing the commitment that this government has made with regard to our \$200 million Regional Jobs and Infrastructure Fund and our Back to Work program. This is this government backing up actions with concrete initiatives that are working for Victorians.

RULINGS BY THE CHAIR

Constituency questions

The SPEAKER — Order! I have reviewed yesterday's constituency questions as requested by the member for Burwood. As a consequence of that review, I rule the questions raised by the members for Ivanhoe and Oakleigh out of order as they were not framed in the correct manner.

Ms McLeish — On a point of order, Speaker, 11 weeks ago on 25 November 2015 I directed a constituency question to the Minister for Energy and Resources. To date she has failed to respond. I would appreciate it if you would follow that up.

The SPEAKER — Order! The Chair will follow up that matter for the member for Eildon.

Mr R. Smith — On a point of order, Speaker, I draw your attention to sessional order 12, which requires ministers to respond to questions on notice within 30 days. I have an outstanding question to the Minister for Industry. The question is now 84 days overdue. For the minister's reference, it is question 3639. This particular question goes to the government's much-hyped Future Industries Fund.

The question asks the minister how parts of this fund have been allocated to the various industries the government has identified as being growth industries. The government talked a lot about it up to a year ago, but certainly has not said much about in the last six months. My constituents, and indeed, more broadly, Victorians and stakeholders, would like to know the answer to this question. In accordance with the sessional order, I do ask you to follow this up, with this question now being 84 days overdue.

I am not sure that the minister has done a whole lot, frankly, over that last 84 days, but she has certainly not responded to this question. As I say, the Future Industries Fund is a major part of her portfolio. Her reluctance to provide answers around it is certainly an indictment of the minister and the government more broadly, one that came to government on the basis of being more transparent.

The SPEAKER — Order! The member for Warrandyte has explained his point of order at length — sufficiently at length — and I have every confidence that the member for Warrandyte is capable of making his point of order a lot more succinctly. The Chair will follow this matter through for the member for Warrandyte.

CONSTITUENCY QUESTIONS

Warrandyte electorate

Mr R. SMITH (Warrandyte) — (Question 6752) My constituency question is directed to the Minister for Families and Children. A constituent of mine, Mr Corstorphan, has recently experienced a significant house fire, which has left him, as you can imagine, in some difficult circumstances. On coming to me for help I referred Mr Corstorphan to the personal hardship assistance program, which, and I quote, 'is available to assist households after house fires'. Since Mr Corstorphan subsequently had great difficulty in finding anyone from the Department of Health and Human Services (DHHS) who could help, I offered my assistance. After being given three different phone numbers by DHHS staff over the last 24 hours, and leaving messages that have never been returned, I understand Mr Corstorphan's growing frustration.

My request for information from the minister is as follows: what is the process that Mr Corstorphan has to go through, and has to follow, in order to be assessed for eligibility for this program?

Sunbury electorate

Mr J. BULL (Sunbury) — (Question 6753) My question is for the Minister for Sport. Members will be aware that the Premier's Active April program is fast approaching. I talk at many school assemblies about Active April, and I participate in it myself. I ask the minister: how many people across the state participated in Active April last year, and what are the benefits of such participation?

Murray Plains electorate

Mr WALSH (Murray Plains) — (Question 6754) My constituency question is to the Minister for Education on behalf of the school communities of Echuca South, Echuca West and the Echuca Specialist School. These three schools are going to be co-located on a new greenfield site and previously met with the minister to brief him when their masterplan was finalised. Following positive feedback from the minister, the schools have been working on the next step with the architects, which is the schematic design. This has now been signed off by the department and the schools. There is a desperate need for this new school, particularly by the Echuca Specialist School, and on behalf of these three schools I seek feedback from the minister as to opportunities for this to be funded in the May budget.

Eltham electorate

Ms WARD (Eltham) — (Question 6755) My constituency question is to the Minister for Health. What is the latest on the time line for the redevelopment of the Eltham ambulance station in my electorate? I ask this following a very strong community campaign led by me in my electorate last year. The government committed to an upgrade of the Eltham ambulance station on Main Road, Montmorency. This is an old station which no longer meets the needs of the paramedics who care for my constituents or those of my community and those across the northern suburbs.

Nepean electorate

Mr DIXON (Nepean) — (Question 6756) My question is to the Minister for Environment, Climate Change and Water. I refer to the recent investigation that was undertaken by Advisian on the wave modelling and monitoring at Portsea front beach. Following the now completed investigation, a series of treatment options will be put out to tender. Can the minister advise what the time line is for those options to be considered?

Frankston electorate

Mr EDBROOKE (Frankston) — (Question 6757) My question is to the Minister for Mental Health. Many constituents within my electorate of Frankston have highlighted to me the ever-growing need for services for mental health patients. Last year the minister visited my electorate and we attended headspace, which is a youth service providing early intervention mental health services for 12 to 25-year-olds. Having the minister visit was great so that he could see the purpose-built and designed spaces with input from young people, making a more comfortable and relaxed environment for the people they service. Recently I went on a tour of 2 West, the mental health ward at Peninsula Health. I heard firsthand from the hospital workers about the need for services at all stages of intervention, and I am eager for the minister to visit my electorate again. I ask: when will the Minister for Mental Health visit my electorate to discuss mental health services?

Prahran electorate

Mr HIBBINS (Prahran) — (Question 6758) My constituency question is to the Minister for Public Transport, and I ask: what investment options have been considered by Public Transport Victoria to improve South Yarra station? South Yarra station is struggling to serve over 13 000 commuters each day.

Inaction by successive governments has resulted in a congested single entrance, overcrowded trains and unsafe pedestrian crossings. An interchange with Melbourne Metro rail project has been left out, despite the overwhelming support of residents for its inclusion. Leaving South Yarra out of Melbourne Metro first occurred under the previous Liberal government in 2011 before it scrapped the whole project and announced its flawed Melbourne rail link idea.

It is disappointing that the Labor government has continued the previous government's decision to exclude South Yarra from Melbourne Metro, which will result in longer journey times for commuters who use South Yarra and a loss of connectivity. Each day thousands of pedestrians have to cross Yarra Street at an uncontrolled crossing; commuters pour off and on the Toorak Road tram; bikes bank up on the station railing; there is a crush at the station entry and exit point; and the overcrowding data obtained by the Greens show trains running on the Sandringham, Frankston and Pakenham lines are chronically overcrowded.

Niddrie electorate

Mr CARROLL (Niddrie) — (Question 6759) My constituency question is to the Minister for the Prevention of Family Violence, and I note the minister is at the table. I also note that I am asking this question on the first United Nations International Day of Women and Girls in Science. I ask: how can my constituents have input into the Victorian government's development of a gender equality strategy for Victoria, which was recently announced by the minister? I understand the strategy will guide actions and priorities for the government to work alongside the community towards a common goal of equal social, civic and economic participation for women in society. I look forward to seeing the minister's answer so I can pass it on to my constituents advising how they can have an important role in the development of this very important gender equality strategy for Victoria.

Bass electorate

Mr PAYNTER (Bass) — (Question 6760) My constituency question is to the Minister for Police. The residents in Pakenham and the users of the Pakenham railway station are asking when the minister will fund CCTV surveillance cameras in Bourke Park, Pakenham, as a matter of urgency. Despite the coalition's previous funding of \$250 000 to beautify the park in 2013, there have been a number of violent incidents in broad daylight. The coalition's revitalisation of the park included extra lighting and

shade et cetera. Bourke Park is located directly across the road from the Pakenham train station and has become a meeting place for people taking part in antisocial behaviour, vandalism, illicit drug use and assaults. There has been ongoing concern from the community after a number of thefts and assaults. The community just want to be safe and know that if there is an incident, there will be evidence on CCTV footage.

Will the minister work in partnership with the Cardinia Shire Council and fast track the installation of CCTV cameras in and around Bourke Park, Pakenham?

Narre Warren South electorate

Ms GRALEY (Narre Warren South) — (Question 6761) My question is to the Minister for Roads and Road Safety and concerns vehicle registration, and I ask: what information regarding an option to pay for their vehicle registration in instalments can the minister provide to motorists in my electorate? I am constantly contacted by local residents who are finding it increasingly difficult to pay their vehicle registration in one lump sum. I have been on this case with numerous ministers over a few years. It can be especially difficult for local families who own multiple vehicles and face paying over \$1500 in registration fees each year. Many highlight that they are able to pay for a range of bills, including their utilities bills, in monthly or quarterly instalments. All agree that being able to pay by instalment for their vehicle registration would be a huge help. So many within my electorate drive to work each and every day, and they rely on their cars and payment plan. They are asking if they can pay for their registration by instalment because this would make a significant difference in their lives.

ACCESS TO MEDICINAL CANNABIS BILL 2015

Second reading

Debate resumed.

Mr WAKELING (Ferntree Gully) — Prior to question time I was addressing some of the concerns raised by the Cancer Council Victoria with regard to practitioner medicinal cannabis authorisation and the power to suspend or cancel, where it identified that:

We note that clause 85 permits the health secretary to suspend or cancel a practitioner medicinal cannabis authorisation at any time 'if satisfied that it is appropriate to do so in all the circumstances'.

It goes on to say:

Cancer Council questions whether more detail might be required to clarify the purpose, scope and processes attached to this power, including in relation to the grounds on which such a decision might be made, the maximum length of time of any suspension and the possibility for review of a decision made pursuant to this clause.

The bill does not appear to provide for the possibility of a review of a decision made under clause 85 (beyond existing judicial review avenues), in contrast to the review options regarding decisions made about licenses (part 11) Further, clause 85 does not require that notice of suspension or cancellation of a practitioner medicinal cannabis authorisation be provided in writing ...

In closing my comments, I do note that the coalition has indicated that it will not be opposing the bill before the house. However, there have been a series of questions raised by various bodies within the community. These are important questions. This is a new area of legislation. I appreciate and understand the manner in which this government has sought to bring this legislation in, on the back of the Victorian Law Reform Commission, but I do note that given that there are still concerns, I believe it is incumbent upon the next speaker or in fact the minister — if the minister has the opportunity to go into consideration-in-detail on this important bill — to provide an overview and, more importantly, an explanation in relation to the concerns that I have raised in regard to the bill before the house.

Ms THOMAS (Macedon) — It is indeed my great pleasure today to rise to speak on the Access to Medicinal Cannabis Bill 2015. In doing so I expect to address a number of the issues that have been raised by the member for Ferntree Gully.

Before I start, Acting Speaker McCurdy, I want to tell you about a little girl whom I have had the pleasure to meet on a number of occasions. Her name is Tara O'Connell, and she lives in Mia Mia, just outside my electorate. Her parents, Cheri and David, are people I know as they are a driving force behind the Kyneton Caring Community, a community organisation that delivers emergency relief and a food bank in my community. I first met Tara's mum, Cheri, at the front of Woolies, when I was campaigning and Cheri was selling sausages, as she often is on a Saturday morning, raising the money to support the Kyneton Caring Community. Cheri told me about the difference that cannabis oil was making for her little girl, Tara.

Tara has Dravet syndrome, and for those of you who are not aware Dravet syndrome is also known as severe myoclonic epilepsy of infancy. It is a rare and catastrophic form of intractable epilepsy that begins in infancy. It is a debilitating, lifelong condition that can severely impede the quality of life of the patient. Patients experience frequent seizures, poor seizure

control and developmental delays. Initial seizures are most often prolonged events, and in the second year of life other seizure types begin to emerge. What Cheri told me is that Tara was having more than 100 seizures a day and required resuscitation many times by her parents, but since accessing cannabis oil Tara had been seizure free.

I know that the Premier and the Minister for Health have been deeply moved by the suffering of children like Tara and also Cooper Wallace. I would like now to acknowledge Cooper's parents, who are in the gallery today. Cassie Batten and Rhett Wallace have been on an incredible journey not only with their little boy, Cooper, but also with the government, working with us on the development of this very important piece of legislation. It is for children like Cooper and children like Tara that this government has taken decisive action to enable access to medicinal cannabis, in the first instance for children suffering severe epilepsy, from early 2017. I put on the record that for Cheri this feels like a very long time away for her daughter, Tara, but this government is taking those first important steps. We have to get this legislation right, and we will continue.

It is at this point that I want to address a few of the issues that were raised by the member for Ferntree Gully, and I might note that if opposition members had looked a little more closely at this important, life-changing legislation, they would have seen that a number of concerns they had raised will be addressed. What we are putting before the Parliament with this bill is a comprehensive framework that will ensure patient access to a safe and legal product.

There is no getting away from the fact that this is a complex task, and it has required the Minister for Health, the Minister for Agriculture and indeed the cabinet to work assiduously to bring this piece of legislation to the house today. It is for these reasons that it will be some time — indeed the beginning of 2017 — before a safe, legal product is able to be administered to children like Cooper and Tara. What we are proposing here is much more than just cultivation; we are proposing is a brand-new system aimed at giving people a chance at accessing a medicine that will make them better.

We have welcomed the legislation that was introduced this week by the commonwealth insofar as it supports our legislation and will allow us to cultivate and import seeds with a greater level of ease. However, we need to be clear: there are a number of things the commonwealth legislation will not do. The commonwealth legislation does not put product into

patient's hands. It does not allow the administering of medicinal cannabis by family members or carers. It does not provide the person writing the prescription or dispensing the medicine with legal certainty and protection, and it does not provide a framework for who is eligible to access medicines and how that eligibility will be determined.

Our bill does all of these things, and that is the reason it is so important that we progress it through this house and through the other chamber. We will amend our legislation when and if the commonwealth legislation passes, but we will not wait for that to happen. This legislation is part of a pre-election commitment that we made to the people of Victoria, and we will not be hamstrung by the commonwealth when it comes to delivering on this very important election commitment — one that means so much to so many in our community, including the Wallace family. There are a number of processes in the federal government that must be cleared before its bill will become law, and it still has quite a long way to go.

As I said, the bill implements our election commitment by legalising access to locally manufactured medicinal cannabis products for use in exceptional circumstances. Our commitment is built on the strong view that no family should have to choose between breaking the law or watching their loved ones suffer.

We are a government that is committed to keeping its promises. The Access to Medicinal Cannabis Bill 2015 is an enabling bill which will be further supported through regulation. The bill will enable the manufacture of quality-controlled medicinal cannabis products. It will license cultivators and manufacturers of medicinal cannabis products, authorise medical practitioners to treat patients as part of the medicinal cannabis scheme and authorise medical practitioners to treat patients on a case-by-case basis when those patients have exceptional circumstances which are outside of specified conditions and symptoms.

The bill before the Parliament is the realisation of the scheme recommended by the Victorian Law Reform Commission (VLRC). We have been very diligent and comprehensive in the way in which we have approached the development of this legislation. We are now presenting a comprehensive scheme to provide eligible patients access to a product that is safe, legal and reliable.

We are committed to implementing this scheme through a phased approach, and I note that those on the other side of the house have struggled with what implementation in a phased way might mean. Our

phased approach is essential to ensure patient access to quality and efficacious medication, the key tenet of this legislation and our policy. And as those opposite would be well aware — because the former government did not support this policy in office, limiting itself to consider trials only, which it did not pursue — there is not currently a framework to cultivate cannabis for a medicinal purpose. There is also currently not the expertise necessary for manufacture and extraction for medicinal cannabis at scale in the forms identified in the VLRC report. As such, the first phase of our scheme is the implementation of a cultivation and extraction trial which is to take place at a facility owned by the Department of Economic Development, Jobs, Transport and Resources. This is an important step to ensure a range of quality, bespoke products fit for different patient cohorts.

From 2017, during phase 2, the first patient group will be able to access medicinal cannabis oil. This will be, as I have previously pointed out, children with severe epilepsy. We will be doing all that we can to ensure that these children gain access to a safe product. During this period, we will also be issuing research licences for cultivation and manufacture to allow industry to gain the expertise necessary to produce medicinal cannabis in a regulated market.

It is important to understand the purpose of the phased approach when it comes to patient eligibility. It simply will not be possible for all patients identified as potentially benefiting from the use of medicinal cannabis to access it on day 1. I make the point in conclusion that if those on the other side of the house had not squandered their four years in government and actually taken some action to address this issue, we would be further advanced today. This is a really important bill, one that I wish a speedy passage through this and the other house. I commend it to the house.

Mr CRISP (Mildura) — I rise to make a contribution on the Access to Medical Cannabis Bill 2015. The Nationals in coalition are not opposing this bill. The purpose of the bill is to provide for the medicinal use of products derived from cannabis by establishing a scheme for the supply to and treatment of Victorians with specified conditions with approved medicinal cannabis products of reliable quality and known composition where that scheme preserves the prohibition of unlawful trafficking, cultivation, supply and use of a drug of dependence. The bill also provides for the lawful cultivation and manufacture of cannabis for medicinal cannabis products.

I note that the previous speaker wisely counselled that this will not be immediately available. It is going to

take until 2017, which gives some time for some additional issues to be considered. I also note that in 2014 the coalition introduced legislation on this issue. It passed in the upper house but did not get debated in the lower house due to the election.

We now have the legislation before the house, and it is a complex process because we are going outside the normal stream of things that are to be done. It is probably worth briefly spending some time on the practicalities of this bill because it involves a number of secretaries and departments providing authorisation. It needs to have protections in it to make sure that people are getting a quality product, which is the efficacy issue — efficacy issues are raised as well — and there will be a need for a licence for people to grow, to manufacture and to distribute it.

Cultivation will require the importation of cannabis seeds from an established source, and I note that commonwealth legislation has been introduced and will be debated in 2017. At this time we also need to be aware that this bill will no doubt need to be amended at some time in the future when the commonwealth has completed its processes. In the cultivation stage you have to have the legal trial of the horticulture, then the cannabis needs to be extracted and processed. It then needs to be put into a form that can be used as medication, and that includes distribution. Eligible patients then have to be assessed before being prescribed with the drug. The medical profession will be involved through physicians, and then there will be, as I said, the final stage when the drug will be available through a hospital or a pharmacy.

I will talk a little about the role of the medical fraternity, which is guided by the principle of ‘Do no harm’. That is an area that needs some reflection, because what we have decided to go through here is a political process ahead of a clinical process. That does bear some discussion and falls very much under the heading of efficacy of medical cannabis. I am going to refer to a briefing note put together by the parliamentary library. I thank the library for that briefing; it is a very thorough piece of information and well worth a read.

We need to go into this with everybody involved in this step having their eyes wide open and realising that since this is a political process, not a clinical process, the trial is an open-label trial. So we need to understand the difference between a clinical trial and an open trial — that is, that there is no placebo in an open trial so that everybody is involved, and this makes some of the evaluation more difficult.

On the efficacy of medical cannabis, there is an expanding body of evidence on the efficacy of cannabis for certain medical conditions. However, some commentators have questioned the quality of the research currently available. Evidence for the potential of cannabis in the treatment of various conditions does bear some discussion. On the area of what research was available and the efficacy, I did ask a question of the Victorian Law Reform Commission over the legal liability issue. Because under that principle of 'do no harm' and without the long-established clinical trials to provide some indemnity, and not going through the normal process with the Therapeutic Goods Administration and so on, there is an issue of liability because if there is a side effect, then who is going to bear that liability? That question was answered in the briefing — that it will be borne by the physician or the doctor was its consideration. However, I do note that those comments were made some months ago, and the medical profession has been publicly silent about this risk. Perhaps there is something I have not seen or understood about this issue.

There are many uses for the cannabinoids that come out of cannabis, and the one that we are focussing on with this legislation is of course epilepsy. However there are others, such as multiple sclerosis, chronic pain and for treatment of cancer and HIV/AIDS. I refer to the fact that a Cochrane review in 2014 found that 'no reliable conclusions' could be drawn regarding the efficacy of cannabinoids as a treatment for epilepsy. That does not mean it does not work; it means the reliability of the conclusions is something that has been flagged. Also, a systematic review of the efficacy and safety of medicinal cannabis on neurological disorders, including epilepsy, was published by the American Academy of Neurology in 2014. It found that the efficacy of oral cannabinoids in epilepsy is unknown.

Further, Epilepsy Australia takes a very cautious approach by saying that some of the evidence is anecdotal. New South Wales, Victoria and Queensland are participating in trials of various standards, whether they are open trials or clinical trials, and they are getting underway this year. To be fair, the Victorian Law Reform Commission concludes that there is emerging research to support the effectiveness of cannabis in relieving the symptoms of epilepsy, particularly juvenile epilepsy.

There are, again, some concerns, and we must always remember that in the medical profession there is an approach of 'do no harm'. We do need to be compassionate about what we are doing here, and we do understand the needs. However, we also need to understand that there can be some risks. There are

always side effects, and we have got to manage those side effects of medicinal cannabis. Certainly, to be fair, there was in 2008 a review of medicinal cannabis conducted, which showed that short-term cannabis use did not increase the risk of serious side effects. But it was about short-term use, and what we are looking at now are going to be lifetime uses. So it is going to be very important how we structure that long-term trial, since it is an open trial, not a clinical trial, to make sure that we are doing no harm.

It has been a long and difficult process for many with this legislation, and I think it is only the first step in what is going to be a long path in dealing with this. We need to be cautious, we need to be careful, because it is young people's lives that are at risk here, particularly with juvenile administration. With that, I think we will be back working on this in the future. It is very important, and we are going to have to monitor this very carefully. I think we will probably have to rely on things that we are taking a leap of faith in — a political process — as to where this might end, with some long-term liability concerns.

Mr McGuire (Broadmeadows) — Victoria has a proud reputation of leading the nation and being internationally recognised for its research in medicine and on all of these developments. I mean, we do not wait for the federal government, we lead. This is the point. This is the proud tradition of Victoria. If you look at where are the leading medical research centres, you see there are three key cities. You look at Boston, with the prestige of Harvard and Massachusetts Institute of Technology; you look at London, with the Imperial College London and Cambridge nearby; and then you look at what we have here in Melbourne, with the Parkville precinct, centred around the University of Melbourne, and all the other medical research institutes in that cluster, two of them based on Nobel Prize winners and their work. Then we have the Monash centre in the south, based on Monash University and CSIRO, connected by Innovation Walk.

These are some of the leading centres in the world, and medical research is one of the key reasons why Melbourne matters. And why the Labor Party matters is that it backs this and it leads in this. The Premier has a long and distinguished career and history in this, going back to when he was the health minister; and the current health minister, the member for Altona, likewise. What we are trying to do from the government perspective is look at where are our assets and our opportunities and how we create them. We are doing this for the reasons that are defined. It is about people's health: what do we do to actually relieve pain and give them a better quality of life? This is a critical

breakthrough that Victoria has made. It is the Australian government that is following us.

Let us put it in context. It was in December last year that the Andrews government introduced the Access to Medicinal Cannabis Bill 2015 in this house. In doing so, the Victorian government became the first Australian government to introduce a bill to legalise medicinal cannabis through a state-based scheme. The bill establishes a medicinal cannabis scheme in Victoria, including the cultivation, manufacture and distribution of medicinal cannabis products. The Andrews government intends that children with severe epilepsy would be the first patients to access the medicinal cannabis scheme from 2017.

I refer to the Minister for Health's second-reading speech. She highlighted the conflict faced by families who seek to treat their epileptic children with medicinal cannabis, despite it being illegal. I quote the minister. She said:

Too many parents are turning to the black market out of desperation to obtain medicinal cannabis to alleviate their pain and suffering.

The law needs to change, because families should not have to make the choice between obeying the law and treating their children.

That is the critical issue that Victorian Labor has addressed and is acting on. The research note provided by the parliamentary library states:

The bill enables the Victorian government to prescribe other eligible patient groups to access medicinal cannabis products on a date to be proclaimed.

The expectation is that that will be in 2018. It continues:

In line with an election commitment and recommendations of the Victorian Law Reform Commission ... it is intended that medicinal cannabis products would not be made available in a form that could be smoked. The bill also does not remove the prohibition on cannabis used for non-medicinal purposes. The health minister stated that 'the access to medicinal cannabis bill will relieve people's suffering and change lives across this state'.

That is a direct quote. I make that reference from the research note provided by the parliamentary library as an independent source as well.

This is the proposition that we have. To go to what the member for Ferntree Gully said, some of the issues he raised, the point is: we are not waiting; we are getting on with it. We are taking the lead. That is the first proposition. There will be other issues raised by the Australian government, which has stated that it now

wants to come in behind Victoria. Okay, that is fine. Let us look at how this can be addressed.

But what this bill is is a comprehensive framework that will ensure that patients have access to a safe, legal product. This new system is all about giving people access to a medicine that will make them better. We welcome the introduction of the legislation introduced by the commonwealth government, because it supports our legislation and will assist us to operate in a clear way; but let us actually look at the hurdles that they face, because there are a number of issues with the commonwealth's legislation.

The commonwealth's legislation does not put product into the patient's hands. It does not allow the administering of medicinal cannabis by family members or carers and does not provide the person writing the prescription or dispensing the medicine with legal certainty and protection, which of course they want to have. It also does not provide a framework for who is eligible to access medicines and how that eligibility will be determined. Our bill does all of these things, and this is why we must proceed with it. So, forget that issue of why we should not; that is being addressed, and there are the facts of the matter. This is the argument on why we need to go ahead with this right now.

We will amend our legislation when and if the commonwealth legislation passes the federal Parliament, but we cannot wait for that to happen. There are a number of processes in the federal Parliament that must be cleared before the bill will become law, and they still have a long way to go; that is the political reality. We made a clear commitment to the families of children with epilepsy that we would be providing them with safe legal product by early 2017, and that is why we are forging ahead. We cannot do that if we do not have this legislation in place, so that is the fundamental proposition.

Our scheme is about much more than just changing laws to grow and manufacture medicinal cannabis. The scheme is about creating a comprehensive framework that facilitates access for the people who need it. We will amend our legislation if and when it is required, but we must move forward in order to ensure that we are acting in the best interests of Victorians. I want to add to this the proposition about what is happening with the bigger picture in Victoria and about groundbreaking international clinical trials for new medicine to treat paediatric patients with epilepsy.

I had the pleasure as Parliamentary Secretary for Medical Research to join the Premier and the Minister

for Health recently at the Austin Hospital to announce international clinical trials investigating whether the medicine would be effective in treating certain types of childhood epilepsy. The medicine is made from a synthetic version of a therapeutic compound usually found in the cannabis plant. Then, with trials to investigate appropriate dosage for a small group of patients, it really brought home the significance on a personal level of what happens.

One of the families there was the Johnson family, and young Nicholas is 14. He has so many seizures daily that when the media asked him how this would change his life and what was the first impact it would have, he said, 'I hope I am able to sleep'. That is all he wanted, to get a good night's sleep. He cannot get a good night's sleep because he has so many seizures, far less being able to get a better education, play sport, have a greater opportunity in life — and that is what we are addressing. As fate would have it, his father turned out to be someone that I coached in football when he was about the same age. We have not seen each other in that time since. Young Johnno, as he was known then, was a great footballer; so we hope that his son will be able, through these trials, to get some sleep, get a better education and have a sporting chance in life.

That is why we are not waiting; we are going to get on with it. Victoria will drive and be the leader. We will make sure that this is done in the right way and, to add to the member for Macedon's explanations as well and just to answer the questions raised by the opposition, we want to make sure that in the scheme's third phase regulation will enable industry to develop products that will support an expanded patient cohort. Just to go to this proposition, the bill allows for the development of regulations to define other eligible patient groups. Patient eligibility will be considered by the Independent Medical Advisory Committee, and future changes to regulations are to be made based on best available medical research and the following consideration of the committee's advice.

As a starting point, the Independent Medical Advisory Committee may consider the other patient groups that were recommended in the Victorian Law Reform Commission's medicinal cannabis report. These include patients with severe symptoms associated with epilepsy, including adults, multiple sclerosis, cancer, HIV/AIDS and chronic pain. The Access to Medicinal Cannabis Bill 2015 also allows medical practitioners to apply for a patient medicinal cannabis authorisation for patients who do not otherwise meet the eligibility criteria. These applications will be considered on a case-by-case basis.

The ACTING SPEAKER (Mr McCurdy) — Order! The member's time has expired.

Mr HIBBINS (Pahran) — I rise to speak on the Access to Medicinal Cannabis Bill 2015, and the Greens will be supporting this bill because we strongly support this reform to make medicinal cannabis legal and safe, in much the same way other medications are. The Greens, like many people across this Parliament here in Victoria, federally and across other states, understand the benefits that medicinal cannabis can provide. For too long the legal constraints and stigma associated with medicinal cannabis and the stigma with cannabis in general as an illegal drug has meant that children with epilepsy and people suffering the effects of cancer and the treatment that comes with cancer have had to go on suffering unnecessarily. Alternatively they have had to purchase medicinal cannabis products through the black market, and they are unregulated and unprescribed, meaning the quality of the product cannot be assured or the dose levels that are required are unknown. In some places you have sick people and their families facing the prospect of prosecution or questioning by the police or departmental authorities.

The Greens have always supported a compassionate and evidence-based approach to medicinal cannabis, and we are very pleased that this legislation has come before this Parliament. This bill permits the government to take carriage and oversight of the rollout of access to medicinal cannabis over the years as the industry establishes itself. This, we hope, will provide relief to people suffering from a range of conditions, and appropriately the bill prioritises those children suffering from severe epilepsy for whom there are no alternative treatments and who are in significant need.

We look forward to the government expanding access to medicinal cannabis for other conditions as production comes online and the evidence base grows. We are also pleased to note that there are exceptions or an allowance for exceptional circumstances that would enable someone with a specific condition to access medicinal cannabis where there is no reliable scientific research but for which it is likely to help, which is a sensible approach.

In terms of the product, we welcome the government's approach to medicinal cannabis products, which we believe will consolidate medicinal cannabis as a legitimate, reliable and appropriate medication for all Victorians. It will be processed to ensure its quality and consistency, to ensure the reliability of the effective agents in the medication and to minimise the psychotropic agents that are otherwise available in raw cannabis. This product will be prescribed by specialist

doctors in appropriate doses for particular conditions, after which people will be able to purchase it through pharmacies, with this being overseen by GPs. This is essential to ensure that it is treated like any other medication that has been prescribed and that has been scientifically proven to treat a particular condition.

In terms of the Independent Medical Advisory Committee, we welcome the establishment of this committee to guide the rollout of the drug to treat various conditions. It is important that the use of medicinal cannabis is backed up by science as it becomes available so that we have the confidence of the community, as we do in relation to other products such as those derived from medicinal poppies.

We welcome the price cap on the sale of medicinal cannabis and the government's control of sales within the supply chain. As pharmaceutical benefits scheme subsidies are not available for medicinal cannabis, this price control is essential to ensure that the product is affordable and that consumers are not driven back to the black market due to cost issues.

In terms of the Victorian Law Reform Commission's recommendations in relation to eligibility for the use of medicinal cannabis, eligibility was recommended for people with severe muscle spasms or severe pain resulting from multiple sclerosis; severe pain, nausea and vomiting; wasting resulting from cancer, HIV or AIDS, or the treatment thereof; severe seizures resulting from epileptic conditions where other treatment options have not proven effective or have generated side effects that are intolerable for the patient; and severe chronic pain for which, in the view of two medical practitioners, medicinal cannabis may in all circumstances provide pain management that is superior to what can be provided by other options. We are a bit concerned that the government has not fully made clear its intentions in relation to this recommendation and the time frames for access. We understand that eligibility in respect of these and other conditions will be defined by the minister at a later stage, perhaps in 2018. Certainly we will be seeking further clarity in relation to this.

I will make a point also about the regulations. This legislation allows the minister to set a very wide range of regulations in relation to medicinal cannabis, and at this stage we have limited information regarding the government's intentions in relation to the product range, the labelling, the packaging, the advertising and a range of other aspects over which the minister would have regulatory powers. We would certainly like some more detail from the government in regard to its intentions in these particular areas of regulatory control.

As has been detailed by previous speakers, there are federal actions in this area, and this legislation finds a way through the federal and international legal restrictions to create a new Victorian industry. The legislation does this together with some federal reforms that I understand will allow this industry to move ahead unimpeded in Victoria. The federal Greens, including Victorian senator Richard Di Natale, have been leading the way. They introduced a private members bill to create a national regulatory body for the governance, manufacture and sale of medicinal cannabis. However, the federal government is pursuing its own legislation, which is a national licensing scheme for the cultivation and manufacture of medicinal cannabis. That is only the first step, with much more to be done to ensure medicinal cannabis products can reach the hands of those who need them.

To conclude, the Greens are very pleased to see this legislation in Parliament. It will help so many who are suffering from health issues, and we look forward to a sensible, evidence-based approach to the area of medicinal cannabis and to wider drug law reform in the future.

Mr EDBROOKE (Frankston) — It is a great day indeed to find myself rising to speak on this historic bill, the Access to Medicinal Cannabis Bill 2015. I note what the member for Prahran has said, and the Greens obviously think they are leading the way on this. I will quote from a Greens policy document:

While the other parties have neglected the issue, the Greens have long supported legalising medicinal cannabis. Now, finally, the old parties are catching up.

I could barely wait for the Greens to take credit for this one as well and stick their triangle on it. It is just a disgrace. We will put that policy document where it is meant to go, over there.

This bill is an Australian first, and it shows some very, very clear thinking. Today we will hear from many, many people about the many and varied facets of this bill. I would like to focus on the reason why this legislation is providing fair access and how it will change many lives. The Access to Medicinal Cannabis Bill allows for the lawful cultivation and manufacture of safe and reliable medicinal cannabis products to help Victorians in exceptional circumstances. Many Victorians with terminal illnesses or life-threatening conditions want to use medicinal cannabis to relieve their pain and treat their conditions, but at the moment they cannot do so legally. This is not fair, and it is not right.

I must first confess my personal interest in this subject. In 2001 I was posted to Frankston fire station, where I became best friends with one of the paramedics there, Tanie Stickland. As it worked out, we had kids at around the same time, and we often caught up after night shifts at local play centres. As it turned out, Tanie's son Jonty was diagnosed with severe epilepsy, and this has really challenged her family in some very, very severe ways. It is no good me just describing their pain, so I asked Tanie to describe to me some of the issues in being a caring mother but also a law-abiding citizen at the same time. Here is what she said:

As a newborn and infant Jonty had several episodes of unresponsiveness, which now we know was undiagnosed seizure activity. He was first diagnosed with epilepsy after having a prolonged seizure as a 14-month-old ... a day that changed our lives forever. A day which thrust us and our beautiful baby boy into the world of hospitals, appointments, tests and medications, and that was just the beginning!

Despite ongoing care from his paediatrician and neurologist, Jonty's epilepsy was not under control, and by the time he was four his seizure frequency and pattern changed for the worst and he was on three anticonvulsant medications. Our happy, bright, active little boy now walked around like a zombie most of the time. Almost all of the anticonvulsants that Jonty has been on have given him awful side effects, the worst being fatigue, agitation, rashes, abdominal pain, weight loss and the one that scared us the most — suicidal thoughts. He is a little boy.

I ask members if they can imagine their child coming up to them and expressing suicidal thoughts.

Tanie continued by saying:

Jonty is 8 now, and his seizures have never been under control. He is now up to his ninth anticonvulsant medication in seven years. His neurologist is one of the most incredible doctors we have ever met. She is knowledgeable and treats only children with severe epilepsy. Jonty has her baffled. When she prescribed his last anticonvulsant medication she shook her head and said, 'If this doesn't work, I'm not sure what else we can do'. This was heartbreaking for us — despite all the knowledge, the most advanced and invasive testing, all the hospital stays, watching our boy go through so much at such a young age and we are already running out of options.

Tanie finished by saying:

He is not a candidate for surgery or a vagal nerve stimulator, anticonvulsant medication has never worked and he continues to have daily seizures. They are impacting his learning and development, and he is at risk of SUDEP (sudden unexplained death epileptic person). He is asking us, his parents, 'Am I going to die before you because I have epilepsy?'. We try and do our best day to day, week to week, year to year, but we live in constant fear of when the next big seizure is coming. At this stage the only hope for our darling boy to have a seizure-free or seizure-reduced future is with medical cannabis.

Tanie's son Jonty has severe epilepsy, and I have seen the pressure that this has put on Tanie and her family. I note that they have risen to the challenge in quite remarkable circumstances, especially given that specialists perform some of the most invasive testing I have ever seen performed on children.

This is only one story, but it is very common. In fact I work with two firefighters who have a young daughter called Harper who has Dravet syndrome. It has become a massive issue for them too, and I know they are nervously awaiting the outcome of this legislation. I believe this is a matter of walking in someone else's shoes and having some clarity around a very complex issue. Medicinal cannabis often is not based on the levels of tetrahydrocannabinol (THC), the psychoactive component that causes a high, and often is grown without THC. Medicinal cannabis is instead made with high quantities of a chemical called cannabinoid (CBD), a substance which has very different medical effects and with no recreational use qualities.

It is unfortunate in many ways — even a cruel joke — that CBD, which is the effective medical component of cannabis, is contained in the illegal marijuana plant. If it were contained in something more mundane, like aloe vera or chamomile, things would be very different, and we are addressing that problem here today.

Too many parents are turning in desperation to black market options to obtain medicinal cannabis. I think everyone in this room today, regardless of what they think about these parents, has seen suffering kids on the news, and if you are a parent, you know that their parents are making some very hard decisions. They are trying to relieve their children's pain and suffering. As I see it, parents rarely have the choice to make a decision; it is either right or wrong, and in this case both choices are wrong. The law needs to change because families should not have to make the choice between giving their kids medicinal cannabis — whatever gets them through — or breaking the law.

This is not new; it is only new for Australia. Medicinal cannabis has been available in many countries for many years, including Austria, Canada, Czech Republic, Finland and Germany. In Israel I believe they use medicinal cannabis in emergency departments. The current law is confusing and complex, and it has not kept up with the views of the community. I think this legislation redresses that.

The scheme we have settled on means the Victorian government is implementing a comprehensive scheme to provide eligible patients access to a safe, legal and reliable supply of medicinal cannabis. We are

regulating the cultivation, manufacture and supply of quality medicinal cannabis products within Victoria and ensuring that appropriate clinical oversight practices are in place, which involve medical specialists, general practitioners, nurses and pharmacists.

Can I just at this stage congratulate the federal health minister, Sussan Ley, for following Victoria's lead on medicinal cannabis, but we, especially those of us from Frankston, do not appreciate being kicked like a dog and then thrown a Schmacko. If you do not understand the irony of legislating for the provision of medicinal cannabis at a federal level while selling off Medicare and cutting frontline medical services, which are desperately needed by some of these families with very complex and expensive medical issues, I have not got the time or the crayons to help you work it out. It just proves that the federal government's bloody ears are painted on. It is incredible.

I would like to finish by saying that this is, as I said, a first for Australia, but it also shows that again a Victorian Labor government is actually at the forefront of policy, and that is something I am very proud of. We have done it before, and we are up there again.

I pay my respects to the people who have fought passionately and have been through incredible pain, and hopefully this brings them to a good end. Once you have witnessed the despair of people who are experiencing pain and chronic fitting and parents of sick children who have no choice, you know that they will do anything at all to care for their relatives, as long as the risks are mitigated, which our government is taking every measure to do with the safe, measured trial of medicinal cannabis program. I commend the bill to the house.

Mr SOUTHWICK (Caulfield) — It is a pleasure to rise to make some comments on the Access to Medicinal Cannabis Bill 2015. Can I say at the outset that at times as legislators in this Parliament we rise to have conflict. But there are times when we need to work together, and I think this is one of them. We have heard the contributions from the member for Prahran and from the member for Frankston, who gave a really important account of some personal stories from his electorate where people have been affected, have needed support and have needed to look at alternative medicines, such as in cannabis, to alleviate some of the pain.

I would like to say at the outset that I am somebody who has a real problem with legalising drugs. I sat on the parliamentary inquiry into ice and methamphetamines and was absolutely horrified by

some of the examples we heard about in that inquiry. I think it is important to make a point of difference as to what we are talking about here and the legalisation of drugs and the implications of that. That is why when we are talking about this we should never refer to it as medical marijuana but rather as medicinal cannabis. The cannabinoids and the cannabinoid oils, the properties of which have been used in many other places around the world, are demonstrating that there are real benefits in being able to help particularly young people. That is why it is important that we all work together and we all ensure that we are calling it what it is.

I commend the government and the federal Parliament for the work they are doing on this, as well as the previous government for starting some of that work. We need to have an approach in which we all work together in this particular area. I refer to a long history around this because it is not something that is new and there are other jurisdictions that have been involved in this. As many in this Parliament will know, I co-chair the Parliamentary Friends of Israel with the member for Footscray. Israel has been a world leader when it comes to medicinal cannabis, and the member for Frankston also alluded to that. In fact medicinal cannabis was approved in Israel by the Ministry of Health in 1992, and since 2007 there have been further programs developed and more than 20 000 patients have been serviced through these programs. It is a huge industry in Israel worth \$40 million per year, and certainly Israel has become an innovator in its field. Tikun Olam is an example of one of the largest suppliers of medicinal cannabis in Israel, and it has been doing a lot of work there.

One of the reasons I mentioned Israel and what it has been doing is that in the previous Parliament I was involved in building our relationship between Victoria and Israel through the Victoria-Israel Science Innovation and Technology Scheme (VISITS), and that looked particularly around how we could collaborate in a whole range of innovative areas, particularly the areas of health and research and development to grow industries in both areas. Now, the VISITS program is something which I believe has an opportunity to help develop this industry further here in Victoria. Victoria and Israel have a great relationship built upon the mutual understanding which has allowed us to collaborate with one another through various programs like the VISITS program, which I mentioned today.

With the right framework Victoria should determine that medicinal cannabis is safe — and who better to learn from than Israel and what it has done in the past and in some of the medical trials, some of the work and

the research that it has done in this area? It has done a lot of work on this. It is treated very much at the highest level in its clinical trials and work and is well respected throughout the world in terms of the trialling and the work that it has done there. That is one example.

I cite also the fact that an Australian cannabis tech firm has teamed up with the Hebrew University, which has happened in the last 12 months. I certainly do not want to be promoting one group over another, and I will leave it to the open market to do that — obviously we need to make sure that we have got the proper regulations in place — but there is another example where we have a company called PhytoTech, which is Australia's first cannabis tech company. It is teaming up with Yissum Research Development Company, the technology transfer company of Hebrew University, to develop breeds of cannabis with varying ratios of tetrahydrocannabinol and cannabidiol.

This is a really important area. The company has been floated now on the stock market, I believe, and is an example again of collaboration between an Australian company and a company in Israel. Why I mention that is that I had a constituent write to me only a few months back — I will not give you his last name, but Joshua wrote to me — who suffers from Crohn's disease. I will read some parts of his letter just to provide an example. He said that after many years of increasing medications such as steroids, which are really quite harmful medications, that he was trying to look at alternative ways to treat his problems, his disease and particularly the pain suffered from it. His letter states:

Since consuming in late 2012 I have successfully improved my quality of life dramatically, no longer having to inject myself fortnightly with HUMIRA (adalimumab) which I was part of the clinical trial —

trying to fix his stomach. He goes on to a whole range of quite confronting treatments that he was having before he came up with looking at medicinal cannabis. The letter states:

I would never smoke and thankfully with technology now available it is possible to consume medical cannabis in a variety of ways such as infused coconut oil, vaporisation ... et cetera.

One of the points that Joshua makes is:

... it is important that growers and suppliers are able to produce hundreds of different strains ... having educated organisations and scientists delivering to patients the correct information of effects in order to manage their symptoms ...

He talks about things like a cold and flu tablet, where you have one for night and one for day. You need to look at the different strains, and you need to look at the

different diseases and problems to try to work on this area. It is obviously quite a complex area as part of his treatment.

That is even more reason we need to have a sophisticated look at this. I suppose the most important thing here is that we make things safe. We are finding desperate families, particularly parents — and you can absolutely understand that they are looking to minimise pain and harm for their kids, as any parent would do — and unfortunately they have been restricted in terms of where they can go. The last thing that we want to see is backyard operators that absolutely have no idea what they are doing, that there is no standardisation and that there is in many ways improper treatment in the way this is produced. We need to ensure that this is safe. Most importantly we need to ensure that families and children are protected, and that is why it is absolutely important to go further in exploring this.

I will just mention that six months ago I hosted a forum in my electorate with Magen David Adom and Helen Kapalos, who is now the head of the Victorian Multicultural Commission. She produced a film entitled *A Life of Its Own*, a documentary on exploring medicinal cannabis that included a whole lot of stories which talked about the particular issues there. I look forward to seeing Helen Kapalos's documentary when it comes out — and we certainly got a great glimpse of it. The forum run by Magen David Adom really opened my eyes to the importance of legislation in this particular area.

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

Mr LIM (Clarinda) — I rise today to speak on the Access to Medicinal Cannabis Bill 2015. Before I go to the script I have prepared, it is appropriate for me to mention — and in fact it would be remiss of me not to do so — that I come from a land where if you come from a decent family, you do not drink and you do not smoke. If a young man wants the hand of a girl in a decent family, the first question that is asked is, 'Do you drink or smoke?'. If you do those two things, you are out. So if you come from a respectable family, you do not drink or smoke.

Yet drinking grass or cannabis is very, very common. Everybody knows that and everybody does it, to the extent that it is talked about now that in cooking our people use grass in their soup. Many of you are probably not aware that people have been pointing their fingers at some of the famous soups such as pho because they use grass in them. That is why they are so good and people enjoy them. In many of our soups back home we use grass, and that is why they are so

very good and we really enjoy them. Therefore it is part of daily life and it has never been an issue.

When I came to this country some 46 years ago, I was growing up with the Beatles. In those times you heard songs about people indulging themselves by smoking. It was not really the main swinging culture; it was the fringe. People believed that it was not very good and that it was affecting people's thinking, their mental state and all that, but it had the very commonly accepted result of sedating people. People put it down to being very gentle and not very hostile, unlike what we see these days with the effects of ice and what it is doing to young people. They are becoming very violent and there are lot of deaths. We are talking about completely different effects of cannabis on people. I just want to mention that it is part of the culture of South-East Asia and people accept it as part of their lives. It grows wild, so you can just go beyond the garden and pick a few leaves and put them in soup. It is just part of cooking in fact.

We make such a big deal about this in the culture here in this country, to the extent that it has taken something like 46 years of my life to see that now we are looking at its benefits and that now we are accepting that it is good. My concern is that this should have been done 46 years ago. We should have accepted it. We should have really looked into it seriously, rather than trying to push it into the corner and trying to alienate people using it and condemning them. I am just flabbergasted in a way, but I have also come to the realisation that we have come of age and we accept that there is some good in it and that cannabis can help many, many people.

The purpose of this bill is to legalise access to medicinal cannabis for people in Victoria in exceptional circumstances, and to enable necessary entities to implement access to this scheme in Victoria. The bill will implement our election commitment to enable people in extreme circumstances to use cannabis for medical purposes. The bill also arises out of recommendations from the Victorian Law Reform Commission's *Medicinal Cannabis* report of August 2015.

Many people will be aware of some stories that have arisen over the past few years regarding some families and the dilemma they face when seeking treatment for their loved ones. In one case a child that had contracted bacterial meningitis at only four weeks old was suffering seizures that would last over an hour. The complications included brain damage and epilepsy. Imagine the trauma that a parent must go through to watch their child suffer like that. Imagine also that these

parents have been told that medicinal cannabis can ease the pain and suffering but that it is illegal in Victoria due to the current state of the law. The feelings of helplessness and frustration would also extend to the doctors and nurses that are required to communicate this information.

Nobody can fault any parent that seeks to ease their child's suffering. Nobody would blame them if they were to put themselves in their shoes and watch what their child had to go through. It is understandable that, when all other avenues have been exhausted, a parent would consider obtaining cannabis illegally in order to care for their child. It is not fair that a parent should be placed in this position where they must choose between watching their child suffer or entering the black market in order to find some relief for their child. Families go through enough stress and pressure dealing with such extreme medical circumstances, and it is not fair that they may have to deal with the added stress and strain of breaking the law and with the ramifications of doing so.

The current law compels our police and child protection officers to investigate parents accessing illegal cannabis. We can all understand that some officers would be reluctant and saddened that they are required to knock on the door of a family member who is only trying to do the right thing by their child. You can also understand some feelings of frustration that some family members are convicted of dealing in cannabis for the purpose of caring for their family members that are suffering from medical complications.

In many of the bills we have dealt with in the past year we have made amendments to legislation to reflect community values and expectations. We have also made amendments that prioritise the best interests of the child. This bill will similarly make amendments to ensure that we do the right thing by families and the right thing by Victoria's children. It would be remiss of me not to mention the ongoing courage of the opposition in supporting this bill. I wish the bill a speedy passage through the Parliament.

Ms BRITNELL (South-West Coast) — I am pleased to speak on the Access to Medicinal Cannabis Bill 2015. I want to place on the record that I will not be opposing the bill. This bill is being introduced to legalise medicinal cannabis through establishing a state-based medicinal cannabis scheme. It covers the issues surrounding the supply, manufacturing and distribution of cannabis.

Children with severe epilepsy will be the first to access Victorian-grown medicinal cannabis from 2017. As a

nurse I have seen the impacts of epilepsy firsthand, and I can sympathise with the individuals, families and carers of patients with severe epilepsy. These sufferers often have complex needs. The challenge of severe epilepsy adds to the difficulties they face and the capacity of individuals, families and carers to manage. The knowledge for some that current available therapeutic treatments cannot assist their condition means they cannot have confidence to face the day without fear of being subjected to an unsightly, uncomfortable and debilitating seizure. Their self-esteem I imagine would be undermined by the concern that at any time they could have a seizure, which is often a confronting sight for those around them. It is extremely difficult for young sufferers when their friends at school witness them having an epileptic seizure. The individuals would be aware that their friends would see them in a compromised position.

I have nursed clients with epilepsy, and it is extremely debilitating when therapeutic levels are unable to be achieved. On one occasion I specialised a patient in the back of an ambulance for 2 hours travelling from a smaller hospital to a larger hospital that had the capacity to stabilise the patient. The patient was experiencing status epilepticus. This is when a seizure is continuous. This patient had grand mal seizure after grand mal seizure while I was with him. All I could do was administer diazepam continuously, but to no real effect. So I know firsthand the feeling of hopelessness that a carer experiences when a person in their care is unable to be assisted.

As a mother I can also sympathise with the families. It is no doubt frustrating to feel that there might be an opportunity to assist knowing that that opportunity is not available to them, that it cannot be accessed legally. I can understand the desire and longing to do whatever it takes when faced with the desperate situation that these families find themselves in. To have a child compromised and not able to thrive or achieve their potential at school due to the impacts of epilepsy would be a critically challenging situation faced by any parent.

We do not, however, want families resorting to desperate acts to help their children. We do not want to see families accessing cannabis illegally, such as buying the products on the street in an unsavoury environment where they cannot be guaranteed the quality of what they are purchasing. The drug produced for sale on the street illegally is extremely variable. I have worked with clients who have been on the journey of drug addiction rehabilitation. They have shared with me that the cannabis they have purchased is often cut with other addictive substances such as Rohypnol to ensure the purchaser returns and the supplier has his

market secured by ensuring his customer is properly hooked.

I have experienced clients who have smoked marijuana for many years and who have had no other drug use having frightening psychotic episodes. Colleagues who have worked in drug rehabilitation for many years have told me that they have noticed an increase in the effects of the products produced from the cannabis plant, particularly since the start of hydroponic growing of marijuana. The theory behind this observation is that the tetrahydrocannabinol levels are enhanced through improved selective breeding and management techniques such as the use of fertilisers; techniques that all farmers use to increase production and productivity. Tetrahydrocannabinol, or THC, which is found in the cannabis plant, is the chemical responsible for the psychological effects from cannabis. Cannabinoid receptors are concentrated in the brain and are associated with thinking, memory, pleasure and coordination. It is thought to be this chemical that may be what is producing the benefit reported by severe epilepsy sufferers. However, that is the point of the current research and trials — to investigate the plant properties and extract the oils and be confident of the properties and efficacy and what dosages would be of most benefit to different individuals.

The point I am making is that cannabis purchased illegally on the street is highly variable. But the families of epilepsy sufferers, who are desperate and feel cannabis is worth a try, should not buy cannabis illegally on the street as it is currently not regulated or medically supervised. Medicinal cannabis supplied through a regulated scheme would not have the variability I referred to earlier. It would reduce the risk to the children receiving the therapy.

As proposed in the bill, cultivating the plant in a controlled situation is critical. In my electorate, in the town of Port Fairy, the company Sun Pharma, previously GlaxoSmithKline, would be able to offer expertise in areas such as quality control, which is critical to ensure these products are well produced. Sun Pharma has been the largest manufacturer in Australia of morphine produced from poppies grown until recent years in Tasmania and now in Victoria as well. We can thank the Napthine and Baillieu governments, which opened up this opportunity for Victorian farmers to grow poppies, which was previously unavailable to them. The role that Sun Pharma has played in the production of morphine will be of assistance in ensuring processes are in place for a smooth and robust transition into providing safe medicinal cannabis to epilepsy sufferers.

It is worth mentioning the important role the Victorian government has in supporting Victorian farmers through research and development funding so these opportunities can be optimised by the important custodians of the landscape — our farmers. It is our farmers who not only produce quality products but who also care for the environment on everyone's behalf for the benefit of future generations of Victorians. So we must continue to invest in researching best management practices to ensure that farmers continue to balance production and sustainability, remain profitable and competitive and have opportunities like this to supply new markets. Government investment must continue, not just for growing marijuana for medicinal purposes but also for all agricultural pursuits such as crops and animal management.

Clearly as I have outlined we do not want families only having access to illegally obtained cannabis — that is, cannabis that is variable. This is particularly so if they are going to administer it to children. However, I do suggest we tread with caution. We have in this country established systems we can be very proud of and that do a good job of regulation of drug administration. I would not like to see these systems being affected detrimentally or circumvented by the passing of this bill.

As it is children who will be the first individuals to have access to medicinal cannabis, a high degree of certainty needs to be obtained before we administer any drugs to anyone, particularly children. The frameworks that I would normally expect to see for any drug research and clinical trial should be in place. This would involve studies that have scientific rigour, are robust and are peer reviewed before we proceed. As a society we have been beneficiaries of remarkable steps forward in science, which have resulted in the development of pharmacological substances that have brought significant advances in saving lives and improving the quality of life for many people. Antibiotics are an example of this. Many people are alive today because of antibiotics.

However, I ask that we remember the drug Thalidomide that was revolutionary in managing severe nausea in pregnant women in the first trimester of their pregnancy. As we know, it left significant long-term effects, with babies being born without limbs. So while I understand the driver behind the bill, I do hope the government will proceed with caution. Our children deserve a high degree of certainty that they cannot get if their parents access the drug on the street. But we also need to ensure that we are not compromising our children's futures by circumventing the frameworks

that are already established that protect the users of therapies for disease management.

Ms WILLIAMS (Dandenong) — It is with great pride that I rise to speak on this bill. It is with pride because once again the government is making a difference. We are showing courage and compassion and changing people's lives for the better, and that is exactly why we are here. It is easy for governments to be risk averse. It is easy for governments to choose inaction when they fear controversy. It is easy for governments to choose the easy path, but this government knows that to simply do nothing is at its core regressive. We know that the gift of government bestowed upon us by the Victorian people also comes with great responsibility — responsibility to take action where it is needed and to show leadership. We are not here just to keep ourselves safe, because in doing so we would be offering Victorians nothing. We would be failing them. We are here to lead and to leave the place better than we found it.

There are few more powerful reminders of why we sit in this place than the stories of those who will be impacted by this legislation. I know that over the past couple of years, in particular, most of us here, hopefully all of us, will have heard the heartbreaking stories of incredibly sick children whose parents are forced to break the law in order to alleviate their suffering. They are children like Cooper Wallace. I notice that his parents Cassie and Rhett are in the gallery today. I think we need to admire their passion for this issue and also acknowledge the struggle that they have undergone in order to get to this point and also in order to raise their son. That struggle is as parents, as people who love their child dearly, and also as carers. We sometimes forget that families are carers too, and it is a really tough job when you have a child with special needs.

The result of this legislation will not only make a child feel better — and all parents want to see their children healthy — but also, from a caring point of view, make their role as a carer perhaps that little bit easier and perhaps give them that little bit more comfort as well. We have heard about situations where no other medical treatments have had any impact. There have been many stories of children who had experienced hundreds of seizures a day and this was reduced to only a couple a week with the use of cannabis products.

I think all of us have thought to ourselves at some point — I know I have — when reading these stories, 'If it were my child in that situation and nothing legal and prescribed was working, what would I do?'. I think that many people in this place would properly come to the same conclusion that I have, which is I would do

whatever I could and I would probably take risks. There would be very few people in this place or out there in the broader community who would not do that very same thing. No family should have to choose between breaking the law and watching a loved one suffer. Families should not be forced to take the risk of purchasing products of unknown quality and content on the black market. We can fix this.

I am also the Parliamentary Secretary for Carers and Volunteers, which is why I made a point earlier to address the role of carers out there in the Victorian community in order to highlight that many families and many parents are also carers and to highlight that this legislation will have a profound impact on our community of carers. This is the reason, as well as the impact it will have on patients, that we made a commitment before the last election to enable access to medicinal cannabis in exceptional circumstances. Quite frankly it is the right thing to do.

We have heard from previous speakers that in December 2014 the Andrews government asked the Victorian Law Reform Commission to review and report on options for changes to the law to allow for the use of medicinal cannabis by patients in exceptional circumstances. We know that ultimately the commission recommended a standalone Victorian scheme to ensure safe, secure and reliable access.

Just to go through a few of the key points of this scheme, the one recommended essentially involves giving power to the Secretary of the Department of Health and Human Services (DHHS) to manufacture quality-controlled medicinal cannabis products, license manufacturers of these products, authorise medical practitioners to treat patients as part of the medicinal cannabis scheme and authorise them to treat patients on a case-by-case basis when those patients have exceptional circumstances which are outside specified conditions and symptoms. It will also enable the Secretary of the Department of Economic Development, Jobs, Transport and Resources to cultivate and extract quality-controlled cannabis for medicinal purposes and to license commercial private entities to cultivate cannabis.

The scheme will be implemented in a phased approach. There is a very sensible reason for this. It starts with a cultivation and extraction trial to be undertaken at a research facility overseen by the Department of Economic Development, Jobs, Transport and Resources. From 2017 medicinal cannabis products will be made available to children with severe epilepsy. This is because children with severe epilepsy may not live into adulthood and may have no other medical

options available to them. I think, in light of that, it makes sense to prioritise them. During this time we will also be issuing research licences for cultivation and manufacturing, and in the future medicinal cannabis will be made available to other patient groups.

The bill before us today also creates the Office of Medicinal Cannabis to sit within DHHS, which will regulate the manufacture of medicinal cannabis and provide oversight to clinical aspects of the scheme. The bill allows for a comprehensive quality assurance regime involving positions like cultivation inspectors and manufacturing inspectors. The bill will also be supported by regulation. Despite claims by some non-government parties that the Victorian scheme does not really go beyond a clinical trial to provide medicinal cannabis, I just want to point out that this is actually very different to a trial. Clinical trials usually take a significant period of time to establish and they restrict access to medication to only those participating in the trial. What we are talking about is not that. It is about being considered and taking a staged approach to how we roll this out, a sensible approach to ensure that we are delivering a scheme of quality.

We are keen to ensure that a strong and quality-focused system is established, and widening the eligibility criteria from the outset would potentially put that at risk, which is precisely why a phased approach enables us to build a strong system that can meet growth and demand over time. As I have explained, the first-instance access to medicinal cannabis will be given to children with severe forms of epilepsy.

In terms of community support I think it is really compelling to note just how supportive the broader Victorian community is of this measure. There have been quite a number of polls done testing public support for it, the most overwhelming being a Roy Morgan Research poll of 644 people which showed 91 per cent of respondents believed the use of medicinal cannabis should be legalised. That is pretty powerful. I know there was also a survey conducted by Palliative Care Australia, which also showed overwhelming support. A further survey was done by ReachTEL, which showed about 66 per cent in support.

I note that the federal government in Canberra is introducing an amendment to the commonwealth Narcotic Drugs Act 1967 to enable cultivation of medicinal cannabis, and I understand that this was supposed to be introduced late last year but there was a delay. The commonwealth legislation relates to cultivation, which can be contrasted with the Victorian legislation, which takes a comprehensive seed-to-sale approach regulating not only the availability of

cannabis but also patient access. I understand that if amendments are required to the Victorian legislation in light of the commonwealth legislation, that will take place in due course. However, given the importance of the matter and the commitments we made prior to the election, we did not think it was appropriate to wait for the commonwealth government, preferring instead to continue progressing the scheme here in Victoria. We are impacting on people's lives, and just to hang around and wait until the feds get their act together just does not cut it for the Victorian public, and it would not be acceptable. We would not be a decent government if we were prepared to do that.

This bill is common sense to me. You do not deny people medical options that ultimately alleviate their suffering. We should not choose to deny help to families. We have the power at our disposal to make life better for a lot of Victorians, and this is an issue that is only going to gather momentum. As Parliamentary Secretary for Carers and Volunteers, I meet families on a regular basis that undergo these sorts of challenges and just cannot make sense of why politicians do not act and do not make their lives simpler. So I am very proud to be standing here as part of a government that is acting to make life better for these patients and the families who care for them. I commend the bill to the house.

Ms KEALY (Lowan) — It is a privilege to stand today to speak on the Access to Medicinal Cannabis Bill 2015. From the outset I would like to state that the Liberal-Nationals coalition will not be opposing this bill. We certainly support the crux of this bill and its major content, but we do have some areas of concern that I will highlight through the remainder of my contribution. As a brief overview of the purpose of the bill, it is to provide medicinal use of products derived from cannabis by establishing a scheme for the supply and treatment of Victorians with specified conditions with approved medicinal cannabis products of reliable quantity and known composition and which preserves the prohibition of unlawful trafficking, cultivation, supply and use of the drug of dependence, cannabis, and to provide for the lawful cultivation and manufacture of cannabis for medicinal cannabis products.

As a bit of background to this bill, in the last year of the last Parliament the coalition actually passed legislation in the upper house. Unfortunately it did not get to the lower house, but it was a good first step that really opened up debate and discussion and was aimed towards creating some legislation where we could have a framework so that families could legally access medicinal cannabis for treatment for a variety of

conditions which benefit from this drug. When we look at what it does, we see it is mostly for pain relief and for the relief of pain in spasticity, so it is used in respect of certain conditions like multiple sclerosis, epilepsy, chronic pain and those sorts of elements.

I note today that we have the parents of Cooper Wallace in the gallery, and I thank them for coming in to listen to the contributions today; it is appreciated. I would like to commend them for the work they have done in highlighting the need to have access to medical cannabis for the treatment of key medical conditions. I think it would be an absolutely heartbreaking process to go down that decision-making path. Firstly, having exhausted all other avenues that you can see through the legal system of trying to give some relief to your child who is suffering from extreme epilepsy, to make the leap of taking a product — and I do not know how the family sourced that as an option for them — is something that personally you just have to take the risk and try because maybe it will make your son better. Then to actually go through the emotion of seeing your own child get some immediate relief from it, knowing on the other hand that you are breaking the law, puts the parents in an extremely difficult position.

I support that we do have access to this drug if it does show that it will make a difference, but I want to also ensure that parents do not have to question whether there is a risk. We definitely need to extend the number of clinical trials and the amount of research undertaken into medicinal cannabis. If we do not do that, there may be unknown side effects, and I am sure that parents would be able to make their own decision about whether it was worth taking the risk or not — whether, given the side effects that were known for that drug, it would be of greater benefit to take it than not take it. But unless we have that information for the parents, then they will not be able to make an informed decision. That is something I think is very important.

If this legislation passes, and I believe it will, we must take particular care in how we develop the system to ensure that we have a pure product, that it is not contaminated, that it is a set dose, and that there is not a variation of doses which may mean that sometimes the medicine works and sometimes it does not work. We also need to know what are the long-term effects of this — what might be the side effects for people who choose to go down this path of seeking treatment through medicinal marijuana.

I know there has been some discussion today about the federal bill going into the commonwealth Parliament, and I believe it was tabled yesterday. It is important that that go through, and I think that has been downplayed

by the government. It is disappointing that has been the case. As many would know, I am a biomedical scientist, and I went through training with a number of scientists who went on to work in the field of research.

I will go back a step. My love in pathology — I worked in pathology — was in transfusion medicine. It is one of those areas of pathology where you are actually putting a product into a person. Obviously it is a human product, a blood product, so there is additional care around that, but I have firsthand experience of the stringent controls you must have and the standards you must meet in terms of delivering a safe product to an individual.

We are looking at the government setting up an entirely new department that will be used to produce a medicine for public use. I am concerned that there is not the expertise available in the public sector to be able to develop a pharmacological product. We need to make sure that we get it right. I want to make sure that proper investment is made and that we attract the experts who are in the field to make sure that we are not just doing it for the sake of getting a headline or trying to get a spin because we own all of it. This is not a political issue. We need to make sure that we do it right and do it right the first time.

There is a particular reason that I want to make sure that we get this right, and that is that this will initially be rolled out for juveniles who are suffering from epilepsy. I believe that there are around 20 individuals who will have access to this drug when the bill is passed. We do not want these children to be part of a surreptitious clinical trial. I do call on the government to make sure the investment is there for the long term for these families who are going to be involved. Inevitably it will be seen as a trial at some stage, but there are elements you can control. It is not worth an additional risk for our families who are going to go down this path by accessing medicinal cannabis to have that risk of novices manufacturing drugs and dispensing them to the public.

I would like to briefly just mention, given that I am a very strong supporter of country Victoria, the opportunities that may present through this legislation. One is around the cultivation of cannabis. We have seen very successful cropping of opium poppies in the west Wimmera. We do it very well, and it is an opportunity to diversify the crop availability in our regions. When there is consideration of where the cannabis may be produced, I would like to put my hand up for the Lowan electorate. I think that we should be looking at these types of things being set up out of the city. I do not want to see it grown in greenhouses here

in Melbourne; I would love to see this as an opportunity to support the agricultural sector.

I also raise a concern from the country perspective around the elements related to licensing of physicians. Physicians are in very short supply in country areas; there are not that many around. They are usually linked to hospitals. I do want to make sure that there is appropriate access to medicinal marijuana and that physicians can access licensing for those children who are in rural and regional Victoria. I do not want to see this as something where families have to make the decision and say, 'We have to move to Melbourne in order to access this drug'. I think that would be unfair, and I do not think we should discriminate against families who live in country Victoria and who want to access medicinal marijuana.

In summing up, I just want to go over my points again. We do broadly support the bill. It is obviously making a real difference to a number of children out there. The parents have to go through that decision and weigh up the risk of the product not working or any side effects that are unknown versus the benefit to the child. I think that is something that obviously, if we have compassion, we must support, but there are risks in going through it. We need to manage it well. We need to make sure that we are not letting families into a false sense of security that because the government is supplying this product it is safe. We need to make sure that this government invests properly in developing a medicinal cannabis product and that we do make sure that the product is not contaminated and that it is of a reliable dosage. We need to make sure that we undertake long-term trials to fully understand the side effects for anyone, particularly a child, who is going to participate in not just trials going forward but also accessing medicinal marijuana.

Ms WARD (Eltham) — Deputy Speaker, it is lovely to see you there this afternoon.

The DEPUTY SPEAKER — Order! Not because I was late?

Ms WARD — It is lovely to see you. You are my favourite Deputy Speaker!

I rise to talk about this bill and echo the comments of my colleagues about the importance of this bill. It never ceases to amaze me how we can do something that would appear to be so simple as producing a bill but that can have such far-reaching and lasting effects on someone's life. What we can do with this legislation is dramatically improve the quality of life of many people. It is a wonderful responsibility to have in this place to

be able to create legislation that can have such an effect on someone's life.

This is a complicated bill and a complicated procedure we are engaging in. We can have a very simple outcome, which is improving the quality of life, but there are a number of steps that we have to go through and that the Minister for Health has to go through. I know that our health minister is absolutely capable of doing that. I would like to assure my colleagues opposite that our health minister knows exactly what she is doing. She understands exactly how serious this legislation is. She understands the benefits of this legislation, and she will indeed make sure that this legislation and how it is implemented is in the best interests of those in our community and those who will benefit from it.

I have a pretty good understanding of exactly how this legislation can benefit someone, how it can benefit a family and how it can actually change someone's quality of life. It is not just Cooper whose life will be enhanced by this legislation — and I have no doubt that it will be — I also know how much it will benefit the lives of his parents. My own nephew Cooper has his own disabilities, and I know how difficult it can be for my brother and my sister-in-law to get through some days — how tired they can be, how exhausted they can be. No matter how much they love my nephew — and I know they love him dearly — there are days when they are just really tired. Anything we can provide as a government to help people get through those days, to help lift the quality of life of children or other people with illnesses that can be alleviated through using medicinal cannabis, should be provided. I am very glad that we are actually here today, able to do so.

I know that Cooper is attending this year for the first time the Diamond Valley Special Developmental School in my electorate, which is a great school with fantastic staff and a very passionate and devoted principal who always puts the needs of his kids first. You will never find a stronger advocate for kids with disabilities than that principal. He is a very good man. There are really good, kind people in that school and there are exceptional volunteers. There is no question about that. It is a great school to choose and I congratulate Cooper's parents on that choice.

We need to be open-minded about our health care and we need to search far and wide to see where we can find solutions to health challenges that our community faces. We cannot be boxed in; we cannot be closed-minded. We need to be open and we cannot be stuck down or bogged down with moral prejudice; we must do what is right for our community. We do need

to have safeguards in place and we have a minister who is absolutely qualified to do that. We have a minister who completely understands what needs to be done and why it needs to be done, and she is absolutely systematically and methodically going about it. I applaud and congratulate her and the Andrews government for being so open-minded and for taking such decisive action in this policy area.

The opportunities that this policy raises, the opportunities that are out there, are not just about quality of life, as the member for Lowan has suggested. As she said, it also has economic benefits, and it does. I am really interested to see how this can pan out. I am excited about the benefits that this policy can actually bring to our whole community — the economic benefits, the jobs that can be created — and not just through the harvesting or the growing of medicinal cannabis but also through people's lives being improved and them being able to be productive. The benefits include the quality of life they are going to lead, the freedom of movement — the whole variety of things that are open to them through being able to take this drug that will be able to give them so many opportunities. That is exactly what this government is about — creating opportunities — and there are so many places to find opportunities, including in health care, for individuals, for the economy and for the government.

I really would like to assure my colleagues opposite who have expressed some concern about this legislation and how we will go about implementing it that this is a responsible government. This is a government that takes its role very seriously. We are not flippant. We do not just do things with the stroke of a pen. We do the work, we do the research and we do the consultation. We do take our role in this place and as a government very seriously, and to suggest otherwise does everybody a disservice; it really does.

This is something that together we can work towards and we can create as a government, as a city, as a state, as a whole community — something that can be of real benefit to people. I really do hope that politics stays out of this conversation because it needs to be above politics. It really needs to be about what is in the best interests of people who have a variety of illnesses that are not allowing them to go about their day-to-day lives as they ordinarily would, that is not allowing them to live a pain-free life and that is not enabling them to be the people they can be. In creating and enacting this legislation and bringing it about by going through our trial and systematically going through how we can best deliver this, we will indeed be able to give people a better quality of life and a better outcome in their life.

They will be able to be more productive; they will be better people. It is an amazing thing that we can do that in this place — that we can create legislation that does actually enhance people's lives and that we can do something that is so positive.

I join my colleagues in congratulating Cooper's parents, Cassie and Rhett, on the amazing strength they have shown in continuing to stand by not only their son but also by something that they know is inherently right — something that they know can inherently change not only their son's life but the lives of many other people. While I spoke about the privilege we have in being a part of this kind of legislation that can be life changing, it is a great privilege to see people in our community who are brave enough to stand up and show their faces and stand by what they know is true and what they know can create change, and really good change. I really applaud them for having that strength because it is not easy to have your face in the paper; it is not easy to be on the telly; it is not easy to be out there and for people to know you, to see you in the supermarket and go, 'Hang on, aren't you the ...'. It is not easy. It is pretty confronting and challenging, and I applaud them for having the strength and being able to do that. I really do because we need people like them.

We need people who can stand up and say, 'Hang on, this can be done better. This is why and this is my lived experience', because it is the lived experience that really adds weight to an argument. It is the lived experience that really shows a community as well as lawmakers what can be done. It is not theoretical. It is not something out in the air. It is something that is real and that is lived. It is incredibly important when you are trying to bring about change for people to understand the real effects and what it can really mean to people. I congratulate Cassie and Rhett for being so incredibly strong. Well done! I commend this bill to the house.

Mrs FYFFE (Evelyn) — I am pleased to be given the opportunity to speak on the Access to Medicinal Cannabis Bill 2015. Until we walk a mile in a sick person's shoes or the parents of a sick child, we do not know how we would feel if we knew that there was relief from symptoms and sickness — that it was possible but not available. So I approach this bill with sympathy and understanding but also with a measure of caution. Rapid advances in scientific research means our healthcare system and treatments are rapidly and forever changing, and this bill is one of those such changes.

In December 2014 the then Attorney-General asked the Victorian Law Reform Commission to report on options for changes to the law to allow people to be

treated with medicinal cannabis in exceptional circumstances. Two subsequent issue papers were released focusing on defining exceptional circumstances in which a person could be allowed to use medicinal cannabis and how the law could permit authorised access to the substance without preventing unauthorised access. Nine consultations were held and 99 submissions received. The report came out with 42 recommendations for changes to the law, 40 of which the government has accepted.

The bill gives rise to powers for the Secretary of the Department of Health and Human Services to license manufacturers of medicinal cannabis. It enables the Secretary of the Department of Economic Development, Jobs, Transport and Resources to authorise the cultivation and extraction of medical-grade cannabis by government and licensed commercial private entities. The bill prioritises children with severe epilepsy so that they will be able to access government-produced medicinal cannabis from around this time next year. The government has the flexibility to expand access to commercially produced cannabis at a later date — most likely in 2018. Importantly, medicinal cannabis will not be produced in a form that enables smoking. The prohibition on recreational use remains in place.

The bill allows medical practitioners to make individual assessments of cases that may fall outside the specified conditions and symptoms. It establishes an Independent Medical Advisory Committee. The role of that committee will be to monitor access to medicinal cannabis and advise on eligibility and new products that may benefit patients. Ongoing input from the medical profession will be sought to make sure that access is as safe as possible and the medical profession is well equipped to participate in the scheme.

My understanding of how this will work is that patients will be given a prescription by a medical specialist, a pharmacy will dispense and a GP will oversee the treatment plan. It will not be available as an over-the-counter medication. I do not have the knowledge and the expertise of the members for Lowan and South-West Coast, but it is important that this must be well regulated, and I would have preferred to have had more information on the details of how the management of the cultivation and processing of cannabis is going to be carried out.

For a long time the illegal status of marijuana prevented rigorous study into the medical application of the plant. This has made it difficult for people to argue in favour of the medicinal use of cannabis. Yet this may also

have had something to do with observed risks from, in particular, people who have been using it long term.

Like many Victorians, I was highly cautious about the legitimised use of cannabis as a treatment option, given what I had read about the impacts that marijuana smoking has on body and brain functions in certain individuals. I also have concerns regarding its long-term use as a medicinal drug. To get a better idea of the applications of cannabis I did a desktop analysis, looking at the benefit of cannabis for severe diseases and disorders where treatments may be limited in their effectiveness.

I found that with cancer, cannabis is not a cure for cancer. However, chemotherapy is a toxin which kills not only cancer cells but healthy cells. The toxic cocktail reduces the appetite in individuals. Unfortunately this also further weakens the natural immune response in cancer patients. Cannabis trials have indicated that it can increase the patient's appetite and reduce nausea and maintain the body's natural energy reserves to assist in fighting the disease. However, there are other drugs now on the market that achieve those results more effectively than cannabis.

With epilepsy it is thought that one of the psychoactive components of cannabis can reduce seizures by blocking certain other brain processes. I note the government has given priority to children with epilepsy as part of the initial rollout. However, it is my understanding that studies into the use of cannabis for epilepsy have been limited to animals and so far not replicated in humans. I wish that we had a higher degree of certainty before exposing our children to this when their brains are still developing and any long-term risks are not totally clear.

I now restate my sympathy for and understanding of the desperation the parents of these children must be feeling. But like the member for South-West Coast said, the use of thalidomide — in Germany alone over 10 000 babies were affected — makes one feel cautious when something has not gone through the trials that Australia is very well known and well recognised for.

With glaucoma it is believed by some that smoking cannabis can lower pressure inside the eye, relieving glaucoma-related discomfort for 3 to 4 hours. Other studies have disputed this finding. Regardless, a number of new pain relief drugs have been found to be more effective than cannabis. Cannabis has also been used in the treatment of multiple sclerosis (MS), and a lot of people believe that it does settle the symptoms.

So there is still a lot of not knowing for sure what things are being helped. The one thing we do know for sure is that cannabis does not cure the condition; it just helps the management of the pain and the symptoms. The number of new drugs on the scene that can treat the same symptoms that cannabis is alleviating should be researched and have more time spent on them.

With this bill coming in — which I have no problems with; I think the demand has been shown and I believe the government will be cautious in its trial — I just have some personal concerns about the message we are sending out to the broader community. There are people out there who believe that because they can buy illegal cannabis at places such as the sex shop in Lilydale and because they are buying it over a counter that actually that is legal, when it is not. I just worry that we are sending a message that it being made okay to have cannabis in medicinal ways makes it okay in the broader community. It is the same, with the synthetic cannabis that is being used in the Austin trial — and it is terrific that that is being trialled, and being trialled correctly. But because we use the words 'synthetic cannabis' — and people are going into these shops and buying what is called 'synthetic cannabis', and heaven knows what it actually is as it is a composition of any chemicals and any vegetative material that they are using — it might be seen as though we are actually saying that those things are legal. So I think we have got to manage the message extremely well out there in the community.

People have died from the use of the synthetic marijuana that has been out in the community. We had a factory raided in Lilydale where the police found a large amount of what is termed 'synthetic marijuana'. But I do restate: heaven knows what it actually is, because it is a combination of illegal drugs. The *Leader* newspaper put the police onto that after they had purchased and then handed over some synthetic marijuana that they had bought at the stores.

While I anticipate there will be careful monitoring of the levels of the tetrahydrocannabinol (THC) present in treatments, I think we have to question the risk: is it going to be completely removed? Is it going to be left as part of medicinal cannabis? And it is easy to find lots of information on the dangers of smoking high-potency cannabis in relation to brain function and health, but not on the lower dosages.

So I do not oppose the bill. I feel for the parents. I think anyone who has an understanding of what it is like to care for someone who is sick knows that anything that you can do to help is a step that probably all of us in here would take. I just want to make sure that it is so

well regulated, so well managed, that we manage the message out to the broader community that we are not in any way implying that cannabis is good for you. We must manage that message. It is something I am seriously worried about. Finally, it is important to note that cannabis is not a cure for anything; it just alleviates the terrible pain and discomfort.

Ms SULEYMAN (St Albans) — It gives me great pleasure to rise and speak in support of the Access to Medicinal Cannabis Bill 2015. We have heard some excellent contributions today from various members of this side of the house, in particular the member for Eltham in her contribution to this bill.

Today is an important day for the health of Victorians, in particular to ease the pain and suffering of many Victorians for whom access to medical cannabis will be a great benefit. We know that the health of Victorians is paramount, and I am very proud of the commitment that we have made in relation to health, and in particular, in my electorate of St Albans, the commitment to construct the new women's and children's hospital in Sunshine.

Coming back to this bill, this delivers the Andrews government election promise to introduce access to medicinal cannabis through a regulatory regime for the drug. This legislation is extremely important in the introduction of Australia's first legal supply of medicinal cannabis through a safe and secure and comprehensive integrated scheme for cultivation, manufacture and dispensation of registered pharmaceutical products.

The bill will give effect to many of the recommendations that came out of the Victorian Law Reform Commission's *Medicinal Cannabis* report published in August last year. It came complete with 42 recommendations from the VLRC, and 40 of these recommendations were accepted in full and 2 in principle. I would also like to, from the outset, commend the Victorian Law Reform Commission for their work and investigation into this extremely important issue.

We know that the scheme, as said by many speakers today, will benefit many Victorians who are suffering. In particular I also would like to mention Cooper Wallace, and I understand his parents are here in the chamber today. I make a special welcome to Cooper's parents. As we have heard today and as many of us know, Cooper suffers from cerebral palsy and severe epilepsy. His parents were faced with the terrible situation of breaking the law by going to the black

market just to provide that relief for Cooper and not see him suffer without this type of medicine.

With the known benefits of medicinal cannabis, Cooper has had a very different experience of life, with the seizures significantly reduced and in particular a reduction in hospital visits, as his family had endured in the past. It is extremely important to allow access to medicinal cannabis to families of children who are suffering from severe and distressing medical conditions.

As I said earlier, no parent should be faced with the choice that Cooper's parents had to face: to either abide by the law or break the law. When you see your child in pain you want to do everything in your power to relieve or eliminate that pain. It is an extremely tough situation to be in, and of course no parent should have to face this or be put in this position. This is why the inability of families to access medicinal cannabis has caused considerable distress for many, and, as I have previously said, no-one wants to see their loved ones suffer, in particular children, who are the innocent ones in our community.

We have heard many stories, real stories, throughout the last two years both in the media and in this place. Some real stories have come to light from members. By decriminalising the use of cannabis for medical use, I believe that this bill will ensure that people who need this treatment will have access to it. Most importantly, this is going to be practised in a responsible manner, prescribed by a doctor to a patient under medical supervision.

This bill will ensure that children such as Cooper will have access to medicinal cannabis that is safe, legal and, most importantly, reliable. This bill will amend the Drugs, Poisons and Controlled Substances Act 1981 to allow the legal possession, use and supply of medicinal cannabis within a regulated supply chain. Clearly the review by the committee last year gave careful consideration to a three-phase staging process to implement the development of the product, the infrastructure and the supply chain.

The first phase will be the trial to allow the cultivation, extraction and manufacture of quality-controlled medicinal cannabis products, and this will all be in a secure facility. This trial will plant seeds, grow plants and extract agents to develop pharmaceutical-grade medicinal cannabis, with crucial regulatory oversight and security to ensure medically fit-for-purpose cannabis oil production.

As we have heard today, for those on this side of the house delivering this legislation in a responsible way is critical. Most importantly, there will be authorised specialist medical practitioners who will be able to prescribe the medicinal cannabis and registered pharmacies that will be able to dispense the medicine. We will also establish the Office of Medicinal Cannabis within the Department of Health and Human Services to provide oversight. Further, an Independent Medical Advisory Committee will be established to provide expert advice and opinion and, most importantly, oversee the operation of the scheme.

As we have heard today, it is absolutely crucial that this bill be supported. This will be a first for families in Victoria, I must say. We have heard some speakers today in relation to the federal government introducing commonwealth legislation that supports our legislation, and that will assist it to operate in a clear way. But there are a number of things the commonwealth legislation does not do, which means that clearly the Victorian bill is leading in this area.

I want to congratulate Cooper's parents on their strength. I think that they are the true heroes behind this bill. With the way that they were able to tell their story to all Victorians, I think they have really made a change for everybody. I hope to see Cooper getting the appropriate medical treatment. This will be a real relief for him and many other children who are suffering. I want to commend our Minister for Health for bringing this bill before the house. This was a commitment by the Andrews Labor government. We promised we would deliver this in government, and that is exactly what we have done, making sure that we deliver on our commitments. I commend the bill to the house.

Mr THOMPSON (Sandringham) — During my time in this place one of the most powerful orations I have ever heard came from then National Party member for Warrnambool, John McGrath. His seat was just below the Speaker's. He spoke of the impact of the ingestion of marijuana on the health and wellbeing of his family members. He quoted Dr Arieti from New York, a medical specialist, who said that no war, no famine, no disease had exacted so great a toll and had caused so much suffering as that caused by schizophrenia.

The Penington inquiry took place in Victoria in the mid-1990s, and there was a recommendation by Professor Penington that the cultivation of marijuana for private use be permitted or allowed. That particular recommendation was not taken up by this Parliament. Questions were raised by some keen members of Parliament, some of whom had travelled overseas,

including Dr John Ross, a former member for Higinbotham, who had a clear view on the matter.

I am grateful for the supply of some information by Mr Tim Oates. He has provided me with access to some medical research. There was recently a controlled family study of cannabis users with and without psychosis. A number of the academics and researchers who produced the resulting paper have an association with Harvard Medical School. The paper concludes that:

The results of the current study suggest that having an increased familial morbid risk for schizophrenia may be the underlying basis for schizophrenia in cannabis users and not cannabis use by itself.

In academic terms there need to be a range of studies and a range of trials, but in its background summary, the paper notes:

Many studies have shown an association between cannabis use and schizophrenia (Compton et al. 2009; Galvez-Buccollini et al. 2012; Zammit et al. 2002). Compton's 2009 study and Galvez-Buccollini's 2012 study both found that cannabis use during adolescence may cause an earlier age of onset of psychosis than would have occurred in the absence of cannabis use. Galvez-Buccollini found a direct association between age of onset of cannabis use and age of onset of psychosis ... While neither study's findings could definitively point to cannabis as a causative factor in developing psychosis, both clearly identified it as a catalyst.

I will leave it for other members to further examine the research record and background, noting at the same time the conclusion of this particular study.

I might add that over the years I have met many people with schizophrenia and their family members in my office. A level of concern has been raised with me. It might be noted that the role of drugs and antibiotics has had a profound impact upon the wellbeing of the Australian community and the world community. Morphine as a measure for providing pain relief has alleviated pain and suffering for countless millions throughout the world, and the greatest medical advance in the 20th century, the one that has saved the most lives, was the discovery and then commercial production of penicillin for its ability to control infection and bacteria. We need to continue to pay tribute to the scientists who are responsible for its later manufacture and development following its discovery.

In terms of a number of the points I wish to place on the record — other speakers have made some wider points — I would like to focus on the potential for there to be a supply industry that does not necessarily just involve the major pharmaceutical companies. Australia has sometimes been called one of the biotech capitals of

the world. There is the ability for Australian expertise to be marshalled and developed to engage in the medical cultivation of the plant and the production of the various ingredients that have the ability to treat people with various conditions.

I note also for the record that there are inherent dangers. I mentioned in this place yesterday the angst and concern of the George and Wilson families following the tragic death of Daniel George. His sister wrote to me earlier this month, and she said:

My name is Jenny Wilson, and I am contacting you because my family has been devastated by a tragic loss of my 34-year-old brother after he had two puffs of a synthetic cannabis drug called Kronik.

The story was on Channel 7 news in December. Jenny is organising an event in her brother's honour to raise funds and raise awareness of this tragic and ongoing issue around the use of synthetic drugs.

Anecdotally, some drugs of this nature are manufactured overseas in very poor conditions. Jenny noted that her 34-year-old brother had two puffs of the synthetic cannabis drug Kronik. The family is determined to mark the tragic loss of Daniel in a way that will ensure that other people do not suffer in the same way that they had to suffer, so that the death of Jenny's elite athlete brother will not have been in vain. An event is being held in the southern region of Melbourne on 27 February, which is the date of Jenny Wilson's late brother's birthday.

In terms of other aspects of the bill, I think it is important to draw the attention of the house to the objects of it. The intent is outlined in the purposes of the act, and I would like to place it on the record. Clause 1 states that one of the purposes of the Access to Medicinal Cannabis Bill 2015 is to provide for the lawful cultivation of cannabis for medicinal cannabis products and to provide for the lawful manufacture of medicinal cannabis products.

In representations that have been made to me by people with an awareness of Australian skill sets, three key points have been made to my office recently by a keen-minded constituent, Tim Oates. He has commented that the synthesis of cannabinoids is not a good thing. He has made the comment that allowing Australian companies to build upon Australia's biotech expertise and skill set will be of great value rather than research and development in this field being surrendered to a monopoly of global pharmaceutical manufacturers. He has also drawn attention to the importance of there being sensibly regulated markets,

which will decrease the likelihood of young people accessing the drug, with consequent harms resulting.

In summarising my remarks, I will just go back to the experience of the former member of Parliament who lost a son to suicide. This occurred following the ingestion of marijuana, in the view of his father, which led to the onset of psychosis. I return to the remarks of Dr Arieti from New York. I draw attention to the value of there being good use of drugs to alleviate pain. I would perhaps add a caveat that there ought to be good longitudinal studies to ensure that in the use of drugs in the early stages the side effects are carefully evaluated. I also make the comment that we need to ensure that the risks associated with drug use do not cause wider harm to users in the community, whether that be with synthetic drugs, whether it be with medically prescribed drugs or whether it be with the illicit use of drugs.

Ms SPENCE (Yuroke) — I am very pleased to speak on the Access to Medicinal Cannabis Bill 2015. As we have heard from many speakers today, the bill implements our election commitment to legalise access to locally manufactured medicinal cannabis products for use in exceptional circumstances.

We have heard that from 2017 the first patient group, children with severe epilepsy, will gain access to this product, and it is important to understand that there will be a phased approach to patient eligibility. It simply will not be possible for all patients identified as potentially benefiting from the use of medicinal cannabis to access it on day one. But what these patients, for which other treatments have been ineffective, will have is hope, and that is something that many patients have given up. The bill reinstates some hope that this treatment may be available to potentially alleviate the often debilitating symptoms of their condition where other treatments have been ineffective.

The bill will enable the manufacture of quality-controlled medicinal cannabis products, license cultivators and manufacturers of medicinal cannabis products, authorise medical practitioners to treat patients as part of the medicinal cannabis scheme and authorise medical practitioners to treat patients on a case-by-case basis when those patients have exceptional circumstances that are outside of specified conditions and symptoms.

It is this last point that I want to focus on today, and in doing so I want to share with this place the story of my constituent, Caitlin Caruso. Caitlin has a very rare disease. It is Ataxia-telangiectasia, or A-T, which is estimated to occur in less than 1 in 40 000 births. A-T is an incurable, degenerative disease that affects a variety

of body systems, including the immune system and the nervous system. Degeneration of muscle control begins in early childhood, usually before the age of five years, and children typically develop difficulty with walking, balancing, and coordination. As a result, movement problems typically mean that wheelchair assistance is needed by adolescence. The symptoms of A-T are quite varied and not consistent between individual cases. Further research is required to gain a better understanding of this disease.

Caitlin displayed symptoms of A-T from a very early age. However, she was initially misdiagnosed at 18 months with cerebral palsy. Later when Caitlin was in grade 1 at the age of seven years and her symptoms had widened and worsened over time, the correct diagnosis was made. Caitlin is now 18 and requires a wheelchair for mobility. She started her education in a mainstream school but then went to specialist schools and she graduated with the Victorian certificate of applied learning.

From a very early age Caitlin was unsteady and found it difficult to balance, but she loved to dance. She is no longer able to do that. She cannot walk or dance now because the symptoms are too far progressed to allow that to happen and the treatment available today provides her with no relief. It is the lack of mobility that is the most debilitating aspect of this disease for Caitlin. Caitlin simply wants to do the things that the rest of us take for granted, like getting a drink from the kitchen, but she is not able to do that without her wheelchair.

On 6 October last year this government announced that it would legalise access to locally manufactured medicinal cannabis products for use in exceptional circumstances from 2017. This announcement was widely reported in the media, and before that day's end Caitlin's mum, Pam, had contacted me to get further information and to find out how this treatment could possibly benefit Caitlin. As with many rare diseases, those affected and their families tend to form networks where experiences and support are shared. Pam had seen videos of children with A-T in the United States who had benefited greatly from medicinal cannabis treatment, particularly in regard to improved independent mobility. Pam had hoped that this treatment could also benefit Caitlin, and I too hope that this treatment will one day benefit Caitlin.

Pam understands that access to medicinal cannabis will not be immediate, and there is still a way to go as patient eligibility is determined. However, this brings me to the very important provision in the bill which provides hope for Caitlin and her family as well as the many others who may benefit from this treatment. The

bill provides that patients will be able to access medicinal cannabis if they meet the eligibility criteria and are authorised by their medical practitioner. Initially, as we know, this will be children with severe epilepsy. However, the bill allows for the development of regulations to define other eligible patient groups.

Patient eligibility will be considered by the Independent Medical Advisory Committee and future changes to regulations are to be made based on best available medical research and following consideration of the committee's advice. As a starting point, the Independent Medical Advisory Committee may consider the other patient groups that were recommended in the Victorian Law Reform Commission's *Medicinal Cannabis* report. These include patients with severe symptoms associated with epilepsy, including adults; multiple sclerosis; cancer; HIV/AIDS; and chronic pain.

The bill also allows medical practitioners to apply for a patient medicinal cannabis authorisation for patients whose circumstances are outside of specified conditions and symptoms and who do not otherwise meet the eligibility criteria. These applications will be considered on a case-by-case basis. It is through this process that it may be possible for Caitlin and patients in circumstances such as hers, which are outside the specified conditions and symptoms but where current treatments are ineffective, to have access to this treatment.

This is an important bill. It provides a comprehensive scheme to provide eligible patients access to a product that is safe, that is legal and that is reliable. It will have a profound impact on patients, on carers and on families. Its reach will continue to grow as trials are undertaken and eligible patients are identified. I am very proud that this government has taken such a strong lead to legalise medicinal cannabis, and I am sure that the other states will follow. I am glad that Cooper Wallace's parents are in the gallery today. I commend the bill to the house.

Mr D. O'BRIEN (Gippsland South) — I am also pleased to rise to speak on the Access to Medicinal Cannabis Bill 2015. As previous speakers on this side of the house have pointed out, we are not opposing this legislation. The principles that are being espoused by those on both sides of the house are very sound. However, I did put my name on the list to speak to place on the record, I guess, some concerns that I have with respect to the legislation. That is with respect to not the efficacy, which is the question — and I will go to that in a moment — but the safety, because we do have a very strict and robust process through the

Therapeutic Goods Administration (TGA) in Australia, and I am a little surprised that the government is proceeding without pursuing that process.

There is no doubt that the use of cannabis in its various forms has been effective for many, but I did pay a bit of attention to the report of the Victorian Law Reform Commission when it was released last year. Going back to that, looking at the section headed 'Issues for policy-makers', which is of course what we are, page 45 has quite an extensive section on the efficacy of medicinal cannabis. A quote from that that did catch my eye:

The orthodox research-derived position is that medicinal cannabis shows promise but it is too soon to state definitively that it is therapeutically efficacious for any medical condition.

So that concerns me, but as I said certainly there is no question that there are people in the community that will swear by its efficacy, and that I have no issue with.

The law reform commission did go on to present some of the evidence of side effects. Again, that is fairly well known. The Australian Medical Association Victoria contended that the 'potency and safety of crude cannabis is unknown, variable and unregulated', but even the submission made on behalf of the cannabis community in Victoria acknowledged that cannabis is 'not "harmless"'. I appreciate that nothing, or very little, is harmless. We have legal alcohol, but in the wrong quantities and with prolonged use of course it also does cause harm. But the efficacy, as I said, is not particularly my concern but the issue of safety is.

If I go again to the law reform commission's report, there is a section there that explains the therapeutic goods administration process which was introduced by the commonwealth. There is a commonwealth act, the Therapeutic Goods Act 1989, but also complementary legislation in Victoria and in other states. That is a process that is robust. It is probably quite frustrating to many over time because it can be lengthy for companies to go through a process of approval for any therapeutic product. But the TGA as part of its main role:

... evaluates the safety, quality and efficacy of therapeutic goods and approves them for sale in Australia; licenses the manufacturers of therapeutic goods; ensures that therapeutic goods are properly labelled and advertised if they are to be sold on the Australian market.

Now, I understand that aspects of this bill mirror that process of that legislation whereby the government is setting up a government-endorsed and overseen process that will ensure the safe production of medicinal cannabis, but it is a concern to me that the government

is getting ahead of the game in respect of this particular product rather than allowing it to go through the process as previous members, I am sure, have outlined on this side. The coalition, whilst very sympathetic to the issue of allowing medicinal cannabis to be available, did prefer to go down a route where further trials could be undertaken so that we could be more satisfied regarding those concerns.

I note too that the commonwealth has introduced a bill into the federal Parliament just this week to ensure that this bill can in fact be put into place because as it currently stands we will be breaching, as I understand it, our international treaty obligations without some change from the commonwealth end. And of course the commonwealth will need to approve the import of seeds for use in the cultivation of the cannabis. I know that this government, the state Labor government, had made an election commitment to introduce the legislation in 2015. I think it has been a little overanxious. I would never want to criticise a government for meeting its election commitments, but I do not think anyone would be too upset if we waited a few more months and allowed the commonwealth process to take place, and therefore we would not need to go through this again. So this bill will no doubt need to be redrafted when that legislation happens.

Mr McGuire interjected.

Mr D. O'BRIEN — Well, what is the point then of bringing the bill in right now?

Mr McGuire — We lead. We lead, we get on with it — that's why.

Mr D. O'BRIEN — There is obviously a political bent to this, as the member for Broadmeadows is pointing out as we speak.

Mr McGuire — Can't wait for the Barnabies!

Mr D. O'BRIEN — But the government cannot get it done without commonwealth approval, and I know the commonwealth had asked the state to hold off on this legislation until it was ready.

Mr McGuire — They're following us!

Mr D. O'BRIEN — Very clearly the member for Broadmeadows does not get it himself. What I am saying with this is that I have no issue with medicinal cannabis. There is no problem with that. If it works, then that is great.

I myself have had experience with a child having seizures, and it was not pleasant. In fact it was a baby.

My own little boy had seizures that were truly horrible, so I certainly understand any parent would want to do whatever they could to stop them. It is particularly difficult when you have a baby that is going through seizures. I know I would do whatever I could to ensure that any pain or discomfort that my child was going through could be stopped.

There are of course other upsides to the introduction of this legislation. With the state government leading the way, as the member for Broadmeadows is keen to point out, certainly with the commercial opportunities and the agricultural opportunities that there will be, I think there are good opportunities for some of these trials and some of this cultivation to occur in regional Victoria. I would expect and hope that that will happen — although I think we need to appreciate too that this is not going to be broadacre farming. We are not likely to see great open paddocks of cannabis being grown. It is more likely, as I understand it from the law reform commission, that this will be quite controlled at enforced secure locations in hothouses or other facilities around the state. But certainly there will be opportunities, and I hope they are extended to regional Victoria.

As I said, I certainly support ending people's suffering. The bill starts with children under the age of 18 with epilepsy. It will be interesting to see what other groups this may be extended to. I know of cancer sufferers in my community who have come to me in the past seeking access to this sort of medicine for pain relief in particular. I hope that there will be consideration of those groups in the community as well.

Just to reiterate what I said earlier, I do not want to see parents being criminalised for trying to do the right thing by their children. That cannot be a blanket statement, clearly, but the current status has certainly put police in a very invidious position. It is one of those areas where at the very least on the face of it this bill will remove the absurdity of police potentially charging someone for doing nothing more than trying to look after their own children, so that is a good thing.

I reiterate my concerns that we are not following a well-crafted process through the TGA to ensure the safety and protection of the public, but I certainly hope that my concerns turn out to be completely unfounded.

Mr J. BULL (Sunbury) — It gives me great pleasure to rise today to contribute to debate on the Access to Medicinal Cannabis Bill 2015. I have listened intently to a number of very good contributions this afternoon. The member for Broadmeadows, who is the Parliamentary Secretary for Medical Research, spoke

about the very important need to stay at the very forefront of medical research and design. I think it is vision that is required in this space. It is vision and leadership that this government — and our state, for that matter — must show in this area to ensure that each and every day we are constantly investing in this area, in the latest technologies and the greatest research, to ensure that we do as much as we possibly can to assist those that suffer on a day-to-day basis.

Like many bills debated last year, this is a bill that I am certainly very proud of, and I know that it will make a difference to those people who desperately need it. Just a few weeks ago, I listened quite intently to US President Barack Obama's State of the Union address — and I know that the Parliamentary Secretary for Medical Research listened to this address as well. In the President's address he spoke of his will and desire for the US to push harder on finding a cure for cancer. It was a very bold and very ambitious statement, but something that I believe is that a state, federal or any government around the world should never shy away from the biggest challenges that it faces.

In the President's address he spoke about the space race. He reflected on when the Russians beat the Americans into space, and he said:

We built a space program ... overnight. And 12 years later, we were walking on the moon.

I think that if you break it down, most members in this house and the other house certainly come into this place with the greatest hopes and ambitions to make their local area, their state and their nation the best place that it can possibly be. I looked at that speech and I was certainly very inspired, and I think that a number of other members were as well.

When we had the no jab, no play legislation come through the house last year, we looked at vaccines. I know that my generation in many ways does not quite understand the importance of vaccination and making sure that our children are protected against some of the most deadly diseases. The reason that we do not hear as much about them is that we are protected, and that is a very good thing. As a government we should never stop striving for, investing in and advancing towards the very best techniques to cure these conditions.

Today's bill is not about the Parliament, it is not about us — it is about the thousands of lives that will be made better through medicinal cannabis. I note that a number of members have mentioned the federal government, which is now introducing legislation in this space. I wish that the safest passage.

Mr McGuire interjected.

Mr J. BULL — Following Victoria's lead, absolutely. If we look at the current opposition and its lack of action in this place last year, we note that it announced an advisory committee for a trial. It was not for a scheme but for a trial — and there was no trial.

Our approach from day one basically has been to get this done. Prior to the election we made a commitment that we would seek advice from the Victorian Law Reform Commission about the best way to implement this legislation. Our commitment was built on a strong view that no family should have to choose between breaking the law and watching their loved ones suffer.

The Victorian Law Reform Commission's report into medicinal cannabis was provided to the government and subsequently tabled in the Parliament in October last year. In that report are 42 recommendations relating to the cultivation, manufacture and supply of medicinal cannabis products, patient eligibility and clinical oversight. The commission also made recommendations regarding the need for ongoing research and clinical trials. The government accepted 40 of the commission's recommendations in full and 2 in principle.

The Victorian Law Reform Commission found that in determining the eligibility criteria:

... the conditions and symptoms selected should only be those for which there is a reasonable measure of research support in respect of efficacy or for which the research is weaker but the circumstances of the patient are particularly compelling.

Obviously that is a neatly drafted set of words. What we are really looking at here is: what is the best possible way that this medicine can be rolled out and given to those who desperately need it in a safe, effective and clear way? I know that the Minister for Health and the Premier, of course, have done a power of work in this space. I think that the approach is the right approach, rather than just walking away from it or announcing some sort of committee or review. That is not the approach that is going to ensure that young children receive the care that they deserve — and it is the care that they deserve.

I should have mentioned earlier on that the member for Frankston also spoke about an individual that was suffering and the difference that this medicine would make to their life. I think that the phased approach that this government has adopted is certainly a wise way forward. Importantly, the law reform commission recommends that patients only be able to access medicinal cannabis products on the direction of a

specialist medical practitioner who should apply to the Secretary of the Department of Health and Human Services for a permit to issue an authority to dispense medicinal cannabis.

We know that this is a sensible approach. From 2017, during phase 2, the first patient group, children with severe epilepsy, will gain access to the product. During this period we will also be issuing research licences for cultivation and manufacture to allow industry to gain the expertise necessary to produce medicinal cannabis in a regulated market.

This is a very exciting and groundbreaking piece of legislation. It is something that the government is very keen to see delivered and will deliver. During this period we will continue to review and monitor how the rollout is travelling. From phase 2 to phase 3, regulation will enable the industry to develop a product that will support an expanded patient cohort. The expanded patient cohort is the ultimate goal. It is about making sure, as I have mentioned before, that it is safe, it is effective, it is reliable and it is looked at on a case-by-case basis. We want to ensure that right throughout the state, and let us hope right throughout the nation, people are being treated with this essentially new form of medicine that is legal, that is safe and that assists them in their day-to-day lives. We know that under our scheme approved medicinal cannabis products are products that are refined, standardised and meet strict conditions.

We are committed to doing this right, and it will be done right. Children with severe epilepsy and other patients who are desperately seeking access cannot wait, and they should not have to wait any longer. I want to once again congratulate the Premier, the Minister for Health, the Minister for Agriculture and the Parliamentary Secretary for Medical Research on their outstanding commitment to delivering on this, and with great pride I commend the bill to the house.

Ms SHEED (Shepparton) — I rise to speak in support of the Access to Medicinal Cannabis Bill 2015. In doing so, I do have concerns about the bill, but I have been able to put most of them to rest because of the nature of the bill and the fact that it has been formatted in a way that provides for staged clinical trials and for staged production and cultivation. It was looked at very closely over a period of time before its introduction.

The legislation follows on from the Victorian Law Reform Commission's (VLRC) report on medicinal cannabis that was tabled in this Parliament on 6 October 2015. The Victorian government asked the

law reform commission to review options to enable medicinal cannabis to become available to patients in exceptional circumstances. The VLRC made some 42 recommendations and many of those have been adopted in the legislation. It is important to remember that the reference to the law reform commission from the government was that the commission was to look at how to implement the framework to enable this legislation to be put in place. It was not asked whether it should occur.

The legislation before the house is very detailed and provides for a highly regulated and careful scheme for implementation. Part 4 of the bill contains provisions detailing how cannabis will be cultivated and manufactured. The bill does not sanction any form of unregulated home-grown scheme — that does exist in some other jurisdictions — but instead it provides for a high level of control. It provides for the Department of Economic Development Jobs, Transport and Resources to oversee the cultivation trials and to license growers to cultivate the cannabis.

Parts 5 and 6 of the bill set out the scheme for the cultivation and manufacture of cannabis, and there are detailed licensing and contractual provisions relating to how that is to occur. Parts 7 and 8 of the bill detail contractual issues between cultivators and manufacturers and contain provisions regarding the health secretary's functions in relation to obtaining, purchasing, registering, selling and otherwise supplying medicinal cannabis. Parts 9 and 10 of the bill set out the circumstances for authorising practitioners to issue a patient with medicinal cannabis authorisations. The scheme is a detailed one, and the bill provides for a careful procedure for it to be implemented.

The government has decided that it will start the release of medicinal cannabis to young people who are suffering from epilepsy, and that will occur in 2017. And while there is provision for further eligibility as time goes on, it is quite clear that there is very general community support for this legislation. The Victorian Law Reform Commission refers to the fact that just generally among the community there is a high level of support.

For many years the release of medicines into the community has been based on evidence-based practice, and that has really been a cornerstone of modern medical practice. I note that the Australian Medical Association (AMA) in its submission to the VLRC expressed concern about departing from the principles of evidence-based medicine even in exceptional circumstances. The AMA advocated further clinical

trials be undertaken before medicinal cannabis is made available for use.

The government has determined to legalise the medicinal use of cannabis contemporaneously with the conduct of these trials, so it is a departure from the norm in this sense. I guess one of the risks is that this could be used as a precedent in the future. We need to be concerned about influential and powerful international drug companies that are working on drugs that they would like to see go to market very quickly, without having to go through the normal trials and requirements that exist. That is a challenge for the future. But again the fact that we have a fairly slow phasing-in process and that we have clinical trials operating at the same time does give me some comfort in this case.

It is clear that many of the submissions made to the VLRC were from people like the Australian Nursing and Midwifery Federation. These are people at the coalface. These are people who nurse people who are dying in palliative care institutions, in hospitals and in homes. There is a lot of anecdotal evidence to suggest that the use of medicinal cannabis in situations such as that has great benefit.

We have heard many accounts from parents who truly believe that their children have had relief from epilepsy and fitting by using it. We know of families whose children suffer hundreds of fits in a day, and life is simply unbearable in those circumstances. Many parents have had to access medicinal cannabis over time from an illegal market, and when they do this they cannot be in any way confident that the composition of the substance they are using is fit for their children. This must create enormous stress for parents who are trying to find effective solutions for their children's condition.

In an article in the *Age* of 3 February this year we learnt the Austin Hospital in Melbourne is recruiting 60 children with intractable epilepsy to participate in a trial of a cannabidiol, known as CBD, which is a product of an American company. Professor Ingrid Scheffer, who is the hospital's director of paediatrics and an internationally renowned paediatrician and specialist in epilepsy, will be conducting the clinical trial. It is regarded as a very high standard form of clinical trial in that it is going to be the first double-blind randomised controlled trial. It is the most reliable design that there can possibly be to establish whether the drug works. It means that neither the patients nor the researchers will know who received the real drug versus the placebo.

Professor Scheffer confirmed what many members of this house will have heard from desperate parents of children with severe epilepsy — that is, that sourcing cannabis from the black market can be unknown, it can be dangerous and it is a cause of great stress and anxiety. She welcomes the opportunity to conduct this trial. She is concerned that there are no checks and balances in the black market and that this will provide that opportunity.

This research is very encouraging. The high-quality research methods being used in this process I think will give all of us here comfort. It is the current poor state of research that was referred to in the Victorian Law Reform Commission's report that I think raises many concerns for many of us here. In speaking to a range of illnesses and conditions that the report referred to, the general view was that the use of medicinal marijuana was regarded as of moderate quality. Despite the anecdotal evidence out there that suggests that medicinal cannabis is effective in a range of conditions, we are now moving into a stage where we all have the trials and where there will be evidence-based assessments done to determine whether it will be useful and whether it will be safe.

I have been contacted by a number of constituents in my electorate who have expressed their very strong desire for medicinal cannabis to be made available to them for the treatment of chronic pain. I do not doubt that many members of the house have also been contacted over the years too. Many of the people who have spoken to me have been watching this process very closely. They have accessed the Victorian Law Reform Commission's report. They have seen the legislation, and they are very keen for this drug to be made available to them as soon as possible. Naturally, coming from Shepparton, a number of my constituents in more remote parts of Victoria are very concerned about whether they will be able to get access to this drug when it is finally in a process of being released to them and they have become authorised patients to use it. Just the fact that two medical specialists may be required may create issues in some areas where there are very few medical specialists available. I ask the government to give consideration to some of those issues in the future when this medication is becoming more widely available.

I take heart from the fact that the bill before the house provides for that detailed and highly regulated scheme, unlike what has emerged in a number of other jurisdictions. For instance, in some cases in America, the use and access to cannabis generally is regarded as an offence, but if you can show that — —

The ACTING SPEAKER (Mr Crisp) — Order!
The member's time has expired.

Ms COUZENS (Geelong) — I rise to speak on the Access to Medicinal Cannabis Bill 2015. This was a commitment the Andrews government made to the people of Victoria. Many families desperately want to see this bill passed. I have no doubt that the people of Geelong support access to medicinal cannabis. I have spoken to many people in my electorate about this issue, and their feelings are very clear. They may not know someone who needs to use that medication, but they support the concept. The bill implements Labor's election commitment and will legalise access to locally manufactured medicinal cannabis products for use in exceptional circumstances. Our commitment was built on a strong view that no family should have to choose between breaking the law and watching their loved ones suffer. We are a government that keeps our promises, but we are also a progressive government. If we wait until the federal government decides to do something about this, then it is not going to happen. So I am very proud to be part of a government that is taking care of Victorians who need access to medicinal cannabis.

Talking to families who are forced to use the black market to treat their children is really heartbreaking. These are good, honest people; they are not criminals. They are in a position the forces them to go outside the law. We need to put ourselves in their shoes and think about what we would do in the same circumstances. I know exactly what I would do. I would do exactly what they are doing. As parents we want to protect our children. Of course we do. I know it is a difficult decision for a lot of those families to do that. I support their decision, and I would do exactly the same thing if I was in that position myself. They are brave people who come out publicly to tell their stories. They tell their stories to the rest of Victoria and to the rest of the country to try to get their message across about how important it is for this bill to go through this house. When there is serious illness in the family it is difficult enough, but to then have to go outside the law to help that person only adds to the stress within the home.

Of course there are those who oppose access to medicinal marijuana, and I have found that much of their opposition is due to not understanding what is contained in the bill and why people are requesting access to medical marijuana. There is a great deal of support out there for the bill. I want to clarify a few things that have been said in the house today. There are provisions in the bill to assist in facilitating access for those in rural and regional communities, including that ongoing management could be done by a local GP,

although the initial prescriptions must be done by a specialist. So there are provisions in the bill to protect those in rural and country areas who feel they are being disadvantaged in some way.

What we have heard some members speak about in the debate today is the use of marijuana. This is not about the use of marijuana. It is the use of a drug that is going to help people who need it. I think we need to remember that all drugs are dangerous, not just the drug we are talking about today. All drugs are dangerous, and it depends on how they are used. We are not talking about condoning illicit drugs. That is not what this debate should be about. The debate is about introducing a drug that will help the people that need it.

The Australian Nursing & Midwifery Federation (ANMF) supports best practice in patient care. The ANMF surveyed its members, asking them if they supported the legislation for the treatment of terminal and life-threatening illnesses and for palliative care. Ninety-five per cent of its members said yes. The Australian Drug Foundation has praised the Victorian government for leading the way with the introduction of this bill. The bill will enable the manufacture of quality-controlled medicinal cannabis products, license cultivators and manufacturers of medicinal cannabis products, authorise medical practitioners to treat patients as part of the medicinal cannabis scheme and authorise medical practitioners to treat patients on a case-by-case basis when those patients have exceptional circumstances which are outside of specified conditions and symptoms.

The Victorian Law Reform Commission's report into medicinal cannabis was provided to the government and subsequently tabled in the Parliament in October last year. It included 42 recommendations relating to the cultivation, manufacture and supply of medicinal cannabis products, patient eligibility and clinical oversight, and it made recommendations regarding the need for ongoing research and clinical trials. The government accepted 40 of the commission's recommendations in full and 2 in principle.

The bill before the Parliament is a realisation of the scheme recommended by the Victorian Law Reform Commission — a comprehensive scheme to provide eligible patients access to a product that is safe, legal and reliable.

This bill will legislate for a range of activities, including regulating the cultivation, manufacture and supply of medicinal cannabis products within Victoria; ensuring appropriate clinical oversight practices are in place which involve medical specialists, general practitioners,

nurses and pharmacists; allowing new regulations to be made to define patient eligibility based on best available evidence and clinical decision-making; and establishing the Independent Medical Advisory Committee, the mechanism through which the medical profession will give its expert opinion on the scheme.

We will implement the scheme through a phased approach. This is an issue those opposite have struggled to understand. Our phased approach is essential to ensure patient access to quality and efficient medication, the key tenet of this legislation and our policy. As those opposite would be well aware, because the former government did not support this policy in office, limiting itself to consider trials only, which it did not pursue, there is not currently a framework available for the cultivation of cannabis for medical purposes. There is also currently not the expertise necessary for the manufacture and extraction for medicinal cannabis at scale in the forms identified in the VLRC report.

As such the first phase of our scheme is the implementation of a cultivation and extraction trial, which is to take place at a facility owned by the Department of Economic Development, Jobs, Transport and Resources. This is an important step to ensure there are a range of quality bespoke products fit for different patient cohorts able to be developed ahead of the scheme's rollout. Seeds will be planted, plants grown and agents extracted to develop pharmaceutical grade medication for non-therapeutic purposes. It is about developing the expertise in extraction and measurement, in security and with regular oversight to ensure that the medicinal cannabis oil is fit for purpose and that its safety and security are guaranteed and, once the scheme moves into its next phase, that the scheme supports patient use.

From 2017, during phase 2, the first patient group, children with severe epilepsy, will gain access to the product. During this period research licences will be issued for cultivation and manufacture to allow industry to gain the expertise necessary to produce medicinal cannabis in a regulated market. It is important to understand the purpose of the phased approach when it comes to patient eligibility. It simply will not be possible for all patients identified as potentially benefiting from the use of medicinal cannabis to access it on day one. Again, because no action was taken on this issue until our government came to office, the work has not been done to develop the product, infrastructure and industry to support access to medical cannabis on the scale required for each patient cohort.

That is why we must start somewhere, and we have decided to start with a patient cohort that nobody can

deny is deserving of our foremost action — children with severe epilepsy. In the scheme's third phase regulation will enable industry to develop products that will support an expanded patient cohort. The Access to Medicinal Cannabis Bill 2015 allows for the development of regulations to define other eligible patient groups. Patient eligibility will be considered by the Independent Medical Advisory Committee, and future changes to regulations are to be made based on best available medical research and following consideration of the committee's advice. As a starting point the Independent Medical Advisory Committee may consider the other patient groups that were recommended in the Victorian Law Reform Commission's medicinal cannabis report. These include patients with severe symptoms associated with epilepsy, including in adults, multiple sclerosis, cancer, HIV/AIDS and chronic pain. Like many members in this house today I have had constituents contact me about getting access to medicinal cannabis.

Mr PERERA (Cranbourne) — I wish to make a contribution to the debate on the Access to Medicinal Cannabis Bill 2015. I am sure so many of us from all sides of politics have been moved by the stories of families struggling with chronically ill children who have resorted to medicinal cannabis and found it provides significant symptomatic relief and health benefits. It is a pity that these families have to live under the threat of criminalisation for treating their sick children — I must add, very sick children. Medicinal cannabis, also known as medical marijuana, has been shown to be effective in treating pain, nausea, loss of appetite and other symptoms associated with terminal and very serious and debilitating diseases, such as cancer, AIDS/HIV, multiple sclerosis, spinal cord injury and epilepsy.

A number of major international reviews have found medicinal cannabis is effective and safe and that side effects are few and acceptable. People turning to medicinal cannabis for relief from pain and suffering should not be criminalised; they should be given proper access to this clinically proven treatment, as they are with medical poppy-based opiates such as codeine and morphine. Recreational use of cannabis is illegal in most parts of the world, but the medical use of cannabis is legal in certain countries, including Austria, Croatia, Czech Republic, Finland, Germany, Israel, Italy, the Netherlands, Portugal and Spain. The cannabis plant has a history of medicinal use dating back thousands of years, across many cultures. I know Sri Lankans add it to their meat curries to enhance the flavour if they can access this illegal substance over there.

Labor's commitment was built on a strong view that no family should have to choose between breaking the law and watching their loved ones suffer. The Access to Medicinal Cannabis Bill 2015 is an enabling bill which will be further supported through regulations. This is only the very beginning. This is landmark legislation, and we are getting on with delivering it. This is of course in stark contrast to those on the other side of the chamber who dragged their feet on this one while they were in government, when they had the power and the ability to do something about it.

Unlike some social issues, legalising medical marijuana is widely favoured by electors of different political persuasions and age groups, which really tells us its time has come. Unsurprisingly Australians aged 50-plus are the strongest supporters, as this group is most susceptible to several of the conditions for which medical marijuana can provide relief. In May 2015 Palliative Care Australia published a survey of 1000 people across Australia which found 67 per cent of respondents supported the use of medicinal cannabis.

The Andrews Labor government has been encouraged by the cooperative engagement it has had with the commonwealth government on this issue. The commonwealth has announced plans to introduce legislation into the federal Parliament to support access to medicinal cannabis. The Andrews Labor government wants to work with the federal government on that, but it cannot wait. So we are getting on with it, as we promised to and as recommended by the Victorian Law Reform Commission, because children with severe epilepsy and other patients who are desperately seeking access cannot wait. Sadly, some children with this type of epilepsy may not live into their adulthood, and they face a poor quality of life throughout their childhood. Medicinal cannabis will provide another treatment option where others have failed and may help manage a child's seizures and improve their quality of life. That is why children with epilepsy are being given access as a priority in the scheme of things.

The Access to Medicinal Cannabis Bill 2015 will allow educators and teachers, as well as other primary carers, to possess and administer medicinal cannabis products to children as directed by the authorising medical practitioner. The detail of how the administration of medicinal cannabis to children by caregivers will be managed will be set out in the regulations.

Victoria does not have the power to allow cannabis to be imported. Although the secretary of the federal Department of Health can make exceptions, the approval process for imports is seen as so strict that the government cannot guarantee supply or quality on a

long-term basis. This means Victoria would be forced to grow its own cannabis through a strictly controlled licensing scheme. The Victorian government decided to produce medicinal cannabis, enabling it to rapidly supply medicinal cannabis products to the first group of patients from 2017. This is an interim measure while the regulatory regime is established to underpin a commercial medicinal cannabis industry in Victoria.

Victoria's approach goes beyond clinical trials to provide access to medicinal cannabis to a broader range of patients under specialist medical practitioner care as quickly as possible. By comparison, clinical trials can take a significant period of time to establish. They also restrict access to a new medicine to the people in the clinical trial, which means that not all individuals who might benefit from the treatment can get it. In the first instance, access to medicinal cannabis will be given to children with severe forms of epilepsy in early 2017. As the scheme matures and cultivation and manufacturing industries are established, access to other patient groups will be considered by the Independent Medical Advisory Committee.

Victoria is continuing to explore options to support research to build the evidence base. The new Office of Medicinal Cannabis will encourage further research into medicinal cannabis. The first commercial cultivation and manufacturing licences will be issued in the second half of 2017. In the lead-up to this, licences may be issued for research purposes.

Eligibility for this scheme will be restricted to ordinary residents of Victoria. This means that only patients who live in Victoria will be able to access medicinal cannabis. Patient who live in another state or territory or who are visiting Victoria on holiday will be ineligible for the scheme. This initiative will also address the issue of illegally sourced medical cannabis oil, which may not be of the best quality. The forensic testing of medical marijuana revealed dramatic variations in the contents of product which is often spruiked over the internet by unregulated producers. This is an initiative to provide, before long, top-quality medicinal cannabis in an appropriate form at an affordable price. I commend the bill to the house.

Mr PEARSON (Essendon) — Acting Speaker Kilkenny, as always, it is a great pleasure to see you in the chair. Days like today are special because this is the house working at its very best. I have sat in the chamber for most of this afternoon, and I have heard many fantastic contributions from members on both sides. The member for Dandenong spoke about her experiences as the Parliamentary Secretary for Carers and Volunteers and what she has seen in her day-to-day

work, discharging her duties, looking at the difficult choices parents have had to make.

The member for Frankston spoke incredibly eloquently and passionately about what he has seen in terms of speaking with people he has known who have been placed in these difficult positions. The member for Caulfield earlier in the debate talked about his contact with a constituent who had raised similar problems and concerns. The member for South-West Coast, who is a new member to this place, spoke with a degree of sincerity and honesty about her experiences as a nurse, having to try to work on a patient who had suffered from a severe epileptic fit because the medication that that patient had been prescribed was not particularly effective.

The member for Lowan made a thoughtful contribution in relation to her experience from the point of view of pathology and having spent part of her working life in the healthcare system, and I think the member for Shepparton a short time ago made a contribution from her perspective as a lawyer, trying to weigh up very carefully — and being quite measured and considered about it — what she thought about the merits of the bill but also understanding some of the risks associated with it.

Finally, I think the member for Eltham talked about recognising the contributions made by the Minister for Health, the Minister for Agriculture and also the Parliamentary Secretary for Medical Research and the importance of the fact that when we have great minds working honestly, collaboratively and together, we can achieve great things.

Many members have also spoken about being a parent and the things you would do as a parent in order to protect your children. I think every parent would say that; every parent really would say, 'I would do anything for my children'. But the great thing about this law, the really important thing I want to focus on and which I think the member for Geelong touched upon, was the courage that Rhett Wallace and Cassie Batten had in coming forward. They did not have to come forward. They could have just continued along procuring the drugs they needed for their son in order to try to ease Cooper's suffering. But they did not. They had the courage to come out and say, 'We recognise that there are deficiencies in the law that need to be changed, and we are outing ourselves publicly. We are breaking the law deliberately and in a very conscious way because we want to improve the quality of life of our son'.

After the event we all could say, ‘Well, of course, I would do that. Of course, I would be a leader, I would out myself. I would strive to do that’. And I think many of us would hope that we would. I think I would. I would like to think that I would if I were in the position of Rhett and Cassie, but I cannot be sure, and I know for a fact that many others would not. They would not have had the courage. They would not have dared. They would have just tried to fly below the radar and just deal with it quietly, saying, ‘nothing to see here’.

But Rhett and Cassie had the courage, and they are the reason we are here. What should be, I think, really emphasised today is their great courage, their passion and their commitment, not just for their son but for many other sufferers. They are the innovators; they are the ones who are out there and they are the ones who are making a real difference. It is a privileged position, because it could have gone any way. The times might have been different. If you had tried it in the 1970s or the 1980s, it could have been a very different result. The times favoured them, but that does not lessen the courage that they showed — and they should be incredibly proud of what they have done.

I think it is also important to recognise the fact that we are incredibly lucky in this country with the health system we have. We have got a world-class health system, and it is one of our key economic differentiators. We do health well in this country, we do education well and we do food and fibre well, so we are a high-value proposition as an economy. The interesting thing is that in preparing for this debate I asked myself, where else in the Asia-Pacific region is medical cannabis legalised? There are only two jurisdictions in the Asia-Pacific region where it is legalised — Bangladesh, and probably the most striking one is in North Korea.

Mr Nardella interjected.

Mr PEARSON — North Korea has legalised medicinal cannabis — yes. I found that quite amazing. So we are joining Bangladesh and North Korea.

But leaving that to one side, the reality is that we will gain a first-mover advantage from this legislation. We will basically create a new crop, a new product that will be available — so there will be jobs in regional Victoria. We will have a clear point of difference in relation to medicinal cannabis. Think about this. What if my son has got epilepsy, and I live in Singapore? If I try to get cannabis in Singapore, I will be killed. That is what happens in Singapore. If we try to buy any illegal drugs, we know what happens. So what do I do? Well, I could see myself in 5 years or 10 years getting on a

plane, coming to Melbourne and seeking treatment for my son in order to deal with that. That will be an important economic driver for this state.

The reality is that in the Asian century there will be 1 billion more people in Asia who will join the middle class, and I would hazard a guess that people in China, people in Korea, people in Thailand, people in Indonesia, once they become part of the middle class, they will all want the same things. We all want the same things. We want to have a healthy life, we want to have a happy life and we want to have a fulfilled life, and we want to make sure our children experience that as well. So you can see logically that if you were confronted with a terrible illness, or your child was confronted with a terrible illness, you would seek medical treatment in order to address that.

The fact is that Victoria has shown the courage and the leadership, and we will be playing a key role in terms of developing a new industry, a new product and a new form of treatment, and we will lead South-East Asia as a result. There will be export dollars in this. There will be a new industry created, and there will be a huge economic impact. But again I come back to my earlier comments that none of this would have happened if it were not for Rhett and Cassie and the courage they have shown. They did not have to do this; they could have stayed quiet; they could have just gone silent. They could have flown under the radar, but they had the courage to speak out.

And yes, of course their son will benefit from this and of course many other children and sufferers will benefit from this, but we will all benefit because of their courage and the leadership they have shown. We will all be beneficiaries. The reality is that as a society and as a community we will be in a much better place. I think it is important that we try to encourage the innovators, that we support the innovators out there who are prepared to turn around and recognise where there is a problem. Where there is an issue, they are prepared to step forward and indicate their concerns and anxieties, and they are prepared to show the courage, the leadership, the dedication and the commitment that Cassie and Rhett have shown.

I thank both of them for what they have done. They have made this state a much better place, which is something all of us as legislators hope we can achieve in our time here. Thank you. I commend the bill to the house.

Mr NARDELLA (Melton) — I wish to say a few words in regard to the bill before the house, and I think it is a very important bill. One of the things that I think

people in Victoria are seeing with this Labor government, as they did with previous Labor governments, is that it takes leadership positions in a number of matters within this state and even Australia-wide. In terms of health and the things that people need for themselves, for their children, for young people or for elderly people — as is evident by this bill — they know that this Labor government will make the hard decisions.

One of the interesting things, I think, is to have a look at leadership. Leadership is something that is not innate. It is something that you develop as you grow, as you go through life's experiences and as you learn. Leadership is about learning and it is about understanding the things that you need to do and how to bring people with you to make sure that you have a real impact in life and leave a real legacy in your life as an individual but also, in terms of our society, that you leave a legacy that remains forevermore. One of the really interesting things is that if you have a look at the leadership of Premier Andrews, you see that is what he has in actual fact done.

Leadership is also about risk. It is about risk because you have to do the right thing. When a problem or an issue confronts one or if one sees that there is a problem that needs to be fixed, sometimes — and I have talked about this in the house in the past — the easiest thing that anybody can do is to do nothing. That is not leadership; that is cowardice. In fact it is cowardice to the highest degree. Ultimately we are judged not only on that cowardice but also on the fact that we do not leave the legacy. We do not leave the reforms and the changes we need for our society and our community.

So I want to absolutely commend the now Premier of Victoria and his former shadow ministers who adopted this policy and were ultimately responsible for the legislation we have before the house today. As I said, leadership is about risk, and I think the greatest risk is to do nothing. The risk at the time involved a whole range of negative, right-wing, law-and-order matters that could have been played on and were played on by others. So this legislation is about leaving that legacy. It is about seeing what those problems are and now putting the solutions in place, working with others and sometimes dragging others with you. The innovators are not only the Premier but also the Labor Party in Victoria.

I want to commend everybody who has been involved in this process to make sure that we make a difference in people's lives, particularly in kids' lives, and make a difference in our society and our community, and that, if there is a health problem and there is a health solution

to that problem, however hard it may be, that we work diligently and we change the law and we put in place the evidence-based research and the evidence-based legislation to make people's lives better.

Some people find that really, really hard. Some people want to delay that process. I was really disappointed when I heard just a couple of days ago — it was reported on AAP — that the Leader of the Opposition went outside and said, 'We should delay this bill and wait on the commonwealth government to put in place its legislative changes'. We had the honourable member for South Gippsland say, 'Oh, it's only going to take another couple of months. What's another couple of months? Nobody will really care. Nobody will really know the difference'. Well, they will. People are relying and trusting us to do the right thing to make either their lives or those of the people that they have most precious in their lives, better. We cannot delay this while waiting for the federal government. It might not even pass its bill or it might take it months to pass its bill.

The government is putting in place this bill to make sure that whatever the federal Parliament does, we have legislation in place, and if we need to amend it, we can do that pretty quickly. We do not have to wait another couple of months for further delays into the future. That is the disappointing part. Whenever we have a look at it — whether they are wets, whether they are dries; whatever they are in the Liberal Party — ultimately conservatives are very slow, extremely slow, to pick up these changes that are life changing. They are life changing for a range of people within our community.

We have this evidence-based position in this government that is extremely important. I was in the chair when the honourable member for Lowan made her contribution and talked about her issues — and rightly so. I commend the honourable member for Lowan for standing up for her constituents in terms of when they may need this type of assistance or medical intervention. She talked about the need for physicians at the local hospital. My understanding is that if you have one of these chronic illnesses, such as epilepsy, in the main you will have a specialist that you go to. You will already be seeing somebody with the qualifications required under this legislation who is able to prescribe this medicine for the long term. So even though there may be areas in Victoria where these specialists may not be, if one's child is going to the Royal Children's Hospital, for example, to see a specialist in terms of epilepsy, then those specialists will be able to deal with this matter. You do not need, in those instances, people out in the regions or out in country areas.

One of the things we have thought about with this legislation is how do we deal with all Victorians? How will we be a government for all Victorians and not just for certain regions or towns in Victoria? That is why this legislation is important. People need to understand that the Labor government is making the hard decisions in terms of looking after our people in Victoria. I commend the legislation to the house.

I commend the Premier, the ministers and the departmental officers involved with this legislation. The bill is extremely important for the people it will affect in the future. I think everybody in this Parliament can be proud that they are part of this history of dealing with these medical conditions, and we are dealing with it in a compassionate and correct way, under the leadership of the Premier of Victoria. I commend the bill to the house.

Mr CARROLL (Niddrie) — It is my honour to speak on the Access to Medicinal Cannabis Bill 2015. It was also great to be in the house to hear some of the contributions from this side — and I commend the member for Melton and the member for Essendon before him. I was here to hear those two passionate speeches on why this policy is right. I also want to begin by acknowledging Rhett and Cassie, who are here today. I know the member for Melton touched on the leadership of the Premier. We are not meant to use electronic devices excessively here, but there was the most beautiful photo, I think, that symbolised the relationship that the Premier has developed with the Wallace family. The photo is of the Premier on the steps of Parliament House wishing Cooper Wallace his happy fifth birthday. I just want to read out the Premier's statement. He said:

Cooper wasn't expected to make it to two, but thanks to medicinal cannabis products and the hard work of his loving parents, Cassie and Rhett, and his medical team, he's here today to mark this important milestone.

We promised to change the law and we're getting on with it — because no parent should have to choose between breaking the law and watching their child suffer.

So to Rhett and Cassie, it is an honour to have them here today. They should be very proud. I know they have got to know the Premier, like we have. In many respects he is a strong leader, and if we go back to when we won the election, I know within the first month the Premier was out there saying, 'This change has to happen and it will happen'. He was quoted in the *Age* newspaper literally within a month of gaining office, and here we are today.

The Minister for Health has also to be congratulated. She has led a process through the Victorian Law

Reform Commission (VLRC) to get here today. As the member for Melton said, this is evidence based and important legislation. Once we gained office we got our skates on — this was an election commitment — and we have done everything we could to get this legislation before the chamber as soon as possible. As I said, I congratulate the health minister. You only have to read her second-reading speech to see how important this legislation is for families, for children. It might be cancer, it might be HIV, it might be glaucoma — medicinal cannabis has been shown and has been proven to work in ways that other traditional medicines have not been able to do.

So in some ways Victoria has led the way. We have led the commonwealth government. We see that other jurisdictions are watching closely at how we implement this scheme, and I think it is going to go a long way to putting Victoria on the international stage in many respects — as the member for Essendon said — because this bill is incredibly important. It is not only about implementing our election promise. It is about making sure that we have a 21st century health system and support for families when they need it.

Providing for the medicinal use of products derived from cannabis by establishing a scheme to allow for their supply and the treatment of all Victorians with specified conditions will go an incredibly long way to ensuring that our health system is not only one of the best in Australia but one of the best in the world. As the Parliamentary Secretary for Justice I was very pleased to see the Victorian Law Reform Commission, upon Labor coming to office, essentially work very hard to do the review and make the necessary recommendations to ensure that the scheme that we did put in place was eligible and that it will make important regulations for the manufacture and distribution of medicinal cannabis.

The VLRC was extremely thorough in its investigation. It completed extensive public consultations, which included public consultation forums, written submissions and private consultations. The commission also drew on expertise from the medical profession and heard many compelling stories from people in the community about why medicinal cannabis should be made legal. The Victorian Law Reform Commission's *Medicinal Cannabis* report was tabled in Parliament on 6 October 2015, and the government accepted all 42 recommendations, 2 of which were accepted in principle.

I want to put on the record, as Parliamentary Secretary for Justice, my congratulations to the VLRC for its work. It deserves thanks for the thorough and precise

work it did in an incredibly timely manner, because this is legislation that essentially could not wait. I am very happy now that we essentially have the roadmap to go forward to legalise access to medicinal cannabis for Victorians in exceptional circumstances.

I want to congratulate the minister and her department, because to get to where we are today the consultation needed to be and was extensive. Paediatric neurologists at the Royal Children's Hospital were heavily consulted and worked with the Australian Medical Association. The Royal Australasian College of Physicians, the Royal Australian College of General Practitioners, the Pharmaceutical Society of Australia, the Pharmacy Guild of Australia, Victorian branch, as well as the Australian College of Nursing and the Victorian Managed Insurance Authority, were all heavily consulted and worked thoroughly through the VLRC process. We had a range of agricultural stakeholders which I know were also working with various cabinet ministers to get here today.

Finally, I want to thank all members, particularly those on the Labor side when we were in opposition who saw this issue. It would be fair to say the government of the day did not quite get it, but Labor got it. The Premier, Minister for Police, Minister for Public Transport and Gavin Jennings, a member in the Legislative Council — and a whole range of cabinet ministers — got it, and now we are delivering. It is another election promise delivered that is going to change how we practise medicine and how we deliver health care. It is going to really make Victoria a jurisdiction for the 21st century that we can be proud of. On that note, I commend the bill to the house.

Debate adjourned on motion of Ms ALLAN (Bendigo East).

Debate adjourned until later this day.

BUSINESS OF THE HOUSE

Adjournment

Ms ALLAN (Minister for Public Transport) — I move:

That the house, at its rising, adjourns until a day and hour to be fixed by the Speaker, which time of meeting shall be notified in writing to each member of the house.

Motion agreed to.

PERSONAL EXPLANATION

Member for Oakleigh

Mr DIMOPOULOS (Oakleigh) — I rise to make a personal explanation under standing order 123. In a point of order he raised following question time yesterday, the member for Mount Waverley incorrectly quoted me as saying that the reason the government is proposing elevated rail in Oakleigh is that it is a strongly held seat. I did not say that. In response to the Leader of the Opposition's assertions that the government is proposing elevated rail in Oakleigh because it is a strongly held seat, I responded, and I quote, 'That's why we are lowering the line in St Alban's — a 70 per cent Labor seat'.

ABORIGINAL HERITAGE AMENDMENT BILL 2015

Second reading

Debate resumed from 9 February; motion of Ms HUTCHINS (Minister for Aboriginal Affairs).

Mr RICHARDSON (Mordialloc) — It is a pleasure to make a brief contribution on the Aboriginal Heritage Amendment Bill 2015. This is another key element in how we close the gap and achieve reconciliation between Indigenous and Torres Strait Islander Australians and the wider Australian community. This bill looks to improve on the protection and management of Victoria's Aboriginal cultural heritage, to maximise the efficiency of Victoria's best practice Aboriginal cultural management system and further reduce red tape for the industry and government.

I see these reforms as having two key pillars. One is cultural heritage significance and connection to a culture that is one of the oldest in the world. The other element is how we improve the education system, how we improve the health of and how we reduce the incarceration of our Indigenous Australians. It will be a long journey, and it has been a long struggle to get to where we are at this point in time. My knowledge of these issues started with the apology of the former Prime Minister, Kevin Rudd, to the stolen generation, which helped to heal a significant scar and sore in modern Australian history. We have so far to go across the board in this space.

Recently we saw the example of Stan Grant, a wonderful journalist, standing up and sharing his story about his feelings about Australia Day. He is an Indigenous Australian, and we need to listen and pay attention to what he has to say. It should be of great

concern to us that someone of Stan Grant's ilk has such concern about where we are going as a nation. I want to put on the record something that stuck out to me that a lot of people might be aware of in terms of the statistics about the lives of Indigenous Australians. One telling comment Mr Grant made in a speech was:

My people die young in this country. We die 10 years younger than average Australians, and we are far from free. We are fewer than 3 per cent of the Australian population, and yet we are 25 per cent, a quarter of those Australians, locked up in our prisons, and if you are a juvenile, it is worse; it is 50 per cent. An Indigenous child is more likely to be locked up in prison than they are to finish high school.

This is an astonishing statistic, and we need to acknowledge that we are not getting it right. Cultural heritage is one thing, but it is also about closing the gap across the board. We need to acknowledge that our modern system of democracy in Australia has not been on the side of Indigenous Australians. There are numerous examples that go back to the first settlement in 1788.

Children in our schools learn that our first prime minister was Edmund Barton. There was inherent racism at the time he became Prime Minister, and the laws of our land that uphold our freedom and opportunity included race provisions that denied the rights of our Indigenous Australians. It needs to be acknowledged that what happened at that time and in that era would be considered absolutely barbaric by today's standards. At the time, Australia's first Prime Minister, Edmund Barton, said that those race provisions were to regulate the affairs of people of coloured or inferior races who were in the commonwealth. It is only just over 100 years ago that those provisions were made in relation to a civilisation that had sustained itself on this land for over 65 000 years, its culture handed from generation to generation, and the damaging impact and effect those provisions had at such a modern point in our history is something we need to acknowledge.

We also have to acknowledge that it was not until 1967 that Indigenous Australians were given the right to vote. That is something we need to address. It is only 50 years ago that that happened. That is modern times, and that is a significant thing. We know of course about the Mabo decision of 1992. There was a 10-year struggle to put forward land rights that we now appreciate in the heritage setting and that these laws in Victoria are looking to strengthen and protect. It is not until we acknowledge that the Australian legal system has not always been on the side of Indigenous Australians that we can confront and be honest about some of the challenges that we face.

That brings in the closing the gap debate as well. It is an important policy that acknowledges that there is a gap between where Indigenous Australians are and the rest of the population are in relation to health care, age expectancy, education and incarceration, and there is the need to close that gap. I appreciate that there is absolute bipartisan support to do that, but we have a very long way to go before we are able to get to that.

I will reflect on one final thing: there has been a lot of debate about the Adam Goodes saga. Stan Grant reflected on this. I am a staunch Essendon fan, and I absolutely love Adam Goodes. He went to town on Essendon every time he played us. One thing I found astonishing in relation to the booing of Adam Goodes was that at around that time there was also booing of Jobe Watson, in particular in relation to what happened with the Australian Sports Anti-doping Authority case. The booing continued for about two or three weeks. As an Essendon supporter I saw parallels between the fact that he was being booed by a section of the crowd, and yet we had the sustained booing of an Australian of the Year recipient for many, many months.

We need to look at why that occurred. We need to stand up and ask ourselves about that and reflect on some of the comments of Stan Grant in speeches he has made. I will leave it at that. I appreciate this bill, and I wish it a speedy passage through the house.

Ms COUZENS (Geelong) — I am pleased to rise to speak on the Aboriginal Heritage Amendment Bill 2015. I congratulate the minister and her office on their work on this important bill. It is great to have had the acknowledgement of country brought into this house on Tuesday of this week, but I do want to support other members' comments about feeling uncomfortable about standing for the Lord's Prayer but not for the acknowledgement of country, and I think that is something we should address.

Having said that, I think what this government has done in the last 12 months it has held office is extraordinary. One of those things is that the minister initiated the Victorian government's first consultation with Aboriginal communities in over 20 years. The fact that she took the initiative to go out to talk to Aboriginal communities about what their needs and issues are should be commended. Again, it is a progressive government, the Andrews Labor government, that is taking on these issues.

Recognising, protecting and celebrating Victorian Aboriginal culture and its cultural heritage is a priority for the Andrews Labor government. This bill will ensure that Aboriginal Victorians have greater say in

the protection of their cultural heritage. This is pretty close to my heart for a number of reasons, but recently in Geelong, Telstra or Optus — it was one of them — wanted to build a tower over King Billy's grave. King Billy was one of the last of Geelong's Aboriginal population to survive, and he died in the 1960s. There is quite a monument to him in the western cemetery. The application to build a telecommunications tower over his grave was met with great anger in Geelong, which was heartening to see, and the council in its wisdom and to its credit actually rejected the planning permit. It is not over yet, but I think this sort of legislation will help Aboriginal communities protect their cultural heritage, which is really important to those communities.

The bill builds on the \$20.9 million invested in the Victorian Aboriginal Cultural Heritage Strategy through the 2015–16 budget, and it will reduce red tape and improve the efficiency of Victoria's best practice management system for Victorian Aboriginal cultural heritage.

I want to refer to the Reconciliation Australia report that came out the other day. I quote from that report:

While there is much goodwill and support for reconciliation growing across all sectors of the Australian community, there are still many hard conversations before us.

Racism, denial of rights and a lack of willingness to come to terms with our history continue to overshadow the nation's reconciliation progress.

I think that wraps it up in a nutshell. It is really important that we do have the conversations and that we support our Aboriginal communities to take control of their own cultural heritage. We do not need governments, bureaucrats and businesses telling our Aboriginal communities what they should be doing. For far too long we as a government have spoken for and told Victorian Aboriginal communities what to do and when to do it. I think it is about time they started telling us what they need to be doing themselves, and we should be listening to that.

I know that in my electorate of Geelong the original owners of the land, the Wathaurong people, not only want to have a say but also want to have control over what happens in their community. They are best placed to tell us what to do. There are almost 20 000 Aboriginal people living in the Barwon south-west region, and almost half of that population is aged under 20 years old. It is critical that as a government we ensure that these young people are empowered and have the opportunity to learn about and understand their culture. Tragically, over many years there have already been great losses of cultural heritage

for Aboriginal Victorians, sites destroyed and land taken.

I think about my late husband, who in his 20s became more aware of the significance of his culture and his elders. This was due to the work of the local elders in campaigning for funding to establish the Wathaurong Aboriginal Co-operative — and of course his anger about racism.

If we look back in time, we see that it has been Labor governments that have been more assertive in their support of Aboriginal Victorians — and I know we have a lot more to do. For example, in 1987 the Victorian government, under John Cain, attempted to grant some of the Framlingham State Forest back to the local Aboriginal community. However, that was blocked by Liberal Party opposition in the other place. Over many years the land had been taken by the state, given away to government departments and sold off to private land owners. The then federal Labor government, under Bob Hawke, intervened and passed the Aboriginal Land Act 1987, which returned 4.6 kilometres of the Framlingham forest.

Much gets said about protecting Aboriginal culture. Action is more important. As part of the government I am really proud to be able to stand here today. I have also been asked to be the ambassador for closing the gap for the Andrews Labor government, which I am very proud of and privileged to do. I will continue to fight as hard as I can to make sure that Victorian Aboriginals have a fair go.

Ms KILKENNY (Carrum) — I am really proud to be able to contribute to the debate on the Aboriginal Heritage Amendment Bill 2016.

Just over 10 years ago I moved to Broome in north-western Australia, where I was a lawyer with the Kimberley Land Council. I worked there for nearly two years. That experience changed my life, and I can say that not a day goes by that I do not think about my time there. For me it was inconceivable how little I knew about Indigenous Australians and Aboriginal cultural heritage. I am actually quite ashamed to say that I did not really appreciate the significance of Aboriginal culture and customs. I did not really understand the ongoing and enduring impact that colonisation had and continues to have on our first nation peoples and the cultural bias that is so inherent in our communities today. I will never fully understand that, but, certainly for me, living and working in the Kimberley gave me the opportunity to start to understand it. From that, my respect for Aboriginal culture and Aboriginal cultural heritage obviously grew immensely.

Not everyone, of course, can live in a community like that, but it is changes to our laws and changes to our policies — as well as good leadership on diversity — that opens up paths of understanding about Aboriginal culture for all us. We know that when we start to learn about other cultures and we start to accept otherness, we start to transcend ignorance, and it opens up diversity pathways.

This week has been a historic week in the Victorian Parliament. This week marked the first time our parliamentary sitting week commenced with an acknowledgement of country. That is a tremendous step for us in this Parliament and a tremendous recognition of Aboriginal culture and Aboriginal heritage in this state and in this country. Most of us understand the fundamental need and fundamental right of every person to enjoy their culture, heritage and language. I believe that recognising and protecting cultural rights is essential to the enjoyment of individual rights and to the pursuit of social justice. The right to take part or participate in cultural life is widely recognised in human rights instruments, in particular article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights.

Individuals and communities have the right to know, understand, make use of, manage, maintain, exchange and develop cultural heritage as well as to benefit from cultural heritage. That also includes the right to participate in the identification, interpretation and development of cultural heritage as well as in the design and implementation of preservation policies and programs. With this bill — and this is a very significant bill — we are further recognising and celebrating Aboriginal culture and heritage, including Aboriginal intangible heritage, in Victoria. Most importantly we want to see Aboriginal people at the centre of this, and I am extremely proud that this is actually a priority for the Andrews Labor government. This bill will introduce amendments to specifically empower Victorian Aboriginal traditional owners and communities to determine what they want and what is best for them.

I did want to touch on one aspect of this bill — that this bill will enable traditional owners to control how their cultural knowledge is used by the broader community and industry. There are revolutionary amendments contained in this bill. Clause 59 inserts new part 5A in the principal act, and the intent is to create a new right to enable traditional owner groups to control the protection and use of their intangible heritage.

This will cover Aboriginal knowledge and expression held collectively by Aboriginal people and passed

down across generations. I saw this firsthand working in the Kimberley, and I saw just how progressive this can be and how empowering this can be for local communities. For example, before I moved to Broome I had not heard of the gubinge fruit. Apparently not a lot of other people had either, given its remote location and unreliable supply, but it actually contains one of the most concentrated sources of vitamin C and is now tipped to be one of the superfoods. One of the traditional owners near Broome said that the gubinge is an incredible opportunity for Aboriginal people. There were companies that wanted to commercialise this produce, but she noted that she is anxious to keep the control in Aboriginal hands. She said:

So much has been taken from Indigenous people, and this is one of the few things left where we can do business with it ... we understand the tree, we understand the seasons, we know how to protect it, we know how to collect the fruit.

This industry can provide us with honest, hard work that we can connect to.

This bill represents another significant step forward for Victoria on the road to reconciliation. This road depends upon all Victorians and all Australians respecting Aboriginal and Torres Strait Island cultures and heritage. We need to appreciate the rich and diverse identities of Aboriginal and Torres Strait Island people and truly embrace that beautiful, complex and sophisticated heritage as part of the distinctive character of our nation. I would really like to think that in all of us there is a sense of Aboriginal culture.

I absolutely commend this bill to the house, and I would like to acknowledge the work of the former Liberal government in the review of the principal act and the extensive consultation that took place with community groups as well as industry stakeholders to bring us to this point. This bill will enable greater respect and acknowledgement of Indigenous and Aboriginal cultural heritage and culture. It will go a long way towards helping us on this path to reconciliation. This is not going to be an easy path, but with the leadership shown by the Andrews Labor government this is a step towards that process and one that we should all be very, very proud of. I like to think that the culture of Aboriginal people and our Aboriginal heritage is unique.

The DEPUTY SPEAKER — Order! The time set down for consideration of items on the government business program has expired and I am required to interrupt business.

Motion agreed to.

Read second time.

*Third reading***Motion agreed to.****Read third time.****EDUCATION AND TRAINING REFORM
AMENDMENT (VICTORIAN INSTITUTE
OF TEACHING) BILL 2015***Second reading***Debate resumed from 9 February; motion of
Mr MERLINO (Minister for Education).****Motion agreed to.****Read second time.***Third reading***Motion agreed to.****Read third time.****BUILDING LEGISLATION AMENDMENT
(CONSUMER PROTECTION) BILL 2015***Second reading***Debate resumed from 10 February; motion of
Mr WYNNE (Minister for Planning).****Motion agreed to.****Read second time.***Third reading***Motion agreed to.****Read third time.****CONSUMER ACTS AND OTHER ACTS
AMENDMENT BILL 2015***Second reading***Debate resumed from 10 February; motion of
Ms GARRETT (Minister for Consumer Affairs,
Gaming and Liquor Regulation).****Motion agreed to.****Read second time.***Third reading***Motion agreed to.****Read third time.****ACCESS TO MEDICINAL CANNABIS
BILL 2015***Second reading***Debate resumed from earlier this day; motion of
Ms HENNESSY (Minister for Health).****Motion agreed to.****Read second time.***Third reading***Motion agreed to.****Read third time.****Business interrupted under sessional orders.****ADJOURNMENT****The DEPUTY SPEAKER** — Order! The question is:

That the house now adjourns.

Canterbury–Bedford roads, Heathmont

Ms VICTORIA (Bayswater) — Today I rise to request the Minister for Roads and Road Safety to allocate immediate funding for a rewriting of a signal program for the pedestrian crossing on Canterbury Road on the western side of Bedford Road. I previously spoke on this issue in Parliament in August last year and had a meeting with VicRoads on the site a couple of months ago. I had hoped the situation would be resolved prior to school starting back and before residents in the area returned from the holiday period. However, this is not the case.

A lady wrote to me two weeks ago to say her grandson is too scared to use the crossing on his own, despite the fact that he is in high school. She walks him across the road and has even had her own near misses coming back across the road to return home.

To refresh the minister's memory, this intersection and crossing is a very dangerous one. At present the pedestrian crossing signal program across Canterbury Road is not long enough to allow pedestrians safe passage across the three-lane carriageway in each direction. In addition the signal program coincides with the turning traffic from Bedford Road onto Canterbury Road towards the city. The turning traffic is on a blind corner and therefore drivers cannot see pedestrians crossing until they are almost on top of them. This results in a very dangerous dash across the crossing for many local residents. I have had constituents almost

cleaned up at this site, and I myself experienced this when I inspected the site with concerned local residents. I believe it is only a matter of time before a death occurs — a highly preventable death. Added to this is the issue of motorists continuing to run red lights here, even with a reduction in the speed limit. The local police have been notified and will continue to monitor compliance.

During our on-site meeting VicRoads agreed that this was one of the worst intersections and there were possibly short-term solutions to make it safer until a longer term solution could be designed. I have been told, however, that we will have to wait until the new financial year for an allocation of funding for any changes to be made.

VicRoads has stated that a preliminary resolution is the rewriting of the signal program. This will reprogram the operation of the signals at the crossing to allow an early start for pedestrians. This is estimated to cost a mere \$10 000, but VicRoads has no discretionary funds available. Its budget has been drained of all resources, and it is only February. We cannot wait until at least July.

I ask the minister: do we need to see a fatality at this intersection before this issue is addressed? I know none of us want that on our heads, so I ask the minister to provide the funds to allow this preliminary assistance to be implemented immediately.

Ascot Vale Primary School

Mr PEARSON (Essendon) — My adjournment matter is directed to the Minister for Education. The action I seek is for the government to fund a flexible outdoor learning centre at the Ascot Vale Primary School for children with special needs. I am so fortunate to have a great school like Ascot Vale Primary School in my electorate. Ascot Vale Primary School was established in 1885 and was also the school that William Scurry attended. As members may well know, Mr Scurry developed the self-firing rifle that was used in the evacuation at Gallipoli. The school's principal is Sue Osborne, who is a fantastic principal and educator and has done a magnificent job with the school.

Like many schools in our community, Ascot Vale Primary School has students with autism spectrum disorder. It has identified a way in which the needs of these students can be catered for. Ascot Vale Primary School has an existing courtyard to the east of unit 3 which is currently linked physically and visually. However, it is not utilised as a learning space and is

underutilised as a play space. The school would like to ensure that this courtyard can provide a quiet, inviting, safe and contemplative space allowing students an opportunity to escape the noise of a large classroom and still be part of the learning indoors. It will create a therapeutic environment which is easily accessible and monitored by staff and will accommodate sensory overload needs, support emotional wellbeing and provide a flexible outdoor learning space which can be accessed by all members of the school community, not just those in unit 3. So I call on the minister to fund this fantastic initiative.

Gippsland roads

Mr D. O'BRIEN (Gippsland South) — My adjournment matter is for the Minister for Roads and Road Safety, and it relates to the proposed realignment of the South Gippsland Highway between Koonwarra and Meenyan. I am seeking from the minister clarification on the status of a business case — that is, whether this business case is going to the government for budget consideration in this year's budget. There is a fair bit of confusion about this project. It is a very important project between Koonwarra and Meenyan, an important part of the South Gippsland Highway, linking all of South Gippsland and of course connecting down to Wilsons Promontory, our major tourism asset. The area itself has a winding stretch of road that goes over the Black Spur Creek. It is quite dangerous. There have been 13 reported accidents over the last couple of years, including some truck rollovers, and there were four serious injuries from those accidents.

The previous coalition government provided funding for a business case to be developed for the realignment, which would basically take out the bends and build a bridge across the creek so that we had a straight stretch of road. It was my understanding and that of the community last year that that business case had been completed. Indeed VicRoads had community information sessions at one stage. They were actually on a sitting day, so I could not make it to find out a bit more. Those community information sessions were about a business case, so it was expected that a business case had been completed. In the *Leongatha Great Southern Star* newspaper this week, VicRoads refused to say when it would be ready and why it had been delayed.

I had previously raised this with the minister, who indicated that, yes, the business case was still under construction, if I can use that term. So there is a bit of confusion about this one. From my point of view it is important that this is available for consideration by the government in this year's budget, and I would like the

minister to clarify whether it is complete, whether it is still underway and why it has taken so long if it is not complete. Ideally we want it actually funded in this year's budget.

In addition — and I spoke to the minister yesterday — Princes Highway east between Traralgon and Sale is a critically important road project in my electorate. I am hopeful that the minister will be preparing to fund the completion of that project when the commonwealth comes to the party with its 80 per cent contribution, which I hope will occur this year as well. The Black Spur is the important one that I am raising tonight, and I look forward to the minister providing a clarification on where this business case is at.

Kilberry Valley Primary School

Ms GRALEY (Narre Warren South) — My adjournment matter is for the Minister for Education and concerns Kilberry Valley Primary School. The action I seek is that the minister ensure that Kilberry Valley Primary School receives funding through the Inclusive Schools Fund to create re-engagement spaces for students with disabilities. Kilberry Valley Primary School is an outstanding local school with a current enrolment of 833 students, including 90 students who are funded through the program for students with disabilities. The exceptional work being done by Kilberry Valley Primary School has led to its enrolment of students with disabilities increasing from 8 to 90 over the past six years, and 16 of those students began their journey at Kilberry Valley Primary School just a few weeks ago. It has also increased its education support staff from 8 to 43 to meet the complex and often unique needs of its students with disabilities.

To ensure it can continue to provide its students with the support and care they need, the school has identified the need for more quiet and supportive engagement spaces that are separate from the existing classrooms. Many of its students experience a range of sensory issues that can quickly become overwhelming and that it is often impossible to address in a classroom. The team at the school has found that the students who are overwhelmed or overstimulated benefit from working in a quieter environment. They are able to calm down, re-engage in their learning and return to the classroom.

Students who are feeling overwhelmed would be able to visit these re-engagement spaces to do just that. These spaces could be created through the modification of and addition to an existing school building and would include withdrawal spaces, a multisensory room and outdoor learning spaces and be shared for out-of-school care. This unique facility would ensure

that students with disabilities would have access to the support they need to fully participate in school, re-engage in their learning and make the classroom a better place for all students.

I know that the principal, Neil Cunningham, and every single one of his teachers and support staff go above and beyond for their students. They deserve not only our admiration — they show incredible patience, kindness and skill — but also our support. I urge the minister to ensure they receive the support they need to continue their very fine work at Kilberry Valley Primary School.

Elwood College

Ms ASHER (Brighton) — The issue I have is for the Minister for Education, and the action I am requesting of him is to provide me and indeed the house with a timetable for the funding and construction of the master plan for Elwood College. The background to this is that the government promised \$10 million to Elwood secondary college in the last election campaign, and the coalition of course made a similar promise to the school for its master plan and much-needed refurbishment and renewal of its buildings. The government announced the funding for this in the 2015–16 budget.

I refer the minister to page 25 of the 2015–16 document entitled *State Capital Program*, which shows that the government set aside \$1.6 million approximately as estimated expenditure in the financial year 2015–16 and \$8.38 million as remaining expenditure. Again, in that table, the government has indicated that it anticipates the estimated completion to be quarter 4 of 2016–17. The house would appreciate that stage 1 is obviously critical to Elwood secondary college. It is a rebuilding and refurbishment program. It is one thing to say that in the 2015–16 budget \$1.6 million would be allocated and another thing to say that \$8.3 million will happen sometime in between the budget and quarter 4 of 2016–17.

I ask the minister to outline the funding flow for Elwood secondary. As part of that he will probably indicate whether that estimated completion date is still viable under this. If he could provide that information, the Elwood secondary college community and I would be extremely grateful.

Coolaroo South Primary School

Mr McGUIRE (Broadmeadows) — The matter I raise is for the attention of the Minister for Education. The action I seek is that the minister join me in

supporting the application by Coolaroo South Primary School to the Inclusive Schools Fund for money to install an interactive outdoor playground. The Inclusive Schools Fund is a \$10 million fund promised by the Labor Party before the election and delivered by the Andrews Labor government. It is designed as an initiative to help make Victoria the education state and build on that proposition by providing Victorian government schools with quality new spaces and more inclusive facilities, based on best practice research and design.

Coolaroo South Primary School became aware of Imagination Playground when it presented at a workshop at the International Play Association conference in Istanbul in 2014. Unlike traditional playgrounds, the Imagination Playground blocks promote constructive play. The Imagination Playground would be set up in an undercover area. In the event of foul weather, the loose parts can easily be transferred to one or several indoor spaces accessed by all students. Its value is that it can be used in any weather and all seasons, so creating this opportunity. Apart from the value for health and wellbeing, teachers also use the Imagination Playground as a tool for learning.

This is an important initiative that will add value to the redefining of education through the Broadmeadows schools regeneration project of the Bracks and Brumby governments. That was an incredibly important investment in the attributes that largely determine where we all end up in life: attitude, education and opportunity.

Lilydale and Mooroolbark level crossings

Mrs FYFFE (Evelyn) — My request for action is to the Minister for Public Transport. The action I seek is the minister's guarantee that provision will be made to ensure sufficient parking throughout the planned removal of the Lilydale and Mooroolbark level crossings. While I understand that the government is yet to commit to a date for the removal of these two crossings in the Evelyn electorate, the government lists the status on the Level Crossing Removal Authority website as 'Early planning and engineering assessments underway'. Although I would like to see a more definitive time line for the delivery of the Lilydale and Mooroolbark level crossings, that is not specifically the point of this adjournment matter.

I was contacted by Mr Chris Middleton in January with concerns about what impact the removals may have on parking at both stations. I have spoken in this house before about some of the pre-existing parking woes

affecting commuters from around the valley who park and ride to work during the week. Mr Middleton's concern stems from the timing of the removals. If both crossings are removed simultaneously, parking shortages are likely to be exacerbated. Although I suspect the government will not be able to do both removals at the same time, I think the issue of interim parking is a valid one. When it is difficult to find parking near a station it creates inconvenience. This inconvenience translates into a decline in public transport patronage. I support the removal of level crossings in accordance with affordability and in line with public demand.

There is no doubt that the removal of the crossings at Mooroolbark and Lilydale would improve traffic flows. However, the devil is often in the detail and consideration of flow-on effects arising from construction. Therefore I ask the minister to provide details on measures the government will take to alleviate expected parking congestion once the removal of the Lilydale and Mooroolbark level crossings begins.

Railway Place, Coburg

Ms BLANDTHORN (Pascoe Vale) — My matter tonight is for the attention of the Minister for Public Transport. The action I seek is for the Minister for Public Transport to ask the Department of Economic Development, Jobs, Transport and Resources to arrange a meeting between representatives of Public Transport Victoria, VicTrack, Metro Trains Melbourne and the Pascoe Vale district and local residents, particularly those involved in the Railway Place action group, to discuss strategies that could be put in place to address the persistent dumping of rubbish and other matters along the Upfield line and Upfield shared pathway in Railway Place.

Last week I met with a group of constituents who have worked tirelessly to improve road safety and amenity in Railway Place, Coburg. The residents informed me that they have been advocating for the following outcomes: safety and beautification works; improved pedestrian access; development of strategies to address the ongoing issue of vehicles being parked partially on the railway verge; the implementation of treatment options to mitigate the use of the street as a rat run between Munro Street and Reynard Street; and extension of the Upfield shared pathway.

The residents advised me that they have worked with the Moreland City Council and state government representatives over the last four years to devise strategies to address these issues and that as a result a detailed proposal was developed and plans drawn up

accordingly. The residents also informed me that late last year they were advised by the council that the proposal has been delayed until the removal of the Bell Street, Coburg, level crossing. The Andrews government's commitment to remove the Bell Street, Coburg, level crossing does not prevent the Moreland City Council from undertaking some immediate and cost-effective action to remediate some of these issues. Similarly I am sure there must be some immediate and cost-effective treatments that the state government could undertake to address some of these issues. Such considerations could include safety and beautification works as well as improved pedestrian access. So the action I seek is that the minister ask her department to coordinate a meeting with the Railway Place action group and other interested stakeholders.

Protective services officers

Mr WATT (Burwood) — My adjournment matter is for the Acting Minister for Police. The action I seek is for the minister to ensure that the rollout of protective services officers (PSOs) along the Alamein train line in my electorate of Burwood is put back on track. The PSO rollout was scheduled to be completed last year, but there are still numerous stations without them and even more that will not have PSOs during the late night weekend services. Since the election I have been to my train stations regularly, and I have noticed that the PSO pod at the Alamein train station has been boarded up and there are no PSOs at the station. The Alamein station is located in Ashburton.

Today I came across a submission to the local superintendent from the now chief of staff to the police minister regarding crime and safety in the area. At the time of the submission the minister's chief of staff acknowledged that the crime rate in the area was 28 per cent higher than the state average and 82 per cent higher than the Boroondara average. Given this admission it is contemptible for the government to not only refuse to provide PSOs for the area but also to downgrade the police services that already existed in my electorate. Last September the Ashburton police station was drastically reduced to two day shifts a week. Recently the Burwood police station was vandalised and that was not dealt with for more than a week due to the closure of that station.

It is clear that my electorate is suffering from the Andrews Labor government's cut to sworn police officers across the state. My residents feel that the Andrews government and the minister have a tin ear when it comes to police resourcing in my electorate. This was recently highlighted by Channel 9 and 3AW. Many residents have signed a petition calling on the

Andrews Labor government to place protective services officers on all train stations along the Alamein train line from 6.00 p.m. until the last train. Residents are concerned about running trains all hours of the night on weekends without PSOs at the stations, especially since this is when the risk of drunken, loutish behaviour is at its highest. I call on the minister to ensure that the Alamein line does not miss out again and that the stations along the line receive PSOs, as was promised.

Level crossings

Mr DIMOPOULOS (Oakleigh) — The matter I raise is for the Minister for Public Transport, and the action I seek from the minister is that she produce any documentation she may have that will clarify the position of Glen Eira City Council in relation to consultation on the Andrews Labor government's proposed design to remove all nine level crossings between Caulfield and Dandenong. There have been recent pieces of misinformation being spread by one particular Liberal Party member of the Glen Eira council. As I said in this place yesterday, removing level crossings is the no. 1 priority for the residents in my community. It took the Andrews government and a very active Minister for Public Transport to get on and do this — and the government will be doing it all by 2018.

I take this time to refer the minister to comments that have been reported and that have been provided to me from media outlets in my community about a meeting held at the City of Glen Eira between councillors and the Level Crossing Removal Authority. They are sourced from a councillor at the City of Glen Eira, who has suggested amongst other things that rail lines on the ground will stay there for years, councils will have to pay to develop the new parkland and — here is a cracker — councils will get into the business of shopping centre development and the government will be gifting them a whole lot of land to do it. What absolute scaremongering nonsense. Yet more nonsense being peddled and organised directly by those opposite.

I have it on good authority that these comments are from the Liberal Party member of the Glen Eira City Council, Karina Okotel. We may remember Cr Okotel from when she campaigned for my opponent at the last election. We may also remember her as a prospective Liberal Senate candidate for the next federal election, which was mentioned in the media recently. If this is conduct that she thinks is appropriate, God forbid that she gets elected to the national Parliament. You might also know her from the protests in my community recently, despite the fact that we keep hearing that these protests are not political. Not political? The last protest

had no less than five Liberal members of Parliament, including the Leader of the Opposition and the Deputy Leader of the Opposition.

I recognise that there are people in my community who have genuine concerns, and from day one the Premier made it clear that each affected resident would have their own dedicated case manager. I understand there will be a range of things provided for each resident, but this will be done in a calm and considered way by a caring government, one by one with all residents. What I do not recognise is the scaremongering, misinformation and out-and-out lies spread by those opposite. I have even heard that staff members of those opposite have been out doorknocking my community and staff members of the Leader of the Opposition have been canvassing shoppers in Koornang Road, Carnegie, about their views on sky rail without identifying who they are. I have also heard that members of the Leader of the Opposition's staff have been doing other activities to coordinate this anti-campaign. I look forward to welcoming the minister to my community again through the duration of this project, and I look forward to her clarification on these matters.

Responses

Ms ALLAN (Minister for Public Transport) — The member for Evelyn raised a matter regarding the removal of the Lilydale and Mooroolbark level crossings, which of course make up two of the 50 level crossings that the Andrews Labor government has committed to remove over the next seven years. It is great to hear a Liberal member in this house talking positively about the level crossing removal program. I hope she can duck upstairs and talk to her colleagues and encourage them too to get on board with this program.

The member raised the issue of car parking, and indeed at all of these level crossing locations and at many stations across Melbourne we know that car parking is a really big issue for people in these areas. I will come to the Caulfield-Dandenong level crossing project. That is a great example where by removing those level crossings we are also able to increase the car parking that is available along that corridor. I think the member asked me to provide details and measures for how considerations of car parking could be picked up in the planning and design phase. I can assure her they will be.

I will refer this to the Level Crossing Removal Authority, which will be overseeing the consultation that will go on with the communities and councils, as I said, at each of the locations. Where each of these level

crossings includes a station, car parking comes up. It can certainly be looked at as an issue during the planning and design phase. As I said, I hope the member can get more support in her party room for our level crossing removal program.

The member for Pascoe Vale raised a matter for me regarding issues around rubbish on the Upfield rail line, seeking for a meeting to be organised with Public Transport Victoria and the various agencies and, most importantly, with local residents. I thank her for her ongoing advocacy on behalf of her constituents in the local community. She is a very active local member, particularly on public transport issues.

I am very pleased to advise the member that I will direct my department to convene the meeting, as she has requested, with Public Transport Victoria, VicTrack, Metro Trains Melbourne, the councils and local residents. I will ensure that a report is provided back to me after this meeting on what strategies can be put in place to manage this and other initiatives that can be pursued to alleviate rubbish dumping along the corridor. I think it is an incredibly frustrating issue for local residents to see their community tarnished by careless people who dump rubbish in this way. I thank the member for raising this issue, and we will follow it through in the manner that she has requested.

Finally, the member for Oakleigh has raised a matter with me. It is quite a concerning matter because it does go to some misinformation that has been produced in his local community for purely political purposes. I know the member for Brighton is shocked. She is shocked at what is going on in the Oakleigh community. The member for Oakleigh asked for me to produce documentation that would clarify the position of Glen Eira council.

I am looking to read into the record comments that I have in a letter. I am prepared to make the letter available to the house this evening. I received this morning a letter from the office of the mayor, Cr Neil Pilling, in response to an issue that was raised in the *Herald Sun* today about some claims about a meeting that was held with the Glen Eira council and the level crossing removal project team on Tuesday evening. Sorry, it was not to me. I should be clear. It was to Kevin Devlin, the CEO of the Level Crossing Removal Authority. I would just like to make that correction: it was to Kevin Devlin. He indicated that the discussion was, and I quote:

robust but productive, and it was helpful to gain a greater insight into not only your plans for further consultation with the community ...

He goes on to say, and I quote:

It has come to our attention that one of our councillors has distributed her personal interpretation of matters discussed at the meeting to a wider audience ... I would like to emphasise that this communication is neither an official record nor an accurate record of the discussion, nor does it represent the views of the collective council group.

I apologise that this has occurred as it is inconsistent with both the intent of the briefing and the courtesy that council seeks to afford to guest presenters.

As I have said, I appreciate the mayor taking immediate steps to correct the record from his council's perspective following the reports in the media today. Is it not such a shame that the mayor has had to write a letter apologising on behalf of his council for the actions of a renegade councillor who is choosing to put her own party political interests above the good of the council and the good of the local community? It is incredibly disappointing. I hope for the member that that clarifies the position of the Glen Eira council. I appreciated the opportunity to briefly meet with the CEO and the mayor this afternoon as they were meeting with members in Parliament.

I also just want to mention too that we really look forward to working with the Glen Eira council on both the project and the opportunities that come from removing nine level crossings in the way that it is going to be done, creating those 11 MCGs worth of open space. The Glen Eira council has the least open space of any municipality in Melbourne, so this presents a unique, one-off opportunity not only to get rid of level crossings but to run more train services, to reduce road congestion and to make them a much safer area for the local community. It is going to be an opportunity. The Andrews Labor government has already said that it looks forward to funding new facilities — they will be municipal facilities but new facilities along this corridor — and then providing funding to the councils in the longer term for them to maintain the upkeep of these facilities. That is why we want to work constructively and proactively with councils like Glen Eira and others along this rail corridor as we deliver an incredibly exciting infrastructure project for this community.

The member also mentioned that he understands and has great empathy for people who do have some concerns and issues about the project. The government has indicated already that where people are seeking to, there will be a case manager assigned. They will have the opportunity to have face-to-face conversations in a respectful way — not in the glare of the spotlight but in a respectful way — so they can have their issues understood, worked through and actioned where

appropriate. Certainly the member for Oakleigh is going to be central to that consultation process. I look forward to working with him on behalf of all members of his community — those who support the project, those who want to know more about it and those who have some issues as we deliver, as I said, on our election commitment to get rid of these dangerous congested level crossings.

I will refer the remaining matters raised by other members to the ministers for their attention.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 5.31 p.m.

ANSWERS TO CONSTITUENCY QUESTIONS

Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.

11 December 2015 to 11 February 2016

Rowville electorate**Question 326**

Question asked by: Member for Rowville

Directed to: Minister for Police

Asked on: 23 June 2015

REPLY:

Thank you for your constituency question. I apologise for the delay in responding.

The Victorian Government is committed to a well-resourced police force, with a strong commitment to community engagement and policing. In May 2010, the Labor Government committed funding for an additional 1966 police to the frontline, which includes an increase of 58 police in the Eastern Region Division 2, which includes the Knox Police Service Area (PSA).

Since coming to office in November 2014, the Andrews Labor Government has funded almost 700 additional police personnel, reflecting the Government's commitment to work with the Chief Commissioner to ensure we provide the resources to police that will keep our community safe. Our continued investment in policing has seen a record \$2.5 billion budget for Victoria Police in 2015/16 to continue their important work.

The Government recently announced funding to nearly double Victoria Police's counter-terrorism investigative capacity. This new investment will fund 88 counter-terrorism specialists, including 40 dedicated sworn officers, as well as intelligence experts, forensic analysts, and equipment.

The Government is investing \$148.6 million over four years to free up police to undertake frontline duties protecting our community where they are needed. This will occur by recruiting, training and deploying 400 custody officers to initially supervise prisoners at around 22 police stations across Victoria.

Under Victorian law, I cannot direct the Chief Commissioner about the allocation or deployment of police to or at particular locations in accordance with section 10 of the Victoria Police Act 2013.

As you would expect the Government works closely with the Chief Commissioner to ensure Victoria Police is appropriately resourced to tackle law and order issues facing the Victorian community, including family violence and the use of ice and other illicit drugs. These issues remain a key focus for Victoria Police.

I assure you that the residents of the Knox PSA will continue to receive a 24-hour police response which includes Rowville. If any person requires urgent police assistance, they should contact Victoria Police on the emergency number '000'. Calls made to '000' are processed and responded to by the closest appropriate police personnel.

I am advised by Victoria Police that significant work is undertaken to address family violence and drug related crime in the Knox PSA. Local police have arrested a substantial number of high-level drug traffickers since July 2015.

Police are working with a number of other government and non-government agencies who are all focussed on reducing family violence related crime. This joint approach has a strong focus on tackling drivers of family violence with a view to keeping victims safe and holding perpetrators to account. There is also a longer-term vision of changing behaviours through community education, in particular to address gender inequity. Better risk assessment to identify persons at risk and prevent escalation and re-occurrence of family violence is all part of the focus on improved community safety and to ensure that ongoing outcomes are achieved.

The Government will continue to consult with Victoria Police about overall police resourcing across the state. I am assured by the Chief Commissioner that the level of policing is continuously monitored by respective command officers, with a view to ensuring community safety.

Essendon electorate

Question 373

Question asked by: Member for Essendon
Directed to: Minister for Public Transport
Asked on: 4 August 2015

REPLY:

The Andrews Labor Government has committed \$20 million to improve car parks at stations across Victoria. As part of this, I have requested that PTV work with VicTrack to audit car parks and investigate opportunities to provide more car parks.

The audit of car parks is now underway. I look forward to working with the local member to identify what future improvements can be made to car parks in the electorate of Essendon in the future.

Mill Park electorate

Question 1091

Question asked by: Member for Mill Park
Directed to: Minister for Public Transport
Asked on: 17 September 2015

REPLY:

Public Transport Victoria (PTV) completed construction of the temporary car park at South Morang station in December 2015, providing an additional 450 car parking spaces for local train users.

The opening of the car park has provided improved access to the many commuters who use the South Morang rail line every day.

Works involved constructing a crushed rock car park and installing designated walkways. Safety and amenity has also been improved for commuters with the installation of lighting, drainage, fencing and works.

Construction of the car park formalises the area of land that was previously being used by commuters.

The temporary gravel car park is planned for the next four years and will be reviewed upon operation of the Mernda Rail Extension, in 2019.

Mildura electorate

Question 1286

Question asked by: Member for Mildura
Directed to: Minister for Health
Asked on: 6 October 2015

REPLY:

This matter does not fall within the portfolio responsibilities of the Minister for Health and Ambulance Services. The Attorney-General is responsible for the autopsy service. I have referred this question to the Hon Martin Pakula MP for his response.

Melbourne electorate**Question 1290**

Question asked by: Member for Melbourne
Directed to: Minister for Housing, Disability and Ageing
Asked on: 6 October 2015

REPLY:

The Andrews Labor Government believes that all Victorians have the right to safe, affordable and secure housing. The Andrews Government appreciates and understands the nature of the public housing high rise towers, the vulnerability of the people we work with, and the challenges of ensuring safety and security amongst these diverse communities.

The Department of Health & Human Service's housing workers are professional public servants who have dedicated their careers to the safety, welfare and wellbeing of the people we house and care for. To claim that they routinely dismiss security and maintenance complaints without keeping records is a slur on hundreds of dedicated professionals.

The government manages 65 000 tenancies across Victoria, and consequently has a responsive and accessible complaints mechanism for residents of public housing who believe they were given an unsatisfactory service; did not receive enough information or choice; or were denied respect, dignity or privacy.

The mechanism involves three steps and is focussed on making every attempt to resolve the complaint at the local level. The first step to have the complaint resolved is to discuss the complaint with a staff member at the local office. Where this does not resolve the matter satisfactorily, the complaint is escalated to a senior manager at the local office. Where the complaint is not able to be resolved at the local level, the matter is referred to the dedicated complaints unit who take further steps to resolve the matter.

All concerns are taken seriously and provided due consideration. Tenants are provided with feedback and an update on their concerns which takes into account the privacy of all involved. The department can also provide assistance and support throughout the process of making a complaint, for example, arrange an interpreter to help with language services.

Public housing residents also have the option of taking a complaint to other organisations such as the Victorian Ombudsman or the Commissioner for Privacy and Data Protection.

Public housing residents who have concerns about maintenance contractors' service or quality of work, can direct complaints to the Housing Call Centre. If they are not satisfied with the outcome, they can lodge a formal complaint by contacting the central complaints unit on 1300 884 706 (cost of a local call). Residents can also seek advice from Consumer Affairs Victoria, other community service organisations or can apply for a matter to be heard at the Victorian Civil and Administrative Tribunal where there is a dispute between the landlord and tenant.

I will continue to engage directly with residents of Sutton St where issues arise to improve services, rather than engage with those who slag off housing workers to score cheap political points.

Dandenong electorate**Question 2848**

Question asked by: Member for Dandenong
Directed to: Minister for Employment
Asked on: 8 October 2015

REPLY:

The Victorian Government has an important role to play in providing labour market support to people who need it the most and who are often the hardest to reach.

On coming to Government, we inherited a small number of employment assistance programs, limited in scale, scope and geographic coverage, which is why I initiated a Review to ensure we are delivering the most effective and targeted support for vulnerable Victorians.

As part of this Review, we have consulted extensively with key stakeholders on how to improve employment support, particularly for vulnerable and disadvantaged Victorians. Consultation sessions were conducted across Victoria, including Dandenong where I was delighted to host with Ms Williams.

Findings from the Review will assist the Government to maximise job opportunities for Victorians who are disadvantaged in the labour market and help ensure investment in employment programs is effective.

I thank the Honourable Member for her question and look forward to working closely with her on how the Government can best support workers in Dandenong into the future.

Burwood electorate

Question 2853

Question asked by: Member for Burwood
Directed to: Minister for Housing, Disability and Ageing
Asked on: 8 October 2015

REPLY:

The Victorian Government believes that all Victorians have a right to safe, affordable, and secure housing and that a strong and sustainable social housing sector is critical to ensuring that all Victorians can own or rent housing that meets their needs.

The Markham Avenue Estate comprises 56 two bedroom units. The Department of Health & Human Services assessed the site and found that upgrading or renovating the homes was not viable and that redevelopment was the best option.

The 1950s buildings and infrastructure will be demolished, and new, modern, six star energy-rated homes with better accessibility will be built in their place. Both social and private housing will be built on the site with 10% more social housing built than was previously there.

The department is currently investigating redevelopment options for Markham Avenue to ensure the redevelopment delivers the best outcome for both the Ashburton and the Victorian community. To do this, the Victorian Government has committed to consulting the local community, City of Boroondara and other stakeholders as plans progress.

The financial return generated by the Victorian Government from the redevelopment will be reinvested to provide more social housing for disadvantaged Victorians in need.

The scaremongering of the Member for Burwood is beyond hysterical levels. There will be consultation with the local community and council as plans progress.

The Member if he was passionate about Markham, should have done something about it in his four years in government.

Warrandyte electorate**Question 3673**

Question asked by: Member for Warrandyte
Directed to: Minister for Roads and Road Safety
Asked on: 20 October 2015

REPLY:

VicRoads participated in an Emergency Management Forum on 12 November 2015, which included guest speaker, Mr Craig Lapsley (Emergency Services Commissioner) and other speakers representing VicRoads and the local emergency service branches. The forum was jointly organised by the Warrandyte Community Association and the Municipal Emergency Officers of the Manningham and Nillumbik Councils.

The aim of the forum was to update the community on the traffic modelling, outline the findings of the recently completed report and seek community feedback on the report's findings.

Ovens Valley electorate**Question 3675**

Question asked by: Member for Ovens Valley
Directed to: Minister for Roads and Road Safety
Asked on: 20 October 2015

REPLY:

When the Andrews Labor Government was elected, all detailed reports and community feedback on the best route for the Yarrawonga-Mulwala Bridge crossing were fully examined and carefully considered.

In conjunction with the New South Wales Government, the Victorian Government wanted to ensure that the best possible decision was made in order to meet the needs of the Yarrawonga and Mulwala communities.

The Andrews Labor Government and the Baird Coalition Government have recently confirmed their preference for the grey route as the best option, in response to the transport needs of the communities of Yarrawonga and Mulwala.

Now that the community has some certainty from the two state governments about the preferred route, VicRoads and Roads and Maritime Services can proceed with the next stage of the planning process. VicRoads advises me that it will continue to seek the views of the community as it progresses with this phase of the project.

Brighton electorate**Question 3692**

Question asked by: Member for Brighton
Directed to: Minister for Roads and Road Safety
Asked on: 21 October 2015

REPLY:

The issue of speeding motorists is an enforcement matter for Victoria Police. VicRoads advises me that it has discussed your constituent's concern with Victoria Police and has requested that appropriate enforcement be undertaken in this area.

Rowville electorate**Question 3694**

Question asked by: Member for Rowville
Directed to: Minister for Roads and Road Safety
Asked on: 21 October 2015

REPLY:

VicRoads' recent inspection of this site during the afternoon peak period found that motorists waiting to turn out of Koornang Road have a clear view of traffic travelling in both directions along Ferntree Gully Road. Vehicles turning right out of Koornang Road were able to find sufficient gaps in the traffic, particularly when traffic on Ferntree Gully Road was temporarily halted at the nearby traffic signals at Stud Road.

The configuration of the intersection is in accordance with the relevant design guidelines and is similar to many other intersections across Melbourne where motorists turn right from a major industrial estate onto a major access road.

VicRoads considers the intersection to be operating safely at the time of the inspection for all road users. However, VicRoads will continue to monitor the safety at this location.

Macedon electorate**Question 3697**

Question asked by: Member for Macedon
Directed to: Minister for Housing, Disability and Ageing
Asked on: 21 October 2015

REPLY:

The implementation of the NDIS is a significant and complex reform.

Under the Bilateral Agreement for transition, people currently receiving supports through the Victorian or Commonwealth governments will be moving to the NDIS based on a geographical roll out. The Victorian Government will ensure that this transition will be smooth for people with disability and their families with minimal disruption.

During the Barwon trial, the Victorian government supported service providers to successfully adapt their business models in line with the key principles of the Scheme, and to work collaboratively to solve and respond to the new ways of delivering services and support under the NDIS.

Earlier this year, based on information gleaned from the trial, the Victorian government committed \$450 000 to National Disability Services Victoria to support existing service providers to transition to the Scheme.

\$10 million was also recently committed to support the readiness of people with disability, families and carers, as well as service providers to ensure their successful transition to this new Scheme. There will be opportunities for people to access information and supports so they feel well prepared for the NDIS.

The Victorian government is committed to keeping people with disability, families and providers informed in relation to the NDIS implementation schedule and arrangements. Over the coming months, the Victorian government will be hosting community information forums across the State and all community members are welcome to attend.

Over 200 people including people with a disability their families and local providers, attended the first of these forums in Bendigo on 4 November 2015.

Lowan electorate**Question 3889**

Question asked by: Member for Lowan
Directed to: Minister for Agriculture
Asked on: 22 October 2015

REPLY:

The Department of Economic Development, Jobs, Transport and Resources (DEDJTR) has developed a market access protocol to enable trade of Queensland fruit fly (QFF) host produce from the Portland region to South Australia in 2014. Primary Industries and Regions South Australia (PIRSA) provided final endorsement of this protocol on 22 December 2014.

Charges for DEDJTR services, such as auditing, trap seeding and travel are charged in accordance with legislated fees. In this case, even though an inspection officer may travel from Ballarat to undertake the audit inspection, the travel fees charged are the same as from the nearest DEDJTR office, which in this case is Portland. Therefore arranging for a local departmental employee to inspect the fruit fly traps from Portland would not result in a reduced charge.

Market access protocols are developed in accordance with quality assurance principles, and accordingly require routine audits to be conducted by an authorised officer to verify business compliance with protocol requirements.

This particular trade protocol allows accredited businesses in the Portland region to self-monitor OFF traps and issue certification for trade of fruit into South Australia. This is the first trade protocol of its kind that allows for monitoring of OFF traps by a first party under accreditation. This significantly reduces the costs compared to weekly trap monitoring by an authorised officer.

Due to the trade protocol being the first of its kind, South Australia requested monthly auditing of business trap monitoring through trap seeding. This involves placing a dead sterile OFF in a trap on the property, which the trap inspector from the accredited business must detect. Once detected, the fly must be reported to DEDJTR, otherwise follow-up corrective action is undertaken in accordance with protocol requirements. Sterile flies are marked to allow easy identification using a compound microscopic.

South Australia has advised that they will consider reducing the monthly trap seeding requirement in the future if the new protocol proves successful. If this were to be the case, the annual cost of trap seeding will also reduce.

South Barwon electorate**Question 3895**

Question asked by: Member for South Barwon
Directed to: Minister for Planning
Asked on: 22 October 2015

REPLY:

Surf Coast Shire Council has decided to refuse to grant a planning permit for the proposed adventure park on 31 hectares of land on the Great Ocean Road at Bellbrae. I understand Council's decision on this matter recognises the concerns expressed by the 115 objectors to the proposal and its own concerns about the potential impact on the surrounding agricultural uses, the scale and intensity of the proposal and its potential to impact on the rural character of Bellbrae and the resulting traffic impacts. The proponent has sought a review of Council's decision at the Victorian Civil and Administrative Tribunal (VCAT). I have received a number of requests from members of the local community seeking my intervention in this matter and I have asked the Department of Environment Land, Water & Planning to brief me on these requests as a matter of priority. I am advised the adventure park matter has been listed for a full hearing at VCAT starting on 29 February 2016.

Croydon electorate**Question 6323**

Question asked by: Member for Croydon
Directed to: Minister for Public Transport
Asked on: 10 November 2015

REPLY:

The Manchester Road level crossing in Mooroolbark is one of the 50 that will be removed by the Andrews Labor Government over the next eight years. The four level crossings on the Belgrave Line have been announced and further details on each level crossing can be found at www.levelcrossing.vic.gov.au.

Pascoe Vale electorate**Question 6324**

Question asked by: Member for Pascoe Vale
Directed to: Minister for Sport
Asked on: 10 November 2015

REPLY:

In the 2015-16 State Budget the Victorian Government confirmed a \$10 million commitment to improve cricket opportunities for all Victorians.

On 30 October 2015 I launched the Community Cricket Program - On Common Ground with program partners Cricket Australia and Cricket Victoria who confirmed commitments of \$1.2 million each towards the program, increasing the total investment towards cricket to \$12.4 million.

The program is a four-year partnership between the Victorian Government, Cricket Australia and Cricket Victoria that will allow clubs and councils to complete major upgrades to infrastructure and deliver targeted programs aimed at ensuring cricket participation in Victoria is higher than in any other state.

Through the Community Sports Infrastructure Fund, grants up to \$100 000 are available to local government authorities to upgrade and develop cricket sports infrastructure including new buildings, grounds and training facilities.

Grants of up to \$5000 are available through Cricket Victoria to assist clubs with minor facility upgrades, for equipment or for programs that build the base of players, coaches, umpires and volunteers.

In addition, a Sports Vouchers Program will be available in partnership with local councils in disadvantaged areas to subsidise registration fees so that everyone can get involved in this great sport.

I look forward to working with clubs, councils and communities throughout the state to secure the future of grassroots cricket through the \$12.4 million Community Cricket Program: On Common Ground.

Gippsland South electorate**Question 6325**

Question asked by: Member for Gippsland South
Directed to: Minister for Environment, Climate Change and Water
Asked on: 10 November 2015

REPLY:

As previously outlined to the member, I agree that Veolia's canvassed proposal has caused unnecessary angst in the local community.

While any private operator can express interest in a potential site, it is important that we do not put the cart before the horse on these issues. Any proposal would need to go through rigorous processes with their local Waste and Resource Recovery Groups, as well as the process of EPA works approvals and planning permits from the relevant planning authority. A key part of all the processes outlined above is making sure the community gets a say.

The community should not take this proposal as a given, and I strongly encourage the community to get involved in the Gippsland Waste and Resource Recovery Implementation Plan in the coming months.

Essendon electorate

Question 6326

Question asked by: Member for Essendon
Directed to: Minister for Mental Health
Asked on: 10 November 2015

REPLY:

Through the Boomerang Network, people with a mental illness are meeting at the Farnham Street Neighbourhood Learning Centre in Flemington and socialising with others, participating in activities that improve their wellbeing and reconnecting with their community.

Neighbourhood houses such as the Farnham Street Neighbourhood Learning Centre play a vital role in building social inclusion and providing support for those at risk of social isolation. In 2014, 50 per cent of all neighbourhood house participants in Victoria visited a neighbourhood house to spend time with other people, 40 per cent to meet new people and make friends and 36 per cent to improve their personal wellbeing and confidence.

Through the Neighbourhood House Coordination Program, the Victorian Government provides funding of \$25.9 million per annum to over 370 neighbourhood houses, 16 neighbourhood house networks and the peak body Neighbourhood Houses Victoria. This core investment enables each neighbourhood house to leverage additional funding from other sources and provide activities that meet the needs of their community members.

My office is making arrangements for me to visit Farnham Street Neighbourhood Learning Centre. I look forward to meeting the 70 inspirational members of the Boomerang Network and the dedicated people who work and volunteer at the centre.

Sunbury electorate

Question 6328

Question asked by: Member for Sunbury
Directed to: Minister for Public Transport
Asked on: 10 November 2015

REPLY:

Thank you for that question, and all the work you have put in to support and represent the community of Sunbury.

We carefully considered feedback from the Sunbury community, and I was pleased to recently announce that Sunbury residents will be able to travel to and from Melbourne on all V/Line trains except for two PM peak services. This will allow Sunbury residents to use spare capacity on V/Line services, whilst also ensuring there is capacity available for passengers travelling to stations further along on the Bendigo line.

I also announced that an additional 73 trains per week will be extended to Sunbury station, including all services after 7.00 pm. Furthermore, Sunbury will benefit from all-night trains on weekends as part of the Night Network Trial in 2016.

This represents a significant boost to train services for Sunbury residents, and I want to thank the local member again for his advocacy for the Sunbury community.

Sandringham electorate**Question 6329**

Question asked by: Member for Sandringham
Directed to: Minister for Public Transport
Asked on: 10 November 2015

REPLY:

The Andrews Government is committed to improving access and accessibility in and around public transport to ensure that people can get to where they need to safely and efficiently.

In relation to safe and secure access to the Sandringham station from the car park, Metro Trains Melbourne and Public Transport Victoria will continue to monitor the situation.

Yan Yean electorate**Question 6330**

Question asked by: Member for Yan Yean
Directed to: Minister for Public Transport
Asked on: 10 November 2015

REPLY:

New school bus services will run from Doreen to Diamond Valley College and St Helena Secondary College from late January 2016.

The two new services, one for each high school, will run from South Morang and travel through Doreen before heading south to the schools.

As part of its ongoing program to improve local bus networks, Public Transport Victoria (PTV) has prepared a proposal for a new public bus network in South Morang, Mernda and Doreen in the City of Whittlesea. The proposal builds on a number of commitments outlined in Labor's Plan for Victoria's Bus Network.

Community information sessions were held in late 2015 and I thank the member for Yan Yean for her involvement in the consultations.

The introduction of new bus routes is planned for mid-2016.

Melbourne electorate**Question 6431**

Question asked by: Member for Melbourne
Directed to: Minister for Consumer Affairs, Gaming and Liquor Regulation
Asked on: 11 November 2015

REPLY:

I am advised that:

The government is committed to improving the regulation of high-rise apartment buildings so that residents and property are protected from unruly short stay parties.

Living in apartment buildings can be difficult, with neighbours above, below and to the sides and there are sometimes competing interests between owners of short-stay apartments and other residents.

Most short-stay occupants do not cause trouble and make an important contribution to tourism. However, unruly short stay parties can affect the amenity of apartment living. Under current laws it is difficult to hold people accountable for the problems and damage these parties cause.

The government appointed an independent expert panel to examine all the issues and recommend ways to improve the situation. The panel looked at what other cities in Australia and around the world are doing about the issue.

The government has accepted the panel's recommendation to consult with the bodies represented by its members on its preferred solution.

The government is considering the outcomes of that consultation.

Eltham electorate

Question 6476

Question asked by: Member for Eltham
Directed to: Minister for Housing, Disability and Ageing
Asked on: 12 November 2015

REPLY:

The National Disability Insurance Scheme is a great Labor achievement delivered in close partnership with the community. Just like Medicare changed the way health care was delivered, the National Disability Insurance Scheme will change the way disability services are provided.

The scheme will provide greater choice and control to people with a disability so they can access the support they need, when they need it, allowing them to live more independently and have more fulfilling lives. It will ultimately afford people with a disability with the same opportunities as others to participate in community life.

The historic agreement signed in mid-September 2015 by the Premier and the Prime Minister will make the NDIS a reality in Victoria. This agreement sets out the pathway to build a better future for Victorians with a disability. Under this agreement, more than \$5 billion will be invested in the NDIS in Victoria, with the Victorian Government contributing \$2.5 billion at full scheme.

Moving to the NDIS will significantly increase the number of Victorians with a disability receiving support. At full roll out, an estimated 105 000 Victorians will be supported, an increase of 25 000. The scheme will also provide increased employment opportunities within the disability sector workforce which is expected to increase as the NDIS is rolled out.

You may be aware that the NDIS will progressively roll out in Victoria over three years from 1 July 2016. North East Melbourne will be the first area to transition and it is expected that over 10 000 people with a disability will benefit at full scheme. North East Melbourne covers most of the Eltham electorate and includes the local government areas of Banyule, Darebin, Nillumbik, Whittlesea and Yarra.

To enable transition to the NDIS, the Victorian Government is focused on supporting participants by facilitating the development of a high quality disability sector and maintaining a skilled and experienced workforce. In line with this commitment, on 1 December 2015, the government announced a \$10 million NDIS Transition Support Program to support participants, providers and staff to transition to the NDIS.

South Barwon electorate

Question 6479

Question asked by: Member for South Barwon
Directed to: Minister for Public Transport
Asked on: 12 November 2015

REPLY:

PTV will review the Geelong bus network which was introduced in June 2015 to ensure that the network is meeting passenger needs and determine whether further adjustments to bus services and routes is required. This includes bus routes in Highton.

Mount Pleasant Road in Highton is the most direct route and an important thoroughfare for a bus service in the neighbourhood. Any changes to bus routes would take time to implement, and as such, bus infrastructure across the network is still required to support passengers currently using services in Highton and the wider Geelong area.

Gippsland East electorate

Question 6481

Question asked by: Member for Gippsland East
Directed to: Minister for Public Transport
Asked on: 12 November 2015

REPLY:

Public Transport Victoria provides free school bus services in accordance with service provision and travel eligibility policies set by the Department of Education and Training.

This question should be redirected to the Minister for Education, the Hon James Merlino.

Thomastown electorate

Question 6482

Question asked by: Member for Thomastown
Directed to: Minister for Local Government
Asked on: 12 November 2015

REPLY:

I was delighted to recently announce that Thomastown, within the City of Whittlesea, is home to three projects which received grants in the initial round of funding for the Interface Growth Fund, totalling \$4.6 million. These are:

- Barry Road Community Centre (\$2.60m towards a 3.75m project)
- Lalor Tennis Community Pavilion Development Project (\$1.25m towards a \$3.02m project)
- Epping Services Hub — Infrastructure for Integrated Community Service (\$0.78m towards a \$1.54m project)

I was fortunate to make my announcements of the successful City of Whittlesea projects at the Barry Road Community Centre and to experienced firsthand the importance of these types of facilities to communities. The Barry Road Community Centre is an ageing council facility which will be transformed to provide a refurbished community activity centre. With the construction of an additional meeting room, expansion of the existing hall and improvements to access and amenity the centre will be well placed to serve the needs of the local community into the future.

This project will benefit over 800 people who use the facility weekly, particularly seniors from culturally and linguistically diverse backgrounds. It is expected to be completed in early 2017.

The Lalor Tennis Community Pavilion Development Project will deliver Stage Two of the four stage Lalor Tennis Club Redevelopment to reflect community connections with the local Aboriginal and Torres Strait Islander and diverse multi-cultural communities. Interface Growth Funding will bring forward the construction of the Multi-Use Community Pavilion, a culturally appropriate outdoor social gathering space and the modular construction of new multi-purpose clubrooms that will provide fit for purpose spaces for administration, community meetings, a kitchen/kiosk, two family change amenities, universal toilets and internal/external storage spaces. The project is expected to be completed in late 2016.

The Epping Services Hub project will redevelop an existing facility to enable an integrated service hub which will deliver a range of complementary and related services to the Whittlesea community. The building will bring

together Council and community services and providers to deliver a partnership approach to service delivery in the Epping and surrounding areas and is expected to be completed by the middle of 2016.

These three projects combined with the 23 other projects funded through the initial Interface Growth Fund investment across all ten interface councils will enable councils to begin a program of work to deliver the types of infrastructure communities need to deliver economic benefits, provide local jobs and improve access to services for growing communities.

I'd like to thank the Member for Thomastown for the wonderful advocacy work she has done for her community. Her hard work has ensured her constituents are benefitting from a range of investments in the local area under the Andrews Labor Government.

Narre Warren South electorate

Question 6484

Question asked by: Member for Narre Warren South

Directed to: Minister for Health

Asked on: 12 November 2015

REPLY:

I thank the Member for Narre Warren South for the question regarding the Casey Hospital Expansion. The Andrews Labor Government provided \$106.3 million in the 2015-16 State Budget to expand Casey Hospital. The project is in the planning stages and work is progressing well.

The Department of Health & Human Services has been working in partnership with Monash Health to deliver this commitment and together have been undertaking the necessary planning work required to inform the building design for this exciting expansion.

After four years of cuts and underinvestment in hospital capital under the former Liberal Government, Casey hospital is calling out for the higher acuity services this project will deliver. This includes a 12 bed intensive care unit, 64 additional inpatient beds, and a day surgery unit.

The delivery of this vital expansion to Casey Hospital will significantly enhance the delivery of health services to the local area, an area that is experiencing unprecedented growth.

Bayswater electorate

Question 6494

Question asked by: Member for Bayswater

Directed to: Minister for Public Transport

Asked on: 24 November 2015

REPLY:

The decision of the Liberal Opposition and the Member for Bayswater to oppose the Andrews Labor Government's removal of 50 of Victoria's worst level crossings, including the level crossing at Mountain Highway, is understood.

Since the announcement that work to remove level crossings at both Mountain Highway and Scoresby road would start in 2016 the Level Crossing Removal Authority (LXRA) has engaged the local community via four information sessions and additional meetings with traders and community groups.

There is a high level of community support for these removal of the level crossings and the feedback provided by the community is being assessed by the LXRA.

The proposed design at Mountain Highway has the support of VicRoads and Knox City Council and fits in with Council's vision for a more cohesive and activated community precinct.

While the Liberal party continues to try and block the removal of the 50 level crossings in parliament, the Andrews Labor Government is getting on with the job of removing these congested death traps.

Pascoe Vale electorate

Question 6495

Question asked by: Member for Pascoe Vale
Directed to: Minister for Public Transport
Asked on: 24 November 2015

REPLY:

I would like to thank the Member for Pascoe Vale for her positive feedback on the improvements already made to public transport under the Andrews Labor Government.

Public Transport Victoria is currently analysing options for tram routes 55, 1 and 6 based on feedback from consultation sessions and network considerations.

I look forward to updating the Member for Pascoe Vale in due course.

Lowan electorate

Question 6496

Question asked by: Member for Lowan
Directed to: Minister for Agriculture
Asked on: 24 November 2015

REPLY:

The Victorian Government has closely monitored the impact of deteriorating seasonal conditions and conducted extensive consultation with impacted communities over the past 18 months.

On 15 November 2015, the Premier, Minister Neville and I announced a targeted drought response package to support producers and communities impacted by drought.

The package includes:

- \$1.5 million for a Drought Extension Program to help farmers make necessary on-farm decisions such as de-stocking, animal health and welfare, feed budgeting, land management, irrigation and water use efficiency;
- \$1 million for the Catchment Management Authority Drought Employment Program which will provide local employment for people directly affected to undertake works on key environmental projects;
- \$400 000 to support ten Local Governments to deliver targeted social support for drought affected households, businesses and communities through community led events and activities;
- \$220 000 to deliver Mental Health First Aid training across the ten identified drought affected local council areas and implement local community engagement and support measures;
- \$270 000 for additional Rural Financial Counsellors;
- \$300 000 from the State Schools Relief program to provide families in drought affected communities with uniforms, shoes and other school items;
- \$960 000 to support kindergarten participation in drought affected communities;
- \$5.8 million from the Camps, Sports and Excursions Fund to ensure kids in drought affected regions don't miss out on these important educational experiences;

- \$1 million worth of local community infrastructure projects in drought affected areas to be fast-tracked through the \$500 million Regional Jobs and Infrastructure Fund;
- \$1.1 million to increase water supply to remote towns not connected to a secure water supply;
- \$150 000 to extend the Wimmera Mallee Pipeline to increase water supply to properties within the southern Wartook Valley which is currently without a secure raw water supply; and
- \$1.2 million to undertake critical maintenance of key roads in drought affected regions to improve safety and support efficient and cost effective movement of freight.

In addition to the targeted package, a further \$10 million fund has been established to support a broader community driven response.

Community consultation is now open for suggestions around the sorts of measures that will be of most benefit to support individuals and communities through this time.

The online forum is open until 31 January 2016 and can be accessed at - <http://oursay.org/victoriandrought>

Narracan electorate

Question 6498

Question asked by: Member for Narracan
Directed to: Minister for Regional Development
Asked on: 24 November 2015

REPLY:

Regional Victoria's best days are in front of it. The Andrews Labor Government is helping your constituents in West Gippsland and the Latrobe Valley to recover from four years of Coalition cuts to local schools, hospitals and services.

The Andrews Government has established the \$500 million Regional Jobs and Infrastructure Fund to support major projects, create the jobs and industries of the future, and build stronger regional communities.

Labor is also investing in industries of the future and the projects we need, harnessing the strength of our communities to attract more families, create more jobs and get regional Victoria back on track.

On 17 November 2015, the Government unveiled Victoria's Regional Statement, a new vision for country Victoria that will also change the way government works with the Gippsland region.

Through the Regional Statement's initiatives, local communities will have a stronger voice in government decision-making by directing priorities identified by local people, straight into the heart of the Labor Government's agenda.

The centrepiece of the Statement is the establishment of nine new Regional Partnerships across the state, with representatives from community, business, and all three levels of government.

The new Gippsland Region, which encompasses Bass Coast Shire, Baw Baw Shire, East Gippsland Shire, Latrobe City, South Gippsland Shire and Wellington Shire, will have its own Regional Partnership; ensuring government decisions and investments reflect the priorities of the families, workers and businesses in Gippsland.

The Statement also outlines a number of key new initiatives that will put the Government back to work for Gippsland.

As the media release to which the Member refers clearly outlines, Labor is investing \$20 million in the next stage of the Macalister Irrigation District project; and developing a \$34 million Regional Skills and Training package that will help communities across regional Victoria, particularly disadvantaged groups and areas, access the training they need to get the jobs they want.

The Government is also getting on with delivering better mobile reception for V/Line travellers along the Gippsland line; and investing up to \$25 million to upgrade 'first and last kilometre' routes across regional Victoria through the Agriculture Infrastructure and Jobs Fund, growing local agriculture by cutting travel times and costs for Gippsland producers.

The Andrews Labor Government is putting government back to work for Gippsland with a commitment to create jobs, provide a better start for young people, and ensure a brighter future for local families and communities.

Narre Warren South electorate

Question 6499

Question asked by: Member for Narre Warren South
Directed to: Minister for Roads and Road Safety
Asked on: 24 November 2015

REPLY:

Since the announcement of this project, VicRoads has been actively progressing the assessment of treatment options, detailed design, land acquisition and preparation of construction contracts.

The options investigated for mitigating the road safety concerns at this site included the signalisation of the intersection as well as the installation of a roundabout. The installation of a roundabout is the preferred treatment, as it provides greater safety and operational benefits than a signalised intersection treatment.

The process for acquisition of the necessary land has commenced and VicRoads has met with affected property owners to advise them of the likely impact of the project on them. VicRoads is currently defining the land required to upgrade this intersection and is seeking the relevant valuations.

VicRoads is also currently finalising details for relocation of power cables and other services necessary for construction of the roundabout.

Detailed design of the new roundabout is well progressed and subject to finalisation of the land acquisition, construction is expected to commence mid-2016 and be completed mid-2017.

Ripon electorate

Question 6502

Question asked by: Member for Ripon
Directed to: Premier
Asked on: 24 November 2015

REPLY:

Since the election in November 2014 over 72 050 jobs have been created in Victoria.

Over the same period the unemployment rate has fallen from 6.7 percent to 5.6 percent. Victoria currently has the second lowest unemployment rate of the states. Throughout October — Victoria accounted for almost half the jobs created in Australia.

This is in stark contrast to the record of the former government where unemployment rose from 4.9 percent to 6.7 percent.

The economy is growing at 2.5 percent, up from 1 percent in the previous year.

Victorian growth is outpacing NSW for the first time since 2008.

Brighton electorate**Question 6528**

Question asked by: Member for Brighton
Directed to: Minister for Emergency Services
Asked on: 25 November 2015

REPLY:

The Victorian Government greatly appreciates the important role of volunteer lifesavers in protecting the community in and around water. I am aware that the Brighton Life Saving Club with over 600 members, has a proud tradition and history of providing essential surf lifesaving services to the public for over 80 years. The Brighton Life Saving Club plays a vital role in community wellbeing and safety. The government will continue to work with Life Saving Victoria (LSV) to examine options relating to the redevelopment of clubhouses.

As you would be aware, the Volunteer Emergency Services Equipment Program (VESEP) is an ongoing program funded by the Victorian Government, which provides local emergency services volunteer groups, including Life Saving Victoria clubs access to grants for operational equipment, vehicles, trucks, tankers, watercraft, trailers and minor facility improvements. The Brighton Life Saving Club has been the beneficiary of \$47 638 in VESEP grants between 2011 and 2015, towards the purchase of operational and rescue equipment.

I also note that the government continues to provide substantial funding annually to Lifesaving Victoria for a variety of activities and programs. Of this funding, \$5000 is allocated to each club towards its administration. I encourage the Brighton Life Saving Club to continue to explore options available in collaboration with LSV.

Narre Warren South electorate**Question 6529**

Question asked by: Member for Narre Warren South
Directed to: Minister for the Prevention of Family Violence
Asked on: 25 November 2015

REPLY:

I was very pleased to join the Member for Narre Warren South in launching the Say No to Family Violence campaign on 19 June 2015.

This campaign has contributed to raising awareness on the impact of family violence, with the pursuit of eradicating it. Partnerships between community organisations, sporting clubs and Kambrya College have provided the foundation of this successful campaign. I thank the Narre Warren South community for their commitment to eliminating this violence and sending a clear message of support to those who have been impacted by this harm.

Throughout its public hearings, the Royal Commission into Family Violence heard evidence directly on the importance of influencing change across the community. This module demonstrated the value in engaging a range of universal platforms, including our schools, to encourage respectful attitudes towards women and children. The Royal Commission is due to deliver its report and recommendations in March 2016.

I am proud that Victoria is the first Australian state to join the United Nations endorsed Unite: 16 Days of Activism Campaign. The events held across the community as part of this campaign provided an opportunity to highlight the devastating impact that family violence has on the lives of many individuals. As part of the campaign, the Victorian Labor Government allocated funding to the Women's Health Association of Victoria and to the Family Violence Regional Integration Committees to raise awareness about family violence through local action.

I will be attending the Say No to Violence vigil and I would like to thank the Member for inviting me to join her. The vigil will provide an opportunity for the Narre Warren South community to again unite against this harm and reflect on its impact.

Gippsland South electorate**Question 6530**

Question asked by: Member for Gippsland South
Directed to: Minister for Emergency Services
Asked on: 25 November 2015

REPLY:

The Victorian Government greatly values the work of Country Fire Authority (CFA) volunteers including those volunteers of the Foster, Mirboo and Yarram CFA brigades who selflessly devote their time and skills to promote the safety and wellbeing of the community. The government is committed to providing a safe environment for volunteers to carry out their work through the provision of enhanced equipment and facilities.

The Victorian Government is committed to strengthening Victoria's emergency services response by investing in major upgrades to CFA assets. The government's 2015-16 Budget initiatives include commencing the recruitment of an additional 350 CFA career firefighters; new CFA stations and upgrades; installation of toilet and washroom facilities at up to 100 rural CFA stations; delivery of 70 trucks comprising of 40 heavy tankers, 20 medium tankers and 10 medium pumpers; and expansion of the Emergency Medical Response Program across the CFA's integrated brigades.

Additionally, the Volunteer Emergency Services Equipment Program (VESEP) provides funding for operational equipment, vehicles, watercraft, trailers and minor facility improvements. This ongoing program, funded by the Victorian Government, provides local emergency services volunteer groups including CFA brigades, access to grants of up to a maximum of \$100 000 excluding GST. For more information call the VESEP liaison officer at Emergency Management Victoria on (03) 8685 1309 or email vesep@emv.vic.gov.au.

As conveyed to you previously, CFA has identified that the fire stations in Foster and Mirboo North are in need of upgrade and they have been placed on its District Capital Works list for potential future development.

The CFA has advised that Yarram is included in its 5-Year base capital works program for a replacement station project to commence in the 2019 financial year. The CFA has also advised that priorities for district 10 may change affecting the timeframe for a replacement station for Yarram.

Frankston electorate**Question 6533**

Question asked by: Member for Frankston
Directed to: Minister for Environment, Climate Change and Water
Asked on: 25 November 2015

REPLY:

I thank the Member for his question.

The Andrews Labor Government has provided funding and support to the FNCR CoM to ensure this site can be opened up and enjoyed by the community as soon as possible.

The work has progressed a great deal in spite of delays related to the discovery, and safe removal of asbestos and ensuring safety around the water body.

The Committee of Management advise that the Nature Conservation Reserve will likely open to the public in January 2016.

Prahran electorate**Question 6534**

Question asked by: Member for Prahran
Directed to: Minister for Public Transport
Asked on: 25 November 2015

REPLY:

I am advised that the intersection identified at this location is signalised, with the tram stop being a regular kerbside stop. There are three lanes of traffic heading east, two straight through lanes and a combined through and left turning lane.

Passengers alighting at the stop are reminded to look before alighting the tram. Passengers boarding should follow the road rules and signal to the tram driver to stop, while checking to see the road is clear of traffic before crossing to the tram. There are decals at the doorways with the Rhino logo advising passengers to take care when getting off the vehicle.

Under current road rules, car drivers are obliged to obey all road rules including stopping behind a stationary tram. Drivers failing to do this will have their registrations noted down and passed on to Victoria Police.

I have requested that PTV continues to work with relevant safety authorities and Yarra Trams to continue to monitor the tram stop.

Ivanhoe electorate**Question 6535**

Question asked by: Member for Ivanhoe
Directed to: Minister for Planning
Asked on: 25 November 2015

REPLY:

The Government has made an election commitment to introduce a new Yarra River protection Bill and to establish a trust to guard the Yarra river from inappropriate development and promote the river's amenity and significance. Community engagement will be a key part of the project.

We have already engaged with councils regarding the planning control reforms and changes to the Statement of Planning Policy Framework for the Yarra River. The governance for the project includes a Stakeholder Reference Group. This group will comprise representatives from 11 councils, Melbourne Water, Parks Victoria, EPA, Port Phillip and Westernport Catchment Management Authority, Environmental Justice Victoria, Wurundjeri Registered Aboriginal Party and the Yarra Riverkeepers Association. Mr Andrew Kelly, President of the Yarra River Keepers Association, has accepted his invitation to be a member of the Yarra River Protection Reference Group.

There will also be further opportunities for community engagement following the release of a discussion paper in the first part of 2016.

Oakleigh electorate**Question 6537**

Question asked by: Member for Oakleigh
Directed to: Minister for Consumer Affairs, Gaming and Liquor Regulation
Asked on: 25 November 2015

REPLY:

In late October 2015, I launched the Consumer Affairs Victoria (CAV) Travelling Con Men campaign that will run until the end of January 2016. CAV partners with Crime Stoppers Victoria (CSV) to raise community awareness around travelling con men so consumers can protect themselves from these scams.

The 2015-16 awareness campaign includes suburban and regional communications targeting vulnerable and disadvantaged people. Activities that will reach the Member's constituents include:

- reporting con men activities to the local press
- releasing online updates on Crime Stoppers Victoria website, Victoria Police 'Eyewatch' local community Facebook pages, Neighbourhood Watch website, local council online communication channels and CAV's social media accounts
- placing advertisements in local papers including the Oakleigh Monash Leader, Whitehorse Leader, Moorabbin Kingston/Glen Eira Leader, Knox Leader and Cranbourne Leader
- a translated print advertisement into five languages (Greek, Italian, Mandarin, Arabic, Vietnamese)
- running a radio commercial across a selection of ethnic media outlets
- running Travelling Con Men information segments on local eastern radio (Eastern FM)
- conducting Travelling Con Men presentations across Victoria including in Melbourne's outer eastern suburbs.

We have also released a news article in 10 languages for community media publications, and distributed a news alert to community and mainstream radio stations and newspapers, to highlight the commencement of the travelling con men season.

CAV also seeks to disrupt travelling con men by sharing information with the relevant enforcement agencies, such as Victoria Police and Department of Immigration and Border Protection.

To help us warn your constituents please share the CAV campaign through your networks. We seek your help in getting the message out to your communities to help protect them from unscrupulous con men.

Gembrook electorate**Question 6635**

Question asked by: Member for Gembrook
Directed to: Minister for Roads and Road Safety
Asked on: 8 December 2015

REPLY:

VicRoads met with the President of the Upper Beaconsfield Association onsite in mid 2015 to discuss his concerns regarding the site.

Maintenance responsibilities for this area are shared between VicRoads and Melbourne Water, and VicRoads has subsequently met with Melbourne Water on two occasions to discuss the immediate remedial works. I am pleased to inform you that VicRoads has undertaken considerable clean-up efforts to ensure entry into the site is safe, and that illegal four-wheel drive access is deterred.

VicRoads has communicated its works program to the Upper Beaconsfield Association on a number of occasions and will endeavour to meet with the group and Melbourne Water in the coming weeks to discuss the ongoing management of the site.

Essendon electorate

Question 6636

Question asked by: Member for Essendon

Directed to: Treasurer

Asked on: 8 December 2015

REPLY:

Thank you for your question Mr Pearson.

I am grateful for your invitation, and would be happy to speak to employers in your electorate about the Back to Work Scheme. I am sure the Scheme will offer valuable support for employers in the Essendon electorate. My office will be in touch to arrange a suitable time and date.

The Back to Work Scheme (the Scheme) provides financial assistance to employers hiring persons who are disadvantaged in the labour market. The Scheme has recently been expanded to improve access to support for several disadvantaged groups, and to further support job creation for all Victorians.

Employers will receive a significant increase in Government funding for taking on eligible job seekers employed after 1 November 2015. Employers will receive:

- up to \$12 000 (increased from \$2000) when they hire long-term unemployed workers;
- up to \$7000 (increased from \$1000) when they hire workers retrenched from the Automotive industry;
- up to \$5000 (increased from \$1000) when they hire retrenched workers, out-of-trade apprentices or young people aged between 15 and 25 who have been unemployed for three months or more.

In addition, up to \$4000 will be available to reimburse employers who provide accredited training after 1 November 2015 to an eligible job seeker employed after 1 April 2015. This will be on top of any other payment provided through the Back to Work Scheme.

I am pleased to note that the government is also providing increased support into employment for persons in social housing estates, such as estates in Flemington and Ascot Vale. Along with the increased payments, the Scheme has been expanded to explicitly include a number of disadvantaged groups as eligible employees. Hire of these employees will attract payment of up to \$5000. In particular, employers who hire social housing tenants from 1 November 2015 will be able to access a Back to Work payment.

Other categories of eligible employees now included are apprentices and trainees, Aboriginal and Torres Strait Islanders, disability pensioners, persons from drought-affected farm households, refugees, sole parent pensioners, current or recent youth justice clients, young persons in or exiting out of home care and current or recent criminal justice clients. In order to further encourage employment of persons in these groups, employers will not need to prove prior unemployment to claim a Back to Work payment for these hires.

Thank you for your interest in the Back to Work Scheme.

Ovens Valley electorate**Question 6637**

Question asked by: Member for Ovens Valley
Directed to: Minister for Roads and Road Safety
Asked on: 8 December 2015

REPLY:

VicRoads advises me that over the past five years, there have been 16 crashes recorded on the Murray Valley Highway between Cobram and Yarrawonga (one fatality, five serious injury and 10 other injury crashes). Two of the crashes were head-on collisions, while a majority of the crashes were a result of vehicles leaving the road.

VicRoads is currently developing a road safety proposal to improve the safety of this section of the highway for consideration under the Transport Accident Commission's Safe System Road Infrastructure Program. The proposal includes shoulder sealing, tactile edge lines and left-side barriers at high risk locations, to protect motorists from leaving the road and colliding with road-side hazards.

Yuroke electorate**Question 6638**

Question asked by: Member for Yuroke
Directed to: Minister for Local Government
Asked on: 8 December 2015

REPLY:

Thank you for your question regarding the Interface Growth Fund. This funding will enable councils to begin a program of work to deliver the types of infrastructure communities need to deliver economic benefits, provide local jobs and improve access to services for growing communities.

I was delighted to announce \$500 000 from the IGF for the construction of the Annadale Interim Community Centre. Construction is expected to commence in mid 2016, and be completed by late 2017. The centre will contribute to local job creation and economic development, deliver strong social benefits, reduce disadvantage, and improve liveability. Early years activities and community programs will be accommodated by the centre as it will include a pre-school room, maternal and child health room, multi-purpose community meeting space, waiting room, kitchen, and staff resource area.

This investment from the Interface Growth Fund will assist Hume City Council to bring forward important community services and infrastructure to support the community.

I look forward to working with the Member and Hume City Council to deliver outcomes that matter most to communities.

Nepean electorate**Question 6639**

Question asked by: Member for Nepean
Directed to: Minister for Environment, Climate Change and Water
Asked on: 8 December 2015

REPLY:

On 24 December 2012, Melbourne Water completed the Eastern Treatment Plant upgrade to enable tertiary treatment of wastewater in order to comply with the Environment Protection Authority's (EPA) requirement to improve the quality of the plant's discharge via the South Eastern Outfall into Bass Strait at Boags Rock (also known as Gunnamatta).

A significant side benefit of the upgrade is the availability of high quality wastewater for a wide range of re-use purposes. Melbourne Water already supplies customers with this 'Class A' equivalent recycled water, including to the Eastern Irrigation Scheme. The Government will continue to work with Melbourne Water and the community to explore future opportunities as they emerge.

Footscray electorate

Question 6640

Question asked by: Member for Footscray
Directed to: Minister for Health
Asked on: 8 December 2015

REPLY:

The Andrews Labor Government is committed to introducing statutory recognition of advanced care directives to give Victorians a greater say over their future treatment and their end of life care.

The Government has recently released the 'Greater say for Victorians: Improving end of life care' discussion paper that examines how palliative care services can be improved and the development of an end of life framework. More information about this discussion paper can be found at <http://www.betterendoflife.vic.gov.au/>

This discussion paper and the public consultation will inform the development of an end of life framework. This new framework will give all Victorians, including Mr Given, a greater say over their end of life care.

In addition to this work, the Victorian Parliament's Legal and Social Issues Committee is currently conducting the Inquiry into End of Life Choices.

The due date for tabling of the final report of this inquiry is 31 May 2016.

The Committee's terms of reference include examination of all issues around end of life care including palliative care, the practices of physicians assisting at this stage, practices in other jurisdictions and the current legislative framework.

Pascoe Vale electorate

Question 6642

Question asked by: Member for Pascoe Vale
Directed to: Minister for Roads and Road Safety
Asked on: 8 December 2015

REPLY:

VicRoads submitted the speed limit reduction project proposal for funding consideration under the Transport Accident Commission's Safe System Road Infrastructure Program. This proposal is currently being considered in the context of other statewide priorities.

Further consultation is proposed with the broader community to discuss the benefits and impacts of a 40km/h speed limit, and whether the speed limit should be permanent or time-based. This further consultation is proposed to commence by March 2016 and be completed by mid-2016.

Following your meeting with Mr Vince Punaro, VicRoads' Regional Director, Metropolitan North West on 11 September 2015, VicRoads reviewed the operation of the pedestrian traffic signals adjacent to the Coburg Primary School. The traffic signals had been previously adjusted to increase crossing times for pedestrians. The subsequent investigations revealed that the crossing is operating at its optimum capacity.

Rowville electorate**Question 6643**

Question asked by: Member for Rowville
Directed to: Minister for Environment, Climate Change and Water
Asked on: 8 December 2015

REPLY:

Melbourne Water conducts fortnightly water quality monitoring for Blue-green algae at the lakes. To date this summer (2015-16), monitoring has not detected Blue-green algae above acceptable limits.

Melbourne Water's monthly maintenance schedule, involves inspecting the perimeter of all three lakes and removing debris and litter. Melbourne Water's latest inspection, in mid-January 2016, showed that the lakes are functioning as designed.

Narre Warren South electorate**Question 6644**

Question asked by: Member for Narre Warren South
Directed to: Minister for Roads and Road Safety
Asked on: 8 December 2015

REPLY:

Glasscocks Road is a local road managed by the Casey City Council. The council is responsible for constructing the missing sections between the Western Port Highway and Clyde Road.

VicRoads expects that the easterly extension of Glasscocks Road from Narre Warren-Cranbourne Road to The Promenade to occur as part of the development of the Casey Central Town Centre precinct. VicRoads is also aware that the Casey City Council is currently developing options for the construction of the westerly extension of Glasscocks Road from the South Gippsland Highway to Sherwood Road, including the installation of signals at the South Gippsland Highway intersection.

The Government has also committed to the completion of the duplication of Thompsons Road, between EastLink and Clyde Road, and the removal of the railway level crossing. This upgrade to this critical east-west corridor, located just south of Glasscocks Road, will improve accessibility in the surrounding area.

VicRoads will continue to work collaboratively with the Casey City Council on the future development of the various sections of Glasscocks Road.

Warrandyte electorate**Question 6650**

Question asked by: Member for Warrandyte
Directed to: Minister for Education
Asked on: 9 December 2015

REPLY:

The Andrews Labor Government is committed to supporting schools in the effective management of their assets, which includes capital works projects at some schools. This is why we have committed to investing in education and school infrastructure, and this has been demonstrated through the allocation of \$730 million to school facilities in the 2015-16 State Budget.

I am aware of the infrastructure requirements of Donvale Primary School and our challenge is to responsibly balance and prioritise the needs of over 1500 government schools in Victoria, all in varying condition.

The infrastructure needs of all schools, including Donvale Primary School, will be considered through the State Budget process and when determining future priorities for the capital works program.

Yan Yean electorate

Question 6651

Question asked by: Member for Yan Yean
Directed to: Minister for Roads and Road Safety
Asked on: 9 December 2015

REPLY:

Yan Yean Road between Kurrak Road and Bridge Inn Road has recently been declared as a state arterial road. The declaration was listed in the Victorian Government Gazette dated 8 December 2015.

Mildura electorate

Question 6652

Question asked by: Member for Mildura
Directed to: Minister for Regional Development
Asked on: 9 December 2015

REPLY:

The Victorian Labor Government has long recognised the significance of the Mildura Airport, having previously provided funding totalling \$6 320 000 through the Regional Infrastructure Development Fund across two separate projects, including: terminal extensions and upgrades, relocation of refuelling areas, strengthening works to pavement of apron and taxiway C & D and sealing of the main runway shoulders.

As the NSRF Round 2 announcements were only made on Monday 7 December, detailed discussions about State funding support for the lengthening of the runway have only recently commenced. However, the Andrews Labor Government has committed to delivering a range of new initiatives to assist Victorian business adapt and grow, including:

- \$500 million in strategic investment to be guided by the Premier's Jobs and Investment Panel;
- A \$500 million Regional Jobs and Infrastructure Fund (RIJF) to support investment in regional Victoria; and
- A \$200 million Future Industries Fund to support business investment in high growth industries.

RDV and Mildura Airport are currently discussing the proposal to lengthen Runway 09/27.

Niddrie electorate

Question 6653

Question asked by: Member for Niddrie
Directed to: Attorney-General
Asked on: 9 December 2015

REPLY:

I am advised that:

The announcement on 2 December 2015 related to grant funding for a project to enable online applications for family violence intervention orders.

The initiative helps victims of family violence by allowing them to begin the intervention order process without having to go into court or to the police. An affected family member could make their application from a remote and

safe location, whether that be at home, a friend's or family member's home, at a support or legal service, or anywhere they can access the internet.

The online form is structured differently from the current paper-based form, and is designed to be more user-friendly. Risk levels can be automatically flagged through the online system. This enables court staff to easily identify and prioritise high-risk cases as soon as they receive the applications. After an online application is submitted, court staff will contact the applicant about the next steps in the intervention order process.

This initiative is an expansion of the online form currently piloted at the Neighbourhood Justice Centre in the City of Yarra since mid-2015. The funding will allow a 12-month pilot of the form to be rolled out to an additional two venues of the Magistrates' Court. I am advised that roll out to these additional venues, which are yet to be selected, is anticipated by July 2016.

This limited roll out will enable us to assess any advantages and disadvantages to using the online form.

Brighton electorate

Question 6654

Question asked by: Member for Brighton
Directed to: Minister for Public Transport
Asked on: 9 December 2015

REPLY:

Protective Services Officers are the responsibility of Victoria Police. As such, this question should be directed to the Minister for Police, the Hon Wade Noonan MP.

Carrum electorate

Question 6655

Question asked by: Member for Carrum
Directed to: Minister for Consumer Affairs, Gaming and Liquor Regulation
Asked on: 9 December 2015

REPLY:

I am advised that:

The Victorian Government launched its review of the Residential Tenancies Act 1997 (the Review) in June 2015. It is part of the government's broader Plan for Fairer, Safer Housing, which aims to ensure that all Victorians have access to safe, affordable and secure housing.

The Review is being conducted in four stages over three years and will determine how regulation can best meet the current and future needs and expectations of landlords and tenants in the modern rental market.

Stage 1 of the Review involved the release of the consultation paper 'Laying the Groundwork', which examined the changing characteristics and trends in the Victorian rental market over the period 1996 to 2012. Over 50 submissions were received in response to this paper.

Stage 2 of the Review involves the release of six issues papers that will seek community feedback on matters that are key to producing effective housing outcomes. Many of these matters will be relevant to retirement housing accommodation as they concern, among other matters, security of tenure and protections for residents of residential and caravan parks. The issues paper on security of tenure was released in October 2015 while the issues paper on community housing models and alternative forms of tenure is scheduled for release early in 2016. The other issues papers will focus on themes including the rights and responsibilities of landlords and tenants, property conditions and standards, rental charges and bonds, and dispute resolution.

The remaining stages of the Review will involve the release of an options paper in the middle of 2016 and proposals for legislative amendments in 2017-18.

A dedicated consultation website hub at fairersaferhousing.vic.gov.au/renting provides a way for the community to engage with the Review. The hub has detailed information about the Review and its progress. It also allows members of the public to make submissions, access the results of the public consultations to date, contribute to discussions and quick polls, and share their renting experiences through the 'Your Story' tool. To enhance the accessibility of the hub it has videos and information available in a number of languages.

Almost 500 individuals and organisations have registered with the hub to learn about, and contribute to the Review.

South-West Coast electorate

Question 6656

Question asked by: Member for South-West Coast
Directed to: Minister for Employment
Asked on: 9 December 2015

REPLY:

I can advise the Honourable Member that Regional Development Victoria (RDV) has been working closely with Porthaul, and I understand that the recruitment issues faced by the company have been resolved.

I am advised that Porthaul has been able to obtain all of the required drivers through in-house training and external recruitment.

Furthermore, I am advised that with harvest operations beginning in the coming weeks, new job vacancies will become available. RDV will be meeting with Porthaul during this period to offer assistance with the recruitment process.

Sunbury electorate

Question 6657

Question asked by: Member for Sunbury
Directed to: Minister for the Prevention of Family Violence
Asked on: 9 December 2015

REPLY:

I was very pleased that the Andrews Labor Government's Victoria Against Violence — 16 Days of Activism initiative attracted wide participation across all sections of the community and raised awareness about the various ways all of us can contribute to preventing family violence.

The events held across this campaign, especially Rosie Batty's keynote address at the Parliament of Victoria sent a strong message that this harm is not tolerated and victims are not alone.

In relation to taking part in Victoria Against Violence in an ongoing way, I encourage Sunbury constituents to participate in a range of events held by their local women's health organisations, Hume City Council and local community groups. I also refer them to the Victoria Against Violence website and online calendar to gain a deeper understanding of the calibre of events that took place in 2015.

Going forward, constituents in the Sunbury electorate could participate in any future Victoria Against Violence online social media campaigns using the hashtags #16days, #UniteandChange and #VictoriaAgainstViolence. Alternatively, they could host a morning tea; round table discussion; art show; film screening or partake in existing local fundraising events.

Another way to show support is to "Go Orange", the United Nations colour used to symbolise a bright and optimistic future free from violence against women and girls. Supporting this element of the campaign can be done

by wearing orange or displaying orange in the home, neighbourhood or workplace and encouraging others to do the same.

I would also like to acknowledge the support of Women's Health in the North (WHIN) who work on behalf of women in Melbourne's Northern Metropolitan Region, an area which includes Sunbury as part of Hume City Council. WHIN were very supportive of the 2015 campaign and facilitated the Clothesline Project on the steps of Parliament House and also in Queen's Hall. This initiative provided an opportunity for Members and those visiting Parliament to create T-Shirts featuring messages of gender equality and ending violence.

WHIN's Building a Respectful Community: Preventing Violence against Women in the North strategy, outlines the actions we all need to take to prevent violence against women. The vision and goals of this strategy has been endorsed by 50 partner organisations, including all community health services, local governments and primary care partnerships operating in the northern region of Melbourne.

I encourage the constituents in Sunbury to make enquiries within local family violence networks about the range of activities taking place in the region that focus on the prevention of family violence and encourage them to support local responses to the issue.

Sandringham electorate

Question 6658

Question asked by: Member for Sandringham
Directed to: Minister for Finance
Asked on: 9 December 2015

REPLY:

The former Highbury Gasworks is being prepared for sale by the Department of Treasury and Finance (DTF). This 6.33ha site is surplus to government requirements and was rezoned to Residential Growth by the Kingston Council in October 2014. In addition to the 5 percent open space contribution (3150 sqm) required under the planning scheme, DTF and Council have agreed that a further 2200 sqm will be set aside as open space to offset the 1400 sqm to be occupied by proposed new gas infrastructure at the adjoining Sir William Fry Reserve. This represents a significant open space contribution of approximately 4000 sqm for the benefit of the Kingston and Bayside communities.

Yuroke electorate

Question 6659

Question asked by: Member for Yuroke
Directed to: Minister for Education
Asked on: 9 December 2015

REPLY:

I am pleased to advise that a planning team was assembled earlier this year comprising various education technical professionals. This team has been working collaboratively with the architect to develop both the master plan and detailed design for the new Craigieburn North West Primary School.

The master plan and documentation stage has now been completed and the project was recently issued for tender and pricing by building contractors. The project tender closed on Thursday 3 December and the Department of Education and Training anticipates that a contract will be awarded shortly.

Bayswater electorate**Question 6666**

Question asked by: Member for Bayswater
Directed to: Minister for Education
Asked on: 10 December 2015

REPLY:

Pro Ark Architects have been engaged to work with the school and the Department of Education and Training to develop an approved project scope and complete design and documentation works prior to calling construction tenders.

I am advised that the project is currently at Design Development stage and architects have met with the school several times to fine tune the project requirements.

The Department will continue to liaise closely with the school throughout the remainder of the design and construction process to ensure delivery of an excellent outcome for the school.

Gippsland East electorate**Question 6668**

Question asked by: Member for Gippsland East
Directed to: Minister for Education
Asked on: 10 December 2015

REPLY:

The Andrews Labor Government is committed to investment in education and school infrastructure, and this has been demonstrated through the allocation of \$730 million to school facilities in the 2015-16 State Budget. Our challenge is to responsibly balance and prioritise the needs of over 1500 government schools in Victoria, all in varying condition. The infrastructure needs of Bairnsdale Secondary College and all Victorian government schools will be given serious and equitable consideration through future budget processes and when determining future priorities for the capital works program.

Victorian government schools are responsible for the ongoing maintenance of site infrastructure and buildings and are provided with funding for this through the Student Resource Package (SRP). In some cases, where damage to school facilities cannot be rectified within a school's budget, the Department of Education and Training will fund works to eliminate immediate hazards or to mitigate the risk of recurring damage with preventative maintenance.

I am advised that the Department has been in contact with Bairnsdale Secondary College regarding the issues you describe and that a total of \$50 000 was recently made available to the school in order to rectify the blockage of a storm water drain and further damage incurred as the result of a storm in November. The Department will continue to work closely with the school until these issues have been resolved.

I would be happy to visit Bairnsdale Secondary College when my schedule next permits.

Bentleigh electorate**Question 6669**

Question asked by: Member for Bentleigh
Directed to: Minister for Education
Asked on: 10 December 2015

REPLY:

I wish to commend East Bentleigh Primary School for the range of activities it is offering its students, such as the kitchen garden program. I am pleased to hear how beneficial these activities have been to the students, school and wider community, and would be pleased to visit the school.

Investment in education and school infrastructure is a priority for the Andrews Labor Government and it has used its first Education State Budget to allocate \$730 million to build, upgrade and maintain school infrastructure across the state.

I can assure you that the condition of buildings at all schools, including East Bentleigh Primary School, will be given fair consideration when determining priorities for future funding.

Evelyn electorate**Question 6670**

Question asked by: Member for Evelyn
Directed to: Minister for Roads and Road Safety
Asked on: 10 December 2015

REPLY:

The Lilydale Country Fire Authority Brigade is located in Hardy Street, a local road managed by the Shire of Yarra Ranges.

VicRoads, the shire and the Lilydale Country Fire Authority Brigade are working together to enable VicRoads to modify the traffic signals at the intersection of Hardy Street and Anderson Street to assist the brigade.

The shire is managing issues related to parking and the 'keep clear' markings.

Melbourne electorate**Question 6672**

Question asked by: Member for Melbourne
Directed to: Minister for Sport
Asked on: 10 December 2015

REPLY:

In March 2010, the Melbourne Cricket Ground Trust became the committee of management for Yarra Park as the result of amendments to the Melbourne Cricket Ground Act 2009 and the Melbourne (Yarra Park) Land Act 1980. I understand the Trust has delegated its functions and powers as the committee of management for Yarra Park reserve to the Melbourne Cricket Club.

Since this time, the Melbourne Cricket Club has invested \$18 million in the development of a water recycling facility. This facility provides guaranteed water into the park in comparison to water capture infrastructure which is dependent on rain. This guaranteed water has greatly improved the condition of the grass and the trees within the park.

The Melbourne Cricket Club has also:

- Re-turfed a substantial proportion of the park

- Installed directional signage
- Replaced ageing light poles
- Undertaken landscaping including installation of new garden beds, plants, trees, bollards, blue stone edging and fencing
- Installed community facilities including picnic tables, BBQs, seats, drinking fountains and hoops for securing bikes.

I am advised that all money received from car parking in Yarra Park by the Melbourne Cricket Club is reinvested in the park for improvements.

I am further advised that to protect the condition of the park, a rotational policy has been implemented to rest areas within the park as well as an overall reduction of car parking during the year.

Upcoming improvements to Yarra Park include the continuation of the tree rejuvenation following the planting of 115 new trees in 2015 and additional improvement works which are undertaken on an annual basis.

The Melbourne Cricket Club has a committed tree management policy which corresponds to the City of Melbourne's policy which includes identification, treatment, and if necessary removal and replanting.

The Melbourne Cricket Club will continue to work with the Yarra Park Advisory Group, which is represented by members from the City of Melbourne, the Victorian Government and local residents as well as a horticultural expert to improve conditions of the Park into the future.

Macedon electorate

Question 6673

Question asked by: Member for Macedon
Directed to: Minister for Police
Asked on: 10 December 2015

REPLY:

I am pleased to advise that the former Daylesford Police Station has recently been declared surplus to Victoria Police requirements.

Thank you for the opportunity to provide an update on the status of the property.

Burwood electorate

Question 6674

Question asked by: Member for Burwood
Directed to: Minister for Education
Asked on: 10 December 2015

REPLY:

The Andrews Labor Government is committed to providing safe and supportive school environments in which all children and young people can feel accepted, valued, included and safe.

Government schools can display Christmas decorations, decorate Christmas trees or permit the singing of Christmas carols, including traditional carols, on school grounds as these activities have a cultural place in Australian society. Similarly, schools may mark Diwali with colourful celebrations or Hanukkah with the lighting of candles. Learning about hymns can also be part of general religious education or other areas of study such as music.

Principals and teachers use their professional judgement to decide what forms of music are acceptable, based on the context, school's curriculum and Department policy.

The Guidelines have been issued about the changes to the delivery of Special Religious Instruction for next year. The Guidelines make it clear that if an outside provider like Access Ministries or a volunteer group, wishes to come to school and sing religious songs, this is considered Special Religious Instruction and must be done before school, after school or during lunch time.

Government schools strive to be open and inclusive of all Victorians, striking a balance between celebrating cultural events that are important to the local school community and preserving the principle of secularity.

Frankston electorate

Question 6675

Question asked by: Member for Frankston
Directed to: Minister for Health
Asked on: 10 December 2015

REPLY:

Hospital car parking fees are determined by individual health services in Victoria and are influenced by a range of factors including:

- car park occupancy and revenue expectations relevant to financing obligations associated with the car park's development;
- agreements hospitals may have entered with commercial car park operators in relation to car park operations, revenue collection and asset maintenance;
- commercial car parking rates in adjacent precincts;
- health service policies in relation to car parking rebates, discounts and fee waivers for particular categories of users.

In addition to the standard car parking rates, there are numerous discounts provided at existing hospitals and health precincts to support vulnerable user groups. The level and type of discount available can vary from health service to health service. The Andrews Labor Government is also committed to reducing the burden of car parking fees for vulnerable patients who frequently visit hospitals.

In delivering the Government's election commitment, and following an independent review, each health service operating fee based car parking is required to have a formal policy in place by 1 February 2016 which mitigates the financial impact of car park fees on vulnerable patients.

I have encouraged health services to work with their patients and staff, local authorities and public transport providers to make sure that users can access health services (and park if necessary) as safely, conveniently and economically as possible.

Car parking policy is to be reviewed and endorsed by the board annually and reported to the Department of Health and Human Services. The policy must be publicised online and within the health service. Details of charges and concessions will be clearly placed at car park entrances, wherever payment is made, and inside the hospital. This initiative will reduce the burden of car parking fees for vulnerable patients who frequently visit hospitals.

Concession benefits provided under these policies will also be reported to the community in the health service annual report and will also be reported to the Victorian public in the Department of Health and Human Services' annual report.

QUESTIONS ON NOTICE

*Questions have been incorporated from the question paper of the Legislative Assembly.
Answers have been incorporated in the form supplied by the departments on behalf of the appropriate ministers.
Headings reflect the portfolio of the minister answering the question.*

11 December 2015 to 11 February 2016

Public transport

382. **MS SANDELL** to ask the Minister for Public Transport — With reference to Wheelchair Accessible Taxis in Melbourne:

- (1) What are the reasons for the recent change in licence fee levying which asks owner-drivers of Wheelchair Accessible Taxis to pay their fees up-front, rather than in monthly instalments.
- (2) Has the change in licence fee levying led to a reduction in the number of Wheelchair Accessible Taxi licences being issued.

ANSWER:

(1)

I am advised that instalments were introduced to assist Greater Melbourne Taxi Licence holders experiencing financial difficulties in making an annual payment.

The instalments allowed licence holders to pay the second, third and fourth annual instalments under a payment plan, with the fifth to tenth instalments required to be paid upfront and in full. A legislative amendment was sought to reduce the annual fee by \$10 000 per annum and bring the annual fee in line with the new 'as-of-right' annual licence fees that became available 30 June 2014.

(2)

Licences issued under the Greater Melbourne Taxi Licence Release Scheme were restricted to limited release in 2010–11. These licences are no longer available and have been replaced with the option to purchase an annual 'as of right' licence.

Housing, disability and ageing

517. **Mr T. BULL** to ask the Minister for Mental Health — Has the Government budgeted in 2015–16 to assist 500 fewer households with long term social housing than in the previous year.

ANSWER:

I am informed that:

No. We are growing our support for social housing, with \$180m in new investment in this year's budget, 5.5% increase to the Housing Assistance budget, and an additional \$40m in homelessness Innovation Action Projects, which will assist at least 2000 more families facing or at risk of homelessness. This stands in contrast to the record of the previous government, who oversaw a cut of \$470m from Victoria's housing budget in four years.

Education

756. **Mr WAKELING** to ask the Minister for Education — Which programs currently being delivered by the Department will lapse in 2018 and:

- (1) What are the individual end dates of the programs.
- (2) Which programs will the Government cease to deliver after the lapsing date.

ANSWER:

I am informed as follows:

Decisions for programs that lapse in 2017 will be made in the 2017-18 Budget.

Public transport

792. Mr HODGETT to ask the Minister for Public Transport — With reference to Yarra Trams platform stops:

- (1) How many DDA (Disability Discrimination Act) accessible single face tram stops have been installed on the Yarra Trams network as at 15 September 2015.
- (2) How many DDA accessible island platform tram stops have been installed on the Yarra Trams network as at 15 September 2015.
- (3) How many tram stops other than single face or island platform are DDA accessible in both directions and what designs are they.
- (4) How many inbound DDA accessible tram stops are there with single face, island platform or other DDA accessible designs.
- (5) How many outbound DDA accessible tram stops are there with single face, island platform or other DDA accessible designs.
- (6) How many further inbound and outbound island tram stops are expected to be completed:
 - (a) by 31 December 2015;
 - (b) between 1 January and 30 June 2016;
 - (c) between 1 July and 31 December 2016;
 - (d) between 1 January and 30 June 2017.
- (7) How many DDA accessible tram stops of designs other than single face or island platform are forecast to be ready for passengers by the following dates and in each case, which type of design will be used:
 - (a) by 31 December 2015;
 - (b) between 1 January and 30 June 2016;
 - (c) between 1 July and 31 December 2016;
 - (d) between 1 January and 30 June 2017.
- (8) What annual expenditure is budgeted for making tram stops DDA compliant in:
 - (a) 2015–16;
 - (b) 2016–17.
- (9) What was the cost of providing each of the four recently opened tram stop platforms along St Kilda Road, Melbourne between the Arts Centre and Park Street.
- (10) How much of the cost of providing the four recently opened tram stop platforms along St Kilda Road, Melbourne between the Arts Centre and Park Street is related to tram stop platform construction and how much is related to the installation of new pedestrian traffic signals.
- (11) Why has asphalt been recently used as the surface for tram stop platforms instead of Victorian or Australian stone such as granite.
- (12) What is the estimate for how often the asphalt on tram stop platforms will have to be re-laid.
- (13) What are the cost differences to construct a single 33 metre, DDA compliant tram stop platform and the required DDA ramp from using:
 - (a) granite;
 - (b) bluestone (basalt);

- (c) asphalt;
- (d) Castlemaine slate or stone;
- (e) other available Australian sourced stone.

ANSWER:

PTV and Yarra Trams are working to ensure that Victoria's tram network is made more accessible for people and complies with the provisions of the Commonwealth Government's Disability Discrimination Act (1992) and the Disability Standards for Accessible Public Transport (2002).

The Accessible Public Transport Action Plan is a strategy for delivering accessible bus, train, tram and taxi services throughout Victoria. The Plan is available at <http://ptv.vic.gov.au/gettingaround/accessible-transport/>

Housing, disability and ageing

1036. Ms SANDELL to ask the Minister for Housing, Disability and Ageing — With reference to the 20 properties originally acquired for the East West Link given to the Magpie's Nest program:

- (1) Are the tenants in Magpie's Nest properties subject to rights and protections under the Residential Tenancies Act 1997.
- (2) Does the Minister plan to meet with housing advocates Lisa Peterson and Mark Towler personally in order to brief them on tenants' rights issues and the consultation process surrounding these properties.

ANSWER:

I am informed that:

- (1) All tenants residing in the 20 properties acquired for the East West Link that are to be used by the Magpie Nest Housing project will be subject to rights and protections under the Residential Tenancies Act 1997.
- (2) A representative from my office met with housing advocates, including Lisa Peterson, on Thursday, 10 September, to discuss tenants' rights issues and the consultation process surrounding these properties.

Public transport

1044. Mr HODGETT to ask the Minister for Public Transport — With reference to container trains:

- (1) Can double stacked container trains operate through Flinders Street Station from Southern Cross Station and use crossovers to reach the Caulfield local or through lines en route to Lyndhurst; if so, which track number or platform at Flinders Street is required to do this.
- (2) On what date were freight trains banned from the four older Viaduct tracks between Southern Cross and Flinders Street Stations.
- (3) Will the proposed Melbourne Metro rail link facilitate access between the Port of Melbourne and Dandenong South or Lyndhurst for double stacked container trains.
- (4) From what date will broad or standard gauge container shuttle trains operate between the Port of Melbourne and sidings at:
 - (a) Altona;
 - (b) Somerton;
 - (c) Dandenong South or Lyndhurst.
- (5) What further rail or port infrastructure is required before container shuttle trains can operate between the Port of Melbourne and:
 - (a) Altona;
 - (b) Somerton;

- (c) Dandenong South or Lyndhurst.
- (6) What is the estimated cost of each item of further rail or port infrastructure required to operate container shuttle trains between the Port of Melbourne and:
 - (a) Altona;
 - (b) Somerton;
 - (c) Dandenong South or Lyndhurst.
- (7) For each year from 2015 to 2024:
 - (a) how many thousands of export containers are expected to be handled by container shuttle trains operating between the Port of Melbourne and:
 - (i) Altona;
 - (ii) Somerton;
 - (iii) Dandenong South or Lyndhurst.
 - (b) how many thousands of import containers are expected to be handled by container shuttle trains operating between the Port of Melbourne and:
 - (i) Altona;
 - (ii) Somerton;
 - (iii) Dandenong South or Lyndhurst.
- (8) What is the average number of twenty foot equivalent units (TEUs) per train expected to be handled between the Port of Melbourne and:
 - (a) Altona;
 - (b) Somerton;
 - (c) Dandenong South or Lyndhurst.
- (9) What is the maximum number of twenty foot equivalent units (TEUs) per train expected to be handled between the Port of Melbourne and:
 - (a) Altona;
 - (b) Somerton;
 - (c) Dandenong South or Lyndhurst.
- (10) What is the maximum possible length in metres and gross tonnage of container trains proposed for operation between the Port of Melbourne and:
 - (a) Altona;
 - (b) Somerton;
 - (c) Dandenong South or Lyndhurst.
- (11) In each year from 2015 to 2024, what percentage of containers are expected to be handled by the use of double stacking between the Port of Melbourne and:
 - (a) Altona;
 - (b) Somerton;
 - (c) Dandenong South or Lyndhurst.
- (12) What percentage of export containers were handled by the Port of Melbourne by rail in:
 - (a) 2014;
 - (b) 2015 to date.
- (13) What percentage of import containers were handled by the Port of Melbourne by rail in:
 - (a) 2014;

(b) 2015 to date.

ANSWER:

I am informed that, as at the date the question was raised:

- (1) No.
- (2) Since construction of the loop.
- (3) No.
- (4) To (11) to be determined in conjunction with the private sector.
- (12) and (13) Full details on freight volumes, including freight handled by rail, through the Port of Melbourne are reported annually by the Port of Melbourne Corporation.

Public transport

1098. **Mr R. SMITH** to ask the Minister for Public Transport — With reference to the reorganisation of the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) and the concurrent creation of the Level Crossings Removal Authority:

- (1) How many staff have or will move from DEDJTR to the Level Crossings Removal Authority.
- (2) How many staff have or will cease to work for DEDJTR because functions have been moved to the Level Crossings Removal Authority.
- (3) How many positions within DEDJTR have or will cease to exist because functions have been moved to the Level Crossings Removal Authority.
- (4) What reductions have or will be made to the budget of DEDJTR due to functions being transferred to the Level Crossings Removal Authority.

ANSWER:

I am advised that, as at the date the question was raised:

- (1) The Level Crossing Removal Authority's staff have been engaged through the use of standard recruitment processes. As result of these recruitment processes there are currently 14 people seconded from DEDJTR to the Level Crossing Removal Authority.
- (2) No functions have been or will be moved from DEDJTR to the Level Crossing Removal Authority.
- (3) No functions have been or will be moved from DEDJTR to the Level Crossing Removal Authority.
- (4) No functions have been or will be moved from DEDJTR to the Level Crossing Removal Authority.

Public transport

1100. **Mr R. SMITH** to ask the Minister for Public Transport — With reference to the Level Crossing Removal Authority:

- (1) Will the Level Crossing Removal Authority program create 4000 jobs.
- (2) How many of these jobs will be:
 - (a) administration/management positions;
 - (b) construction positions.
- (3) How many of these positions will be for more than 12 months.

- (4) How many of these jobs could reasonably expected to be filled by a single individual moving between projects, and therefore could be considered 'double counting'.

ANSWER:

I am advised that, as at the date the question was raised:

The removal of 50 level crossings is estimated to create 4500 jobs over eight years.

Based on previous level crossing removal projects, it is estimated around 10 to 20 per cent of jobs will be in central management, planning, administration and coordination roles, with the balance in construction.

The majority of construction roles will be employed via construction contractors delivering works on behalf of LXRA. The duration and breakdown of roles is dependent on the various packaging and construction methodologies selected for each of the 50 level crossing removals.

LXRA is currently developing a strategic plan which considers the complexity of each site, the timing and packaging of works and industry capability-all of which will influence when and where jobs are created.

Public transport

1101. MR HODGETT to ask the Minister for Public Transport — With reference to metropolitan Melbourne bus routes:

- (1) Of Melbourne's approximately 336 publicly funded bus routes, which are:
 - (a) the 10 busiest;
 - (b) the 10 least busy.
- (2) For the 10 busiest and 10 least busy publicly funded bus routes in Melbourne, how many myki touch-ons occurred between 1 July 2014 and 30 June 2015.
- (3) For the 10 busiest and 10 least busy publicly funded bus routes in Melbourne, what was the change in patronage between the 2013–14 financial year and the 2014–15 financial year in:
 - (a) number of myki touch-ons;
 - (b) percentage.

ANSWER:

I am advised that, as at the date the question was raised:

Public Transport Victoria (PTV) currently has information available based on the 2014 calendar year.

The 10 busiest bus routes were:

903-Altona Mordialloc (SMARTBUS Service)
901-Frankston-Melbourne Airport (SMARTBUS Service)
902-Chelsea-Airport West (SMARTBUS Service)
828-Hampton-Berwick Station via Southland SC, Dandenong
703-Middle Brighton-Blackburn via Bentleigh, Clayton, Monash University (SMARTBUS Service)
900-Rowville-Caulfield via Monash University, Chadstone (SMARTBUS Service)
907-City-Mitcham via Doncaster Road (SMARTBUS Service)
246-Elsternwick-Clifton Hill via St Kilda
220-Sunshine-City-Gardenvale
737-Croydon-Monash University via Boronia, Knox City Shopping Centre, Glen Waverley

The 10 least busiest bus routes were:

565-Kinglake Whittlesea via Humevale
706-Mordialloc-Aspendale-Edithvale-Chelsea
673-Lilydale-Lillydale Lakes
696-Olinda-Monbulk via Olinda-Monbulk Road
687-Chum Creek-Healesville
886-Rosebud-Chisholm TAFE Rosebud Campus
981-NightRider-Dandenong-Cranbourne loop
777-Karingal Hub Shopping Centre-McClelland Drive
965-NightRider-Healesville loop
943-NightRider-Melton Extension

PTV advises that researching and extracting the data required to respond to patronage would require significant time and resources. The resources required to extract the data cannot be justified at this time.

The Andrews Labor Government is committed to improving bus networks across Victoria, investing \$100 million to add more routes, expand others, restore cut services and fix the missing links in Melbourne's growth areas. Under the former Liberal Government, bus services were cut, connections were poor and changes were made without any consultation. This Government is giving communities and councils a real say in bus planning.

Education

1197. Mr MORRIS to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Ararat Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1242. Mr MORRIS to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Bass Coast Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1243. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Baw Baw Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1244. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Bayside City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1245. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Benalla Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1246. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Boroondara City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1247. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Brimbank City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1248. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Buloke Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1249. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Campaspe Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1250. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Cardinia Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1251. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Casey City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1252. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Central Goldfields Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1253. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered

surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Colac Otway Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1254. Mr MORRIS to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Corangamite Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1255. Mr MORRIS to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Darebin City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1256. Mr MORRIS to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the East Gippsland Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1257. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Frankston City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1258. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Gannawarra Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1259. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Glen Eira City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1260. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Glenelg Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1261. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Golden Plains Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1262. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Greater Bendigo City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1263. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Greater Dandenong City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1264. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Greater Geelong City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1265. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Greater Shepparton City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1266. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Hepburn Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1267. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Hindmarsh Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1268. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Hobsons Bay City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1269. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Horsham Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1270. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered

surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Hume City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1271. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Indigo Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1272. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Kingston City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1273. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Knox City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1274. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Latrobe City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1275. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Loddon Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1276. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Macedon Ranges Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1277. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Manningham City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1278. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Mansfield Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1279. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Maribyrnong City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1280. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Maroondah City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1281. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Melbourne City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Education

1282. **Mr MORRIS** to ask the Minister for Education — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Melton City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed as follows:

Given the Member asked over 2430 questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1408. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Ararat Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1409. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Ballarat City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1410. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Banyule City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1411. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Bass Coast Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1412. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Baw Baw Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1413. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Bayside City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1414. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Benalla Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1415. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities

within the Minister's portfolio and located in the municipal district of the Boroondara City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1416. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Brimbank City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1417. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Buloke Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1418. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Campaspe Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1419. Mr MORRIS to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Cardinia Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1420. Mr MORRIS to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Casey City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1421. Mr MORRIS to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Central Goldfields Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1422. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Colac Otway Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1423. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Corangamite Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1424. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Darebin City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1425. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities

within the Minister's portfolio and located in the municipal district of the East Gippsland Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1426. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Frankston City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1427. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Gannawarra Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1428. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Glen Eira City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1429. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Glenelg Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1430. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Golden Plains Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1431. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Greater Bendigo City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1432. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Greater Dandenong City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1433. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Greater Geelong City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1434. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Greater Shepparton City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1435. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Hepburn Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1436. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Hindmarsh Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1437. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Hobsons Bay City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1438. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities

within the Minister's portfolio and located in the municipal district of the Horsham Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1439. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Hume City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1440. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Indigo Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1441. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Kingston City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1442. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Knox City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1443. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Latrobe City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1444. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Loddon Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1445. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Macedon Ranges Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1446. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Manningham City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1447. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Mansfield Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1448. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or

buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Maribyrnong City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1449. Mr MORRIS to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Maroondah City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1450. Mr MORRIS to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Melbourne City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1451. Mr MORRIS to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Melton City Council; if so:

- (1) What is the address of each property.

- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

- 1452.** Mr MORRIS to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Mildura Rural City Council; if so:

- (1) What is the address of each property.
(2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

- 1453.** Mr MORRIS to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Mitchell Shire Council; if so:

- (1) What is the address of each property.
(2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

- 1454.** Mr MORRIS to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Moira Shire Council; if so:

- (1) What is the address of each property.
(2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1455. Mr MORRIS to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Monash City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1456. Mr MORRIS to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Moonee Valley City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1457. Mr MORRIS to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Moorabool Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1458. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Moreland City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1459. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Mornington Peninsula Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1460. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Mount Alexander Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1461. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or

buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Moyne Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1462. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Murrindindi Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1463. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Nillumbik Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1464. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Northern Grampians Shire Council; if so:

- (1) What is the address of each property.

- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

- 1465.** **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Port Phillip City Council; if so:

- (1) What is the address of each property.
(2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

- 1466.** **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Pyrenees Shire Council; if so:

- (1) What is the address of each property.
(2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

- 1467.** **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Borough of Queenscliffe; if so:

- (1) What is the address of each property.
(2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1468. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the South Gippsland Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1469. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Southern Grampians Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1470. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Stonnington City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1471. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Strathbogie Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1472. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Surf Coast Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1473. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Swan Hill Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1474. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or

buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Towong Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1475. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Wangaratta Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1476. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Warrnambool City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1477. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Wellington Shire Council; if so:

- (1) What is the address of each property.

- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

- 1478.** **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the West Wimmera Shire Council; if so:

- (1) What is the address of each property.
(2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

- 1479.** **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Whitehorse City Council; if so:

- (1) What is the address of each property.
(2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

- 1480.** **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Whittlesea City Council; if so:

- (1) What is the address of each property.
(2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1481. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Wodonga City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1482. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Wyndham City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1483. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Yarra City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1484. **Mr MORRIS** to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or

buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Yarra Ranges Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Ambulance services

1485. Mr MORRIS to ask the Minister for Ambulance Services — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Yarriambiack Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Creative industries

2036. Mr MORRIS to ask the Minister for Creative Industries — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Ararat Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 questions of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Equality

2037. Mr MORRIS to ask the Minister for Equality — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Ballarat City Council; if so:

- (1) What is the address of each property.

- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 questions of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Equality

2042. **Mr MORRIS** to ask the Minister for Equality — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Benalla Rural City Council; if so:

- (1) What is the address of each property.
(2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 questions of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2509. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Ararat City Council; if so:

- (1) What is the address of each property.
(2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2510. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Ballarat City Council; if so:

- (1) What is the address of each property.
(2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2511. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Banyule City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2512. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Bass Coast Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2513. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Baw Baw Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2514. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered

surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Bayside City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2515. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Benalla Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2516. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Boroondara City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2517. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Brimbank City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2518. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Buloke Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2519. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Campaspe Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2520. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Cardinia Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2521. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Casey City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2522. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Central Goldfields Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2523. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Colac Otway Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2524. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Corangamite Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2525. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Darebin City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2526. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the East Gippsland Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2527. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Frankston City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2528. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Gannawarra Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2529. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Glen Eira City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2530. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Glenelg Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2531. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered

surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Golden Plains Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2532. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Greater Bendigo Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2533. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Greater Dandenong City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2534. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Greater Geelong City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2535. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Greater Shepparton City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2536. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Hepburn Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2537. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Hindmarsh Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2538. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Hobsons Bay City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2539. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Horsham Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2540. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Hume City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2541. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Indigo Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2542. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Kingston City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2543. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Knox City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2544. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Latrobe City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2545. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Loddon Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2546. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Macedon Ranges Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2547. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Manningham City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2548. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered

surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Mansfield Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2549. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Maribyrnong City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2550. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Maroondah City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2551. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Melbourne City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2552. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Melton City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2553. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Mildura Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2554. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Mitchell Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2555. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Moira Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2556. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Monash City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2557. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Moonee Valley City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2558. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Moorabool Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2559. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Moreland City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2560. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Mornington Peninsula Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2561. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Mount Alexander Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2796. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Moyne Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2797. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Murrindindi Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2798. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Nillumbik Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2799. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered

surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Northern Grampians Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2800. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Port Phillip City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2801. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Pyrenees Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2802. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Borough of Queenscliffe; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2803. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the South Gippsland Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2804. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Southern Grampians Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2805. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Stonnington City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2806. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Strathbogie Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2807. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Surf Coast Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2808. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Swan Hill Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2809. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Towong Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2810. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Wangaratta Rural City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2811. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Warrnambool City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2812. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Wellington Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2813. Mr MORRIS to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the West Wimmera Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2814. Mr MORRIS to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Whitehorse City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2815. Mr MORRIS to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Whittlesea City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2816. Mr MORRIS to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered

surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Wodonga City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2817. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Wyndham City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2818. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Yarra City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that:

Given the Member asked over 1550 question of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2819. **Mr MORRIS** to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Yarra Ranges Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

Given the Member asked over 1550 questions of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Health

2820. Mr MORRIS to ask the Minister for Health — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Yarriambiack Shire Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

Given the Member asked over 1550 questions of this nature in one sitting week, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Environment, climate change and water

2835. Mr BATTIN to ask the Minister for Environment, Climate Change and Water — With reference to the Albert Park Reserve over 2015–16:

- (1) How many infringements have been issued within the Reserve.
- (2) What is the revenue associated with infringement notices issued.
- (3) What is the current revenue from coin collection within Albert Park Reserve.

ANSWER:

Parks Victoria is not Committee of Management for the Melbourne Sports and Aquatic Centre or State Athletics Centre within Albert Park Reserve, so the answers provided only relate to the area for which Parks Victoria is Committee of Management.

We are not able to provide information regarding the current, incomplete financial year, but in regards to the last completed financial year (2014–15):

- The Number of infringements issued was 7420.
- Revenue from parking infringements issued was \$0.49 million.
- Revenue from parking fees was \$1.04 million.

Energy and resources

2839. Ms SANDELL to ask the Minister for Energy and Resources — With reference to a report published in The Age that the Energy Resources Regulation unit has been coaching MCG Group to deceive the Victorian Civil and Administrative Tribunal, is the Minister investigating the conduct of staff in the Minister's department.

ANSWER:

I have sought clarification from my department on this issue and am advised that Earth Resources Regulation did not provide any information to the applicant that sought to undermine or circumvent the proper approvals process.

Public transport

3634. Mr MORRIS to ask the Minister for Public Transport — Between 1 December 2014 and 30 September 2015 was the Minister, or the Department, advised of any Victorian Government land or buildings considered surplus to requirements and controlled by budget sector agencies or other entities within the Minister's portfolio and located in the municipal district of the Monash City Council; if so:

- (1) What is the address of each property.
- (2) What action has the Government taken to dispose of each property.

ANSWER:

I am informed that, as at the date the question was raised:

I am informed that given the Member has asked seventy seven questions of this nature, to retrieve/research this information would place an unreasonable burden on the time and resources of departments.

Industry

3641. Mr R. SMITH to ask the Minister for Industry — With reference to the Minister's media release of 22 September 2015 'Victorian Baby Formula for China', did the Government provide any funding that contributed to the outcome outlined in the media release; if so, how much funding was provided.

ANSWER:

The Government does not disclose details of investment attraction related assistance. Details of any assistance packages are commercial in confidence. This is consistent with the practice of consecutive Victorian Governments, including the previous government.

Roads and road safety

3654. Mr R. SMITH to ask the Minister for Roads and Road Safety — With reference to the website www.travelhappy.vic.gov.au:

- (1) Which organisation was awarded the contract to design the website.
- (2) In dollar terms, how much was the contract awarded for.
- (3) How many hits did the website receive in:
 - (a) April 2015;
 - (b) May 2015;
 - (c) June 2015;
 - (d) July 2015;
 - (e) August 2015;
 - (f) September 2015.

ANSWER:

I am informed that, as at the date the question was raised:

- (1) Isobar Australia was awarded the contract for the Travel Happy, Share the Road campaign.
- (2) The allocation for VicRoads' marketing can be found in 2014-15 VicRoads Annual Report under Other disclosures-Disclosure of government advertising expenditure.
- (3) Hits to the website since April 2015 are as stated below:

(a) April 2015	14 377
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(b)	May 2015	12 649
(c)	June 2015	2189
(d)	July 2015	1252
(e)	August 2015	501
(f)	September 2015	215

Industry

3660. **Mr R SMITH** to ask the Minister for Industry — With reference to the automotive roundtable on 1 May 2015, what were the names and organisations of the participants.

ANSWER:

The roundtable was held in Dandenong as part of a series of three automotive roundtables convened in May to hear first-hand from stakeholders on the transition of the automotive industry. The other two roundtables were held in Gee long and Broadmeadows on 15 May 2015.

At these forums, I had the pleasure of meeting and hearing directly from a large number of leaders in the automotive industry.

As some of the conversation at the roundtable was of a commercially sensitive nature, I am not in a position to reveal the names of the participating companies.

However, I can confirm that participants' input informed the Andrews Labor Government's \$46.5 million Towards Future Industries: Victorian Automotive Transition Plan.

Under the \$46.5 million plan, the Victorian Government will help Victorian workers, communities and businesses meet the challenges ahead and embrace a new future.

Education

3665. **Mr WAKELING** to ask the Minister for Education — With reference to the Grand Final Day Public Holiday held on Friday 2 October 2015:

- (1) What was the total cost incurred by the Department of Education and Training, including employment on-costs of all departmental, teaching and administrative support staff.
- (2) What was the total cost incurred by all government schools.

ANSWER:

I am informed as follows:

In relation to the 5 April 2015 Easter Sunday Public Holiday, there were no additional costs incurred by the Victorian Curriculum Assessment Authority as a result of this public holiday.

In relation to the 2015 Grand Final Eve Public Holiday (Friday 2 October 2015), no additional costs are expected to be incurred by the Victorian Curriculum Assessment Authority as a result of this public holiday.

Planning

3686. **Ms SANDELL** to ask the Minister for Planning — Why has the Minister agreed to removing third party notice, objection and appeal rights from Carlton and North Melbourne residents and property owners in the process of rezoning City North.

ANSWER:

I am informed that:

Amendment C196 to the Melbourne Planning Scheme was requested by the City of Melbourne. Council prepared and exhibited the amendment to its planning scheme, referred it to an independent Panel and then adopted it prior to submitting it to me for approval.

The rezoning of 'City North' implements the vision of the City of Melbourne's City North Structure Plan 2012.

Importantly, the amendment supports the further advancement of this internationally recognised knowledge precinct, including Melbourne University, RMIT and the established medical and research institutions.

Melbourne Metro will be a key enabler of the area's urban renewal with proposed new stations at City North. The need to support the expansion of the CBD into City North is also recognised within Plan Melbourne.

Amendment C196 introduces planning controls related to land use and building design to ensure that development is well planned, respects heritage assets and includes a mix of uses to create a vibrant and attractive area.

Planning applications for demolition, the construction of new buildings and works and some land uses are exempt from third party notice and review requirements, within 'City North'.

These controls are consistent with Council's adopted amendment and the recommendations of an independent panel. This approach is also consistent with planning arrangements in other capital city precincts.

The new planning controls will still require a thorough assessment of potential amenity impacts. Issues affecting local residents and property owners including traffic, noise, overshadowing, wind impacts and a development's contribution to the street environment will be thoroughly assessed through the planning permit process by Council.

Planning

3687. Ms SANDELL to ask the Minister for Planning — Does the Minister have a plan to address the ongoing erosion of third-party rights under Victoria's planning laws.

ANSWER:

I am informed that:

The Andrews Labor Government is committed to promoting the principles of third party rights, reviewing planning and environmental laws and the process of the Victorian Civil and Administrative Tribunal to ensure balanced outcomes and greater accountability for planning decisions.

The Recognising Objectors Bill 2015 was introduced into the Planning and Environment Act 1987 in October 2015, and provides for the Victorian Civil and Administrative Tribunal (VCAT) and responsible authorities with the ability to have regard to the number of objections to permit applications in considering whether a proposed use or development may have significant social effects.

The Victoria Planning Provisions include zone and overlay provisions which provide variations in the rights of third parties. The application of these provisions are generally proposed by Local Councils and are subject to the Planning Scheme Amendment process, including public consultation regarding their application.

Energy and resources

3765. Mr SOUTHWICK to ask the Minister for Energy and Resources — Who will be administering the Future Industries Fund, specifically the New Energy Jobs Fund.

ANSWER:

The Victorian Government has identified six priority sectors that have the potential for high economic growth and the capacity to create high-skill, high wage jobs. This includes the New Energy Technology sector. To support these high potential sectors, the Government has committed \$200 million to the Future Industries Fund, which includes a \$20 million New Energy Jobs Fund.

The Future Industries Fund including the New Energy Jobs Fund will be administered by the Department of Economic Development, Jobs, Transport and Resources.

Energy and resources

3766. Mr SOUTHWICK to ask the Minister for Energy and Resources — With reference to 2015/16 Victorian Budget Paper 3, page 123, the output summary states that the budget for Energy and Resources has been cut from \$154.8 million in 2014/15 to \$154.1 million in 2015/16:

- (1) What programs and funding have been cut or reallocated as reflected in the 2015/16 Energy and Resources output.
- (2) By how much have these programs and funding been cut.

ANSWER:

The Energy and Resources portfolio consists of a significant number of fixed term initiatives. The cash flows for these initiatives are not evenly spread so cash flow changes are experienced year on year to reflect timing differences associated with work programs. The movement between 2014-15 and 2015-16 is largely due to offsetting cash flow timing differences relating to Carbon Net, low Emission Energy Technology program, Powerline Bushfire Safety and Advanced lignite Demonstration programs.

Energy and resources

3767. Mr SOUTHWICK to ask the Minister for Energy and Resources — With reference to the Engaging with the Mining Sector initiative:

- (1) How much has been allocated to fund the initiative.
- (2) What is the breakdown of expenditure for the initiative.

ANSWER:

- (1) \$1.0 million (over two years) has been allocated to fund the Engaging with the mining sector initiative.
- (2) A detailed implementation plan is currently being prepared by the Department of Economic Development, Jobs, Transport and Resources.

Energy and resources

3768. Mr SOUTHWICK to ask the Minister for Energy and Resources — How will the performance outputs for the Engaging with the Mining Sector initiative be assessed.

ANSWER:

This initiative is designed to test and refine the use of proactive engagement methods to progressively build community and investor confidence in the exploration and development of minerals (excluding gas and coal) and extractive resources.

The initiative as a whole will be progressively assessed and refined to take into account feedback received and other emerging requirements.

Community or stakeholder engagement forums delivered as part of this initiative will be captured as part of the BP3 performance measure for the number of community and stakeholder engagement information forums held.

Energy and resources

3769. Mr SOUTHWICK to ask the Minister for Energy and Resources — How many jobs will the Engaging with the Mining Sector initiative create.

ANSWER:

The key focus of this initiative is to support the growth of Victoria's earth resources sector by building community confidence through improved engagement and information. Jobs created as a result are, not directly quantifiable.

The resources sector employs more than 7700 Victorians, largely in regional areas, and we remain committed to supporting further industry growth into the future while addressing important community concerns around potential environmental and social impacts.

Energy and resources

3770. Mr SOUTHWICK to ask the Minister for Energy and Resources — What organisations has the Government consulted in the development of the Engaging with the Mining Sector initiative.

ANSWER:

Advice is being sought from relevant stakeholders to inform the design and delivery of actions under the initiative, which to date includes:

- consultation with representative organisations to deliver a session to help build the capability of resource companies to undertake best practice community engagement at this year's International Mining and Resource Conference.
- Consultation with farming representatives and exploration companies to trial field days for explorers and farmers in Western Victoria.

The Government will continue to consult with local government, community and environmental group representatives throughout the delivery of this initiative.

Energy and resources

3771. Mr SOUTHWICK to ask the Minister for Energy and Resources — With reference to the Engaging with the Mining Sector initiative:

- (1) What is the expenditure, to date, for external consultation for the initiative.
- (2) Which organisations have undertaken the external consultation process.

ANSWER:

- (1) None of the funding allocated to this initiative has been expended on external consultant services to date.
- (2) Not applicable.

Energy and resources

3784. Mr SOUTHWICK to ask the Minister for Energy and Resources — With reference to the Auditor-General's report Realising the Benefits of Smart Meters, how will the Minister address the first recommendation of the report to develop Budget Paper measures that report on performance against the objectives of the Advanced Metering Infrastructure program, and publish reports annually on costs incurred and benefits achieved.

ANSWER:

My Department is undertaking the development of a performance management framework, which will provide for public reporting of Advanced Metering Infrastructure (AMI) benefits. This framework will expand on the annual benefit realisation survey of industry participants that is undertaken by my Department.

The Department is currently developing a suite of measures attributable to AMI benefits that can be publicly reported. Once the measures used in this framework are agreed, they will be reported publicly.

Energy and resources

3785. Mr SOUTHWICK to ask the Minister for Energy and Resources — With reference to the Auditor-General's report Realising the Benefits of Smart Meters, what action has the Minister taken to address the second recommendation of the report to initiate consumer education, with a focus on the opportunities to use smart meters to reduce energy consumption, and to take up flexible retail pricing offers, and use other tools, to reduce bills.

ANSWER:

On 17 October 2015, the Government launched Victorian Energy Compare, the new online energy price comparison tool. The tool allows consumers to compare gas and solar as well as electricity.

The Government is supporting the launch of Victorian Energy Compare with an effective advertising campaign, comprising print, digital and social media advertising. Based on early results, the advertising campaign has been an outstanding success. In the first ten days of the campaign, more than 21 000 Victorians have visited the site. By way of comparison, around 270 000 Victorians visited the site's predecessor, My Power Planner, in the previous two years. Daily traffic to Victorian Energy Compare is nearly three times higher than that experienced by My Power Planner.

Energy and resources

3786. Mr SOUTHWICK to ask the Minister for Energy and Resources — With reference to the Auditor-General's report Realising the Benefits of Smart Meters, how is the Minister ensuring that the third recommendation of the report that the Department of Economic Development, Jobs, Transport and Resources work with distributors and retailers to identify and implement clear systems and processes for monitoring the changes in energy consumption and peak demand is being followed.

ANSWER:

My Department is undertaking an initial analysis of the current roles and responsibilities of industry and other energy market bodies, such as the Australian Energy Market Operator, in monitoring energy consumption and peak demand across the National Electricity Market.

I note that there are a number of complex factors involved in developing any monitoring system for changes in energy consumption and peak demand including taking into account all the types of metering technology, the type of consumption profile (whether residential, medium or large commercial), and the extent to which changing consumption patterns are influenced by different factors including economic conditions, seasonality, network pricing, technology (such as the take up of solar photovoltaic power systems) and energy efficiency programs.

Energy and resources

3880. Mr SOUTHWICK to ask the Minister for Energy and Resources — With reference to the Government's Startup Initiative:

- (1) To date how much of the allocated \$60 million fund has been spent.
- (2) What has the expenditure been for.

ANSWER:

The Startup Initiative does not fall within my portfolio responsibilities. The matter should be referred to the Minister for Small Business, Innovation and Trade.

Energy and resources

3882. Mr SOUTHWICK to ask the Minister for Energy and Resources — With reference to the \$20 million allocated towards the New Energy Jobs Fund:

- (1) How much of the allocated \$20 million fund has been spent to date.
- (2) What has the expenditure been for.

ANSWER:

The \$20 million New Energy Jobs Fund, as part of the \$200 million Future Industries Fund, supports the New Energy Technology sector as one of the six priority sectors that have the potential for high economic growth and the capacity to create high-skill, high wage jobs.

The Fund was launched in December 2015. Funds have yet to be awarded.

Energy and resources

3836. Mr SOUTHWICK to ask the Minister for Energy and Resources — With reference to the Auditor-General's report Realising the Benefits of Smart Meters, what action has the Minister taken to implement the sixth recommendation of the report that the Department of Economic Development, Jobs, Transport and Resources work with relevant stakeholders to analyse the impact of network tariff reform on consumer groups, particularly vulnerable consumers.

ANSWER:

In 2015, my Department consulted extensively with consumer groups and industry regarding the impact of cost reflective network tariffs for vulnerable consumers. Additional consultation will occur in 2016.

Energy and resources

3861. Mr SOUTHWICK to ask the Minister for Energy and Resources — With reference to recommendation eight of the Auditor-General's report Realising the Benefits of Smart Meters, how is the Minister ensuring that the Department of Economic Development, Jobs, Transport and Resources identify and implement actions to protect Victorian consumers from additional costs associated with the pending roll out of new competitive metering processes, and ensure that essential Advanced Metering Infrastructure program benefits are preserved.

ANSWER:

My Department is undertaking an analysis of the new national proposals for metering competition and is developing a range of options focussing on the risks and opportunities for Victoria in response to the proposals.

Energy and resources

3862. Mr SOUTHWICK to ask the Minister for Energy and Resources — With reference to the Auditor-General's report Realising the Benefits of Smart Meters, what is the estimated total cost of implementing all the Auditor-General's recommendations.

ANSWER:

In responding to the recommendations from the Auditor-General's report, eight of the nine recommendations were accepted by my Department, with one recommendation noted. Of these eight, three noted that progress in relation to the recommendation had already been made by the Department, with the remainder accepted in principle or in part only.

Those recommendations which are actively being implemented form part of my Department's normal business as usual operations, such as making submissions and representations to the Australian Energy Regulator on behalf of

Victorian consumers. As such, these actions are funded internally by the Department of Economic Development, Jobs, Transport and Resources.

Energy and resources

3863. **Mr SOUTHWICK** to ask the Minister for Energy and Resources — With reference to the Auditor-General's report Realising the Benefits of Smart Meters, can the Minister give an accurate estimation of the total expected cost of the program.

ANSWER:

Metering charges, which include the costs of installing and operating smart meters, are regulated by the Australian Energy Regulator (AER), which ensures that costs are fair and reasonable.

The preliminary distributor metering services charges for 2016 released by the AER indicate a fall of 32% for the average customer, from the 2015 charges.

Energy and resources

3864. **Mr SOUTHWICK** to ask the Minister for Energy and Resources — With reference to the Auditor-General's report Realising the Benefits of Smart Meters, how is the Minister addressing the issue that as of June 2014, 13.5 per cent sites are not being remotely read.

ANSWER:

The Government has been monitoring AusNet's situation and notes that the Essential Services Commission (ESC) and AusNet have entered into a public administrative undertaking which sets out milestones for AusNet's smart meters to be remotely communicating by March 2017. Both the ESC and AusNet will continue to regularly update the Government on AusNet's remediation progress.

In addition, the Government the introduction of a \$125 rebate payment to customers where their smart meter was not remotely communicating by 31 March 2015.

Energy and resources

3883. **Mr SOUTHWICK** to ask the Minister for Energy and Resources — With reference to the \$1.17 million allocated in the 2015–16 State Budget as part of the 'Energy efficiency and productivity' output initiative to review the Victorian Energy Efficiency Target Scheme:

- (1) How much of the allocated \$1.17 million has been spent to date.
- (2) What has the expenditure been for.

ANSWER:

The reference to the review of the Victorian Energy Efficiency Target (VEET) scheme under the 'Energy efficiency and productivity' output initiative relates to the work program to strengthen and enhance the scheme, for which \$1.17 million was allocated. This work program will enhance the ability of the VEET scheme to reduce energy bills for households and businesses, create jobs and reduce greenhouse gas emissions. The activities in the work program include:

- removing barriers to the uptake of existing activities in the scheme,
- adding and updating energy efficiency activities in the scheme, and
- other scheme improvements.

Delivery of the work program is currently on target, and the allocation of expenditure is in-line with program deliverables.

Energy and resources

3885. Mr SOUTHWICK to ask the Minister for Energy and Resources — With reference to the Auditor-General's report *Realising the Benefits of Smart Meters*, what was the original estimate by the Government of the average household cost of the Advanced Metering Infrastructure program to consumers.

ANSWER:

As set out in the Auditor-General's report *Realising the Benefits of Smart Meters*, the decision to approve the AMI program was made in February 2006 based on a 2005 cost-benefit analysis (CBA) commissioned by the then Department of Infrastructure.

The 2005 and subsequent 2011 CBA estimated whole of project rollout costs and did not estimate costs per household. This included costs associated with installing and maintaining smart meters and related infrastructure and systems, as well as maintaining existing accumulation meters prior to them being replaced by smart meters.

The AER approves the AMI program costs passed on to households and businesses as metering charges. The Government has taken a number of actions to ensure that the costs to households of the AMI program are contained and to facilitate the realisation of benefits to customers. This includes further tightening of the economic tests that must be applied by the AER in approving metering charges and to improve the process under which the AER reaches determinations on these charges.

In addition, the Government is taking an active advocacy role in the AER's distribution pricing review for 2016-2020 to ensure that the benefits of the AMI program are returned to customers through lower charges.

Agriculture

6308. Ms MCLEISH to ask the Minister for Public Transport for the Minister for Agriculture — With reference to the new FSANZ regulations relating to the production and sale of raw cheeses, including a protocol for the production and testing of raw milk used in the making of these cheeses, has the Government considered regulating the sale of raw milk for direct human consumption according to the same production and testing standards.

ANSWER:

I am informed that:

Products that allow the growth of pathogens should not be permitted for human consumption. Products such as raw cow's milk for drinking have been assessed as an unacceptably high public health risk. The processing conditions that can be applied to raw milk cheeses cannot be applied to raw drinking milk. Raw drinking milk will support the growth of any pathogens present, and is considered to be an unacceptable public health risk. These products will not be further considered under this new standard.

Consumer affairs, gaming and liquor regulation

6309. Mr NORTHE to ask the Minister for Consumer Affairs, Gaming and Liquor Regulation — With reference to every review that has been undertaken by the Department of Justice and Regulation and the Minister's office relating to the portfolios of Consumer Affairs, Gaming and Liquor Regulation:

- (1) For each review undertaken between 1 December 2014 and 1 November 2015:
 - (a) what Acts are involved;
 - (b) why was the review instigated;
 - (c) how is the review to be conducted;
 - (d) what were the objectives;
 - (e) who are the stakeholders;

- (f) what policies will be considered;
 - (g) what was the focus and consideration;
 - (h) what was the purpose;
 - (i) what was the commencement date;
 - (j) what consultations were/are to be undertaken;
 - (k) what was/is the conclusion date;
 - (l) when were/are reports and recommendations to be delivered;
 - (m) what are the other pertinent time frames in the process;
 - (n) will the report and recommendations be made public;
 - (o) what were the outcomes;
 - (p) what are the costings involved.
- (2) For future reviews scheduled post 1 November 2015:
- (a) what Acts will be involved;
 - (b) why will the review be instigated;
 - (c) how is the review to be conducted;
 - (d) what are the objectives;
 - (e) who are the stakeholders;
 - (f) what policies are to be considered;
 - (g) what is the focus and consideration;
 - (h) what is the purpose;
 - (i) what is the intended commencement date;
 - (j) what consultation is to be undertaken;
 - (k) what will be the conclusion date;
 - (l) when will reports and recommendations be delivered;
 - (m) what will be the other pertinent time frames in the process;
 - (n) will the report and recommendations be made public;
 - (o) what are the expected outcomes;
 - (p) what are the expected costings.

ANSWER:

I am advised that to compile a detailed response to this question would be an unreasonable diversion of the department's resources.

Public transport

6310. Mr HODGETT to ask the Minister for Public Transport — With reference to Metro and V/Line railway station canopies and buildings:

- (1) How often are canopies and other leased buildings or structures formally inspected for signs of rainwater ingress, or at the wrong point, rainwater egress, by:
 - (a) Metro Trains Melbourne;
 - (b) V/Line.
- (2) Between 1 January and 22 October 2015, what buildings or canopies have, due to rainwater ingress or egress, required:
 - (a) repair;
 - (b) replacement —

and what was the cost at each location for any such repairs or replacement.

- (3) What monitoring of canopies or buildings is undertaken by:
 - (a) Public Transport Victoria;
 - (b) Victorian Rail Track Access —and how frequently does any such monitoring occur.

ANSWER:

I am informed that, as at the date the question was raised:

- (1) Buildings and canopies are inspected at least annually and if an area is identified that may allow water ingress arrangements are made to repair and/or replace.
- (2) Repairs have been made at the following stations:

Woodend, Echuca, Shepparton, Hamilton, Warrnambool, North Geelong Depot, Ballarat, Terang Depot, Riddells Creek, Swan Hill, Warragul, Clarkefield.
- (3) There is a general inspection carried out annually and a detailed inspection every three years.

Public transport

6311. Mr HODGETT to ask the Minister for Public Transport — What is the annual cost to maintain the following Metro Trains Melbourne tracks:

- (1) A typical high speed:
 - (a) single track turnout;
 - (b) standard crossover;
 - (c) double compound crossover.
- (2) A typical normal speed:
 - (a) single track turnout;
 - (b) standard crossover;
 - (c) double compound crossover.

ANSWER:

I am informed that, as at the date the question was raised:

It is not possible to specify a single monetary figure for these scenarios

Public transport

6313. Mr HODGETT to ask the Minister for Public Transport —

- (1) Have any figures for 2014–15 or 1 July 2015 to date been compiled similar to those compiled and published by Public Transport Victoria for 2013–14 passenger entries by day and year for each Metro railway station.
- (2) How many passenger entries occurred at:
 - (a) Footscray railway station on a typical:
 - (i) weekday in 2014–15;
 - (ii) weekday from 1 July 2015 to date;
 - (iii) Saturday in 2014–15;
 - (iv) Saturday from 1 July 2015 to date;

- (v) Sunday in 2014–15;
- (vi) Sunday from 1 July 2015 to date;
- (b) South Yarra railway station on a typical;
 - (i) weekday in 2014–15;
 - (ii) weekday from 1 July 2015 to date;
 - (iii) Saturday in 2014–15;
 - (iv) Saturday from 1 July 2015 to date;
 - (v) Sunday in 2014–15;
 - (vi) Sunday from 1 July 2015 to date.
- (3) What patronage ranking, in terms of Metro railway stations, did:
 - (a) Footscray railway station occupy:
 - (i) in 2014–15;
 - (ii) from 1 July 2015 to date;
 - (b) South Yarra railway station occupy:
 - (i) in 2014–15;
 - (ii) from 1 July 2015 to date.

ANSWER:

I am informed that, as at the date the question was raised: Figures for 2014–15 have been compiled and will be released on Public Transport Victoria's website.

Public transport

- 6315.** Mr KATOS to ask the Minister for Public Transport — Has any feasibility or planning work been done to grade separate the level crossing on the Surf Coast Highway at Grovedale.

ANSWER:

I am informed that, as at the date the question was raised:

The Victorian Government is on track to meet its commitment to remove 50 level crossings over two terms and 20 in the first term. Further information on the progress of level crossings can be found at www.levelcrossings.vic.gov.au.

Public transport

- 6316.** Mr KATOS to ask the Minister for Public Transport — Has any feasibility or planning work been done to grade separate the level crossing on the Barwon Heads Road at Marshall.

ANSWER:

I am informed that, as at the date the question was raised:

The Victorian Government is on track to meet its commitment to remove 50 level crossings over two terms and 20 in the first term. Further information on the progress of level crossings can be found at www.levelcrossings.vic.gov.au.

Public transport

- 6317.** Mr KATOS to ask the Minister for Public Transport — Has any feasibility or planning work been done to grade separate the level crossing on Separation Street, North Geelong.

ANSWER:

I am informed that, as at the date the question was raised:

The Victorian Government is on track to meet its commitment to remove 50 level crossings over two terms and 20 in the first term. Further information on the progress of level crossings can be found at www.levelcrossings.vic.gov.au.

Public transport

6318. **Mr KATOS** to ask the Minister for Public Transport — Has any feasibility or planning work been done to grade separate the level crossing on Yarra Street, South Geelong.

ANSWER:

I am informed that, as at the date the question was raised:

The Victorian Government is on track to meet its commitment to remove 50 level crossings over two terms and 20 in the first term. Further information on the progress of level crossings can be found at www.levelcrossings.vic.gov.au.

Public transport

6319. **Mr KATOS** to ask the Minister for Public Transport — Has any feasibility or planning work been done to grade separate the level crossing on Kilgour Street, Geelong.

ANSWER:

I am informed that, as at the date the question was raised:

The Victorian Government is on track to meet its commitment to remove 50 level crossings over two terms and 20 in the first term. Further information on the progress of level crossings can be found at www.levelcrossings.vic.gov.au.

Public transport

6320. **Mr KATOS** to ask the Minister for Public Transport — Has any feasibility or planning work been done to grade separate the level crossing on McKillop Street, Geelong.

ANSWER:

I am informed that, as at the date the question was raised:

The Victorian Government is on track to meet its commitment to remove 50 level crossings over two terms and 20 in the first term. Further information on the progress of level crossings can be found at www.levelcrossings.vic.gov.au.

Public transport

6321. **Mr KATOS** to ask the Minister for Public Transport — Has any feasibility or planning work been done to grade separate the level crossing on Marshalltown Road, Marshall.

ANSWER:

I am informed that, as at the date the question was raised:

The Victorian Government is on track to meet its commitment to remove 50 level crossings over two terms and 20 in the first term. Further information on the progress of level crossings can be found at www.levelcrossings.vic.gov.au.

Public transport

6322. Mr KATOS to ask the Minister for Public Transport — Has any feasibility or planning work been done to grade separate the level crossing on Thompson Road, North Geelong.

ANSWER:

I am informed that, as at the date the question was raised:

The Victorian Government is on track to meet its commitment to remove 50 level crossings over two terms and 20 in the first term. Further information on the progress of level crossings can be found at www.levelcrossings.vic.gov.au.

Environment, climate change and water

6421. Mr T. BULL to ask the Minister for Environment, Climate Change and Water — With reference to the Bunga Arm camping sites on the Gippsland Lakes, can the Minister assure the local and visiting camping fraternity that this site will not be closed.

ANSWER:

I am informed that:

Parks Victoria have no intention of closing the popular boat based Bunga Arm campgrounds in Gippsland Lakes Coastal Park, and there has been no suggestion they be closed.

After the previous Coalition government both raised camping fees and introduced new camping fees, the Andrews Labor Government earlier this year removed fees on basic campsites.

In addition we recently announced the fee for camping at mid-level campsites has been reduced, from \$38.90 to \$28 per site in peak season as of 18 December 2015.

As part of this announcement, fees to camp at Bunga Arm were also reduced from \$38.90 per site to \$21 per site from 18 December.

So in fact, not only are campsites in Bunga Arm not being closed, they are now more affordable for more Victorians.

Housing, disability and ageing

6422. Mr T. BULL to ask the Minister for Housing, Disability and Ageing — How many people are on the Disability Support Register in each Victorian Local Government Area.

ANSWER:

I am informed that the number of people on the Disability Support Register in each Victorian Local Government Area is not publically available.

The total number of people recorded on the Disability Support Register in Victoria is published annually in the DHHS annual report and also on the DHHS website.

<http://www.dhs.vic.gov.au/for-individuals/disability/start-here/disability-support-register>

Public transport

6423. Mr T. BULL to ask the Minister for Public Transport — With reference to the N class locomotives and N set carriages used on V/Line's long distance trains between Southern Cross and Albury, Bairnsdale, Swan Hill and Warrnambool:

- (1) What plans does the Government have to replace these locomotives and carriages.
- (2) What year are expressions of interest expected to be called for any such replacement.
- (3) Will the replacement sets be locomotive hauled or railcars.
- (4) What year is it intended these will be placed in service.

ANSWER:

The Andrews Labor Government announced the Trains, Trams, Jobs 2015-2025-Victorian Rolling Stock Strategy on Monday 4 May 2015.

The strategy:

- sets out in detail the rolling stock requirements for Victoria’s train and tram networks over the next decade;
- responds to the strong patronage growth that is forecast, and the need to progressively replace life-expired trains and trams; and
- outlines a pipeline of work that provides certainty to the rolling stock industry.

Environment, climate change and water

6424. Mr T. BULL to ask the Minister for Environment, Climate Change and Water — With reference to members of the Wild Dog Advisory Committee receiving letters stating that their services will not be required after the current term:

- (1) Will the committee be continuing with new members or will it be discontinued.
- (2) If it is to be continued, when will expressions of interest be called for.
- (3) If it will not be continued in its current form, what are the reasons for this decision.

ANSWER:

I am informed that:

This question should be directed to the Minister for Agriculture, Hen Jaala Pulford MP, as the Wild Dog Advisory Committee falls within her portfolio responsibilities.

Housing, disability and ageing

6435. Ms SANDELL to ask the Minister for Housing, Disability and Ageing — With reference to energy efficiency upgrades to public housing stock:

- (1) What is the Government’s plan to accelerate these upgrades.
- (2) Will the Government’s plan to accelerate these upgrades increase the rate of upgrades to 10 per cent per year as recommended by the One Million Homes Alliance.
- (3) Will the Government make its plan public; if so, when.
- (4) Who has the Government consulted to develop its plan.
- (5) Will the plan be funded in the 2015–16 budget.
- (6) What is the expected time for delivery of the plan.

ANSWER:

I am informed that:

- (1) The department will upgrade approximately 2000 properties this year, an increase of 15% on the previous year. As part of this program, energy efficiency features such as insulation to walls and ceilings and energy

efficient appliances are used. For example, thermal star rating of a high rise flat is generally improved from 3.8 stars to 6.3 stars.

- (2) The annual upgrade program is dependent on the annual budget process.
- (3) The number of upgrades undertaken annually is made available to the public. Planned upgrades are reported in budget papers and achievements are published in the department's Annual Report.
- (4) Departmental staff consult with tenants and associated agencies as appropriate.
- (5) The upgrade program is funded in 2015–16.
- (6) The upgrade program is an annual, ongoing program.

Consumer affairs, gaming and liquor regulation

6438. Ms SANDELL to ask the Minister for Consumer Affairs, Gaming and Liquor Regulation — With reference to short stay accommodation:

- (1) Will the Minister amend the Owners Corporation Act 2006 to allow Owners Corporations to set their own rules, including restricting or prohibiting short stays in apartment buildings.
- (2) When will the Minister respond to the report of the Independent Panel on Short-Stay Accommodation.
- (3) How does the Minister plan to address the important concerns of residents relating to a loss of amenity, loss of security, and increased maintenance costs resulting from an increasing number of short-stay apartments in residential apartment blocks.

ANSWER:

I am advised that:

The government is committed to improving the regulation of high-rise apartment buildings so that residents and property are protected from unruly short stay parties.

Living in apartment buildings can be difficult, with neighbours above, below and to the sides and there are sometimes competing interests between owners of short-stay apartments and other residents.

Most short-stay occupants do not cause trouble and make an important contribution to tourism. However, unruly short stay parties can affect the amenity of apartment living. Under current laws it is difficult to hold people accountable for the problems and damage these parties cause.

The government appointed an independent expert panel to examine all the issues and recommend ways to improve the situation. The panel looked at what other cities in Australia and around the world are doing about the issue.

The government has accepted the panel's recommendation to consult with the bodies represented by its members on its preferred solution.

The government is considering the outcomes of that consultation.

Public transport

6439. Ms SANDELL to ask the Minister for Public Transport — With reference to residents who have their houses acquired due to the Melbourne Metro project:

- (1) Will these residents be provided with a buyer's advocate, free of charge, to assist them to purchase a new property.
- (2) Will these residents be provided a time frame of at least 12 months in which to seek and acquire a new property.

ANSWER:

I am informed that, as at the date the question was raised:

The formal acquisition process for Melbourne Metro is expected to begin in late 2016 or early 2017. Acquisition of private property will be carried out in accordance with the Land Acquisition and Compensation Act. In addition, the Melbourne Metro Rail Authority is committed to working respectfully and sensitively with everyone affected by acquisition to assist them through this difficult process.

Under the Act, the Melbourne Metro Rail Authority is required to have regard to any legal, valuation or other professional expenses necessarily incurred by the claimant. As some potential acquisitions may be complex, reasonable expenses, including those related to a replacement property that the claimant has to pay because of the potential acquisition, will be reimbursed by the Melbourne Metro Rail Authority.

In order to provide as much notice as possible, the Melbourne Metro Rail Authority commenced discussions with affected landowners and tenants in October 2015 to inform them that their properties had been identified as potentially being required for the construction of Melbourne Metro.

The Melbourne Metro Rail Authority will continue to work closely with property owners and tenants in relation to possession dates, with most properties not needing to be vacated until sometime in 2017.

The Melbourne Metro Rail Authority will observe minimum time frames for possession as set out in the Act.

Emergency services

6440. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade's (MFB) health monitoring program, how many members of the MFB participated during 2014–15.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

These investments include; the recruitment of 450 firefighters, 70 new fire trucks, PTSD trial, the roll out of Emergency Medical Response, construction and upgrades of multiple stations across the state. The Andrews Labor Government has also invested \$5.5 million for CFA's District 27 in the Latrobe Valley.

The Government will continue to work closely with Emergency Management Victoria, the agencies, CEOs and Boards to ensure that Victoria is appropriately resourced to protect communities across the state.

Whilst the Government determines the funding, it is the relevant CEO and organisation that is responsible for the implementation of resources and determining how they are allocated. This includes determining the scope of the training and programs implemented by the organisation.

Emergency services

6441. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the emergency response workload detailed on page 35 of the Metropolitan Fire and Emergency Service Board Report 2014–15, how much of the total overtime was credited to work conducted at the Craigieburn Victorian Emergency Training Centre.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

These investments include; the recruitment of 450 firefighters, 70 new fire trucks, PTSD trial, the roll out of Emergency Medical Response, construction and upgrades of multiple stations across the state. The Andrews Labor Government has also invested \$5.5 million for CFA's District 27 in the Latrobe Valley.

The Government will continue to work closely with Emergency Management Victoria, the agencies, CEOs and Boards to ensure that Victoria is appropriately resourced to protect communities across the state.

Whilst the Government determines the funding, it is the relevant CEO and organisation that is responsible for the implementation of resources and determining how they are allocated. This includes determining the scope of the training and programs implemented by the organisation.

Emergency services

6442. Mr BATTIN to ask the Minister for Emergency Services — With reference to major outputs/deliverables in the Metropolitan Fire and Emergency Service Board Report 2014–15, what were the BP3 (6)-Emergency response times for structural fires credited to each Brigade.

ANSWER:

I am advised that:

The Metropolitan Fire and Emergency Services Board (MFB) currently operates as one brigade for performance monitoring purposes. The response times for Structure Fires are in MFB's 2014-15 Annual Report.

Emergency services

6443. Mr BATTIN to ask the Minister for Emergency Services — With reference to major outputs/deliverables of the Metropolitan Fire and Emergency Service Board Report 2014–15, what were the BP3 (7)-Emergency response times for road accident rescue response of each Brigade.

ANSWER:

I am advised that:

The Metropolitan Fire and Emergency Services Board (MFB) currently operates as one brigade for performance monitoring purposes. The response times for Structure Fires are in MFB's 2014-15 Annual Report.

Emergency services

6444. Mr BATTIN to ask the Minister for Emergency Services — With reference to major outputs/deliverables of the Metropolitan Fire and Emergency Service Board Report 2014–15, what were the BP3 (8)-Emergency response times for emergency medical response of each Brigade.

ANSWER:

I am advised that:

The Metropolitan Fire and Emergency Services Board (MFB) currently operates as one brigade for performance monitoring purposes. The response times for Structure Fires are in MFB's 2014-15 Annual Report.

Emergency services

6445. Mr BATTIN to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade/Country Fire Authority Recruit Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

These investments include; the recruitment of 450 firefighters, 70 new fire trucks, PTSD trial, the roll out of Emergency Medical Response, construction and upgrades of multiple stations across the state. The Andrews Labor Government has also invested \$5.5 million for CFA's District 27 in the Latrobe Valley.

The Government will continue to work closely with Emergency Management Victoria, the agencies, CEOs and Boards to ensure that Victoria is appropriately resourced to protect communities across the state.

Whilst the Government determines the funding, it is the relevant CEO and organisation that is responsible for the implementation of resources and determining how they are allocated. This includes determining the scope of the training and programs implemented by the organisation.

Emergency services

6446. Mr BATTIN to ask the Minister for Emergency Services — With reference to the Country Fire Authority Recruit Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

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Emergency services

6447. Mr BATTIN to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Recruit Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

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Emergency services

6448. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Continuation/Retention Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

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Emergency services

6449. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Station Officer Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews

Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria’s emergency services remain world class and keep the state safe. This was one of the biggest investments in the state’s fire services in Victoria’s history.

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Emergency services

6450. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Leading Fire Fighter Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria’s emergency services remain world class and keep the state safe. This was one of the biggest investments in the state’s fire services in Victoria’s history.

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Emergency services

6451. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Commander Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria’s emergency services remain world class and keep the state safe. This was one of the biggest investments in the state’s fire services in Victoria’s history.

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Emergency services

6452. Mr BATTIN to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade/Country Fire Authority Secondment Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

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Emergency services

6453. Mr BATTIN to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Fire Service Communication Controller Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

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Emergency services

6454. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Trench Rescue Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria’s emergency services remain world class and keep the state safe. This. was one of the biggest investments in the state’s fire services in Victoria’s history.

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Emergency services

6455. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade HAZMAT Technician Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria’s emergency services remain world class and keep the state safe. This. was one of the biggest investments in the state’s fire services in Victoria’s history.

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Emergency services

6456. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Confined Space Rescue Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

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Emergency services

6457. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Ship to Ship Transfer Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

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Emergency services

6458. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Atmospheric Monitoring Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

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Emergency services

6459. Mr BATTIN to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Ladder Platform Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

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Emergency services

6460. Mr BATTIN to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Ladder Platform Conversion Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews

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Emergency services

6461. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Mechanical Loader Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria’s emergency services remain world class and keep the state safe. This. was one of the biggest investments in the state’s fire services in Victoria’s history.

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Emergency services

6462. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Bushfire Administration Officer Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria’s emergency services remain world class and keep the state safe. This. was one of the biggest investments in the state’s fire services in Victoria’s history.

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Emergency services

6463. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Compartment Fire Behaviour (CFBT) Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This. was one of the biggest investments in the state's fire services in Victoria's history.

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Emergency services

6464. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Compartment Fire Behaviour (CFBT) Instructors Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

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Emergency services

6465. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Hostile Act Readiness Drill Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

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Emergency services

6466. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade Driver Training Course, what are the associated costs of training per participant.

ANSWER:

I am advised that:

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Emergency services

6467. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to Metropolitan Fire Brigade uniform expenses:

- (1) What are the associated costs of a standard issue dress uniform for operational staff.
- (2) What are the associated costs of a wildfire uniform for operational staff.
- (3) What are the associated costs of a structure uniform for operational staff.

ANSWER:

I am advised that:

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Emergency services

6468. **Mr BATTIN** to ask the Minister for Emergency Services — With reference to Country Fire Authority uniform expenses:

- (1) What are the associated costs of a standard issue dress uniform for operational staff.
- (2) What are the associated costs of a wildfire uniform for operational staff.
- (3) What are the associated costs of a structure uniform for operational staff.

ANSWER:

I am advised that:

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Emergency services

6469. Mr BATTIN to ask the Minister for Emergency Services — With reference to the Country Fire Authority:

- (1) How many pumpers are operational.
- (2) How many aerial appliances are operational.
- (3) How many specialist vehicles including snow mobiles and fire boats are operational.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

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Emergency services

6470. Mr BATTIN to ask the Minister for Emergency Services — With reference to the Victorian State Emergency Service:

- (1) How many storm and flood response vehicles are operational.
- (2) How many heavy rescue vehicles are operational.
- (3) How many rescue boats are operational.
- (4) How many specialist lighting and generator power trailers are operational.
- (5) How many specialist mobile communication and command vehicles are operational.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

These investments include; the recruitment of 450 firefighters, 70 new fire trucks, PTSD trial, the roll out of Emergency Medical Response, construction and upgrades of multiple stations across the state. The Andrews Labor Government has also invested \$5.5 million for CFA's District 27 in the Latrobe Valley.

The Government will continue to work closely with Emergency Management Victoria, the agencies, CEOs and Boards to ensure that Victoria is appropriately resourced to protect communities across the state.

Whilst the Government determines the funding, it is the relevant CEO and organisation that is responsible for the implementation of resources and determining how they are allocated. This includes determining the scope of the training and programs implemented by the organisation.

Emergency services

6471. Mr BATTIN to ask the Minister for Emergency Services — With reference to the Metropolitan Fire Brigade:

- (1) How many pumpers are operational.
- (2) How many pumper tankers are operational.
- (3) How many water tankers are operational.
- (4) How many control units are operational.
- (5) How many ladder platforms are operational.
- (6) How many module transporters are operational.
- (7) How many teleboom vehicles are operational.
- (8) How many ultra large pumpers are operational.
- (9) How many Urban Search and Rescue vehicles are operational.
- (10) How many breathing apparatus trucks are operational.
- (11) How many decontamination trucks are operational.

ANSWER:

I am advised that:

The Andrews Labor Government is committed to supporting our emergency services so they have the capability and capacity to protect Victorians for many years to come. In the lead up to the November election the Andrews Government committed to boosting our emergency services in Victoria. As part of the 2015–16 Budget, the Government invested an additional \$78 million to ensure that Victoria's emergency services remain world class and keep the state safe. This was one of the biggest investments in the state's fire services in Victoria's history.

These investments include; the recruitment of 450 firefighters, 70 new fire trucks, PTSD trial, the roll out of Emergency Medical Response, construction and upgrades of multiple stations across the state. The Andrews Labor Government has also invested \$5.5 million for CFA's District 27 in the Latrobe Valley.

The Government will continue to work closely with Emergency Management Victoria, the agencies, CEOs and Boards to ensure that Victoria is appropriately resourced to protect communities across the state.

Whilst the Government determines the funding, it is the relevant CEO and organisation that is responsible for the implementation of resources and determining how they are allocated. This includes determining the scope of the training and programs implemented by the organisation.

Public transport

6472. Mr HODGETT to ask the Minister for Public Transport —

- (1) Will all or almost all V/Line Bairnsdale and Traralgon line trains continue to operate to or from Southern Cross Station between 2015 and 2026.

- (2) Will V/Line Bairnsdale and Traralgon line trains continue to operate to or from Southern Cross or Flinders Street in the event that Melbourne Metro opens in 2026.
- (3) Are there any plans to terminate and originate V/Line trains at Pakenham in lieu of the current master timetable that has the majority of Bairnsdale and Traralgon line trains originating or terminating at Southern Cross.

ANSWER:

I am informed that, as at the date the question was raised:

- (1) Almost all V/Line trains to Bairnsdale and Traralgon will continue to operate to and from Southern Cross Station between 2015 and 2026.
- (2) Melbourne Metro is still at an early stage in its development. All V/Line trains to Bairnsdale and Traralgon will continue to operate to and from Southern Cross Station or Flinders Street Station when Melbourne Metro opens in 2026.
- (3) No, there are no plans to terminate and originate V/Line trains at Pakenham.

Public transport

6474. Mr HODGETT to ask the Minister for Public Transport —

- (1) What, if any, alterations to the track layout at Pakenham will occur in preparation for the introduction of 37 high capacity suburban trains.
- (2) Will any additional platforms be built at Pakenham.
- (3) When the full high capacity fleet is operating, are any additional empty car movements expected from Pakenham to Dandenong or Cranbourne to position these trains for a revenue trip or return them to the depot after the day's operations.
- (4) In 2019, how many additional empty car movements are expected to operate in each direction between:
 - (a) Dandenong and Pakenham on:
 - (i) Monday to Thursday;
 - (ii) Friday;
 - (iii) Saturday;
 - (iv) Sunday;
 - (b) Dandenong and Cranbourne on:
 - (i) Monday to Thursday;
 - (ii) Friday;
 - (iii) Saturday;
 - (iv) Sunday.
- (5) In 2026, how many additional empty car movements are expected to operate in each direction between:
 - (a) Dandenong and Pakenham on:
 - (i) Monday to Thursday;
 - (ii) Friday;
 - (iii) Saturday;
 - (iv) Sunday;
 - (b) Dandenong and Cranbourne on:
 - (i) Monday to Thursday;

- (ii) Friday;
 - (iii) Saturday;
 - (iv) Sunday.
- (6) Will any of the high capacity train sets be stabled overnight at locations other than Pakenham or Pakenham East; if so, how many and at what locations.

ANSWER:

I am informed that, as at the date the question was raised: There are no expected track layout changes at Pakenham. There may be small modifications to platforms at Pakenham in order to accommodate longer trains.

The movement of trains between Pakenham and the stabling site will depend on the final timetable design.

High capacity trains will be stabled at stabling sites along the Dandenong corridor. The project includes upgrades at a number of these sites to accommodate the new trains.

Planning

- 6486. Mr T. SMITH** to ask the Minister for Planning — Will the Minister approve Amendment C107 to the Port Phillip Planning Scheme, as adopted by the City of Port Phillip, including the mandatory height limits and boundary setbacks in sub-precincts 2 and 4 of the St Kilda North Precinct.

ANSWER:

I am informed that:

The City of Port Phillip has prepared Amendment C107 to the Port Phillip Planning Scheme to implement the St Kilda Road North Precinct Plan. It seeks to introduce a suite of policy and controls to guide future built form of the precinct.

Council submitted the amendment to me for approval on 15 September 2015.

The amendment is complex and has raised significant community and stakeholder interest, generating over 200 submissions which were considered by an independent Panel.

The amendment is now under active consideration by the Department of Environment, Land, Water and Planning.

It would be premature for me to declare a position on the amendment before it is assessed by the Department and submitted to me for a decision.

Health

- 6487. Ms MCLEISH** to ask the Minister for Health —

- (1) Does the Department of Health and Human Services make funds available to help establish cemeteries in areas where they do not exist; if so, what funding is made available for such purposes.
- (2) Does the Department of Health and Human Services make funds available to assist in the maintenance of new cemeteries while they are being established; if so, what funding is made available for such purposes.

ANSWER:

I am informed that:

Grants are available through the Department of Health and Human Services to cemetery trusts that manage public cemeteries. If there is a demonstrated unmet need for cemetery services in a particular community, the department

will provide advice to the community about how to formally establish a cemetery and a trust. Once the trust is formed and members are appointed, the new trust will be eligible to apply for grants.

The department works closely with cemetery trusts to ensure they have the best opportunity to expand and find land.

The departmental grant program is intended to provide funding for trusts to undertake projects or purchase equipment that they would not otherwise be able to afford. Priority is given to applications that address health and safety issues: for example, purchasing grave shoring equipment.

A newly formed cemetery trust could benefit from the opportunity to obtain funding for necessary equipment and development projects across several grant rounds.

Environment, climate change and water

6489. MR NORTHE to ask the Minister for Environment, Climate Change and Water — With reference all prescribed burns within 30 kilometres of the Latrobe Valley's three open cut brown coal mines:

- (1) Can the Minister provide detail of the specific localities, size and dates of burns that have taken place in 2014–15 and 2015–16.
- (2) Can the Minister provide detail of the specific localities, size and dates of burns that are scheduled to occur in 2015–16, 2016–17 and 2017–18.
- (3) Can the Minister provide detail of burns that have been scheduled and then ultimately cancelled in 2014–15 and 2015–16.

ANSWER:

I am informed that:

Details of all planned burns are available in Fire Operations Plans (FOPs) at <http://delwp.vic.gov.au/fire-and-emergencies/managing-bushfire-risk/fire-operations-planning/approved-fire-operations-plan>.

Burns that are listed on the plans are not cancelled but can be deferred if the right conditions to balance the success and safety of a planned burn are not met, such as temperature, soil moisture, humidity and wind direction.

Public transport

6490. Mr HODGETT to ask the Minister for Public Transport —

- (1) How many bus breakdowns occurred between 1 January and 24 November 2015 on SmartBus routes:
 - (a) 703;
 - (b) 900;
 - (c) 901;
 - (d) 903;
 - (e) 905;
 - (f) 906;
 - (g) 907;
 - (h) 908.
- (2) What date and time on each route did the bus breakdowns occur.
- (3) How many one way trips were cancelled as a result of bus breakdowns.
- (4) What was the location of each breakdown by street and suburb.
- (5) What were the three main causes of bus breakdowns on each route.

- (6) What strategies has each operator put in place to minimise such occurrences.

ANSWER:

I am informed that, as at the date the question was raised:

PTV advises that researching and extracting the data required to respond to the first five questions would require significant time and resources, as PTV does not record this information in such level of detail. The resources required to extract the data cannot be justified at this time.

In relation to the sixth question, all operators maintain their fleets in accordance with vehicle manufacturer maintenance requirements. In addition the Government has a vehicle replacement program in place which provides bus replacements across the metropolitan bus fleet. The average age of the Melbourne metropolitan bus fleet is currently nine years which represents a very good fleet profile.

Public transport

6491. Mr HODGETT to ask the Minister for Public Transport —

- (1) How many down Glen Waverley trains timetabled to stop at East Richmond did not stop at East Richmond on Monday 16 November 2015.
- (2) During what periods on Monday 16 November 2015 did Glen Waverley trains not stop at East Richmond.
- (3) Did Glen Waverley trains not stop at East Richmond due to a points failure:
 - (a) if not, what was the cause;
 - (b) if so, at what time was the failure detected and at what time was it repaired.

ANSWER:

I am informed that, as at the date the question was raised:

On Monday 16 November 2015 there was a failure of the points at East Richmond. This was reported at 6.40 pm and was repaired at 2.12 am the next day.

Ten services from Flinders Street between 6.30 pm to 8.30 pm were affected by this point failure and these services did not stop at East Richmond.

Public transport

6492. Mr HODGETT to ask the Minister for Public Transport — With reference to the Frankston railway line on 17 November 2015:

- (1) How many trains in each direction were more than four minutes and 59 seconds late arriving at their scheduled destination.
- (2) How many of these delays in each direction were due to a signal fault at Bonbeach.
- (3) What time was the signal fault at Bonbeach detected and what time was it repaired.
- (4) Apart from the train cancellations which were already notified due to the level crossing abolition project, how many Frankston line trains were cancelled in each direction.
- (5) What was the scheduled departure time for each cancelled Frankston line train originating at:
 - (a) Flinders Street;
 - (b) Frankston;
 - (c) Moorabbin;
 - (d) Mordialloc;
 - (e) Carrum.

ANSWER:

I am informed that, as at the date the question was raised: The scheduled departures are publicly available.

On 17 November 2015, 38 services were more than four minutes and 59 seconds late arriving at their scheduled destinations. Twenty of these were related to the incident at Bonbeach.

The incident at Bonbeach was a Signal Passed at Danger event. The incident was logged at 1.12 pm and affected the Frankston line until 2.00 pm. Of the eight cancellations that were experienced on the Frankston line, only one was related to the Bonbeach incident.

Public transport

6493. Mr BLACKWOOD to ask the Minister for Public Transport — Does the Government have plans to install defibrillators on V/Line services or at regional railway stations on the V/Line network across Victoria.

ANSWER:

I am informed that, as at the, date the question was raised: V/Line does not have any current plans to install defibrillators on V/Line services or at regional railway stations on the V/Line network across Victoria.

Tourism and major events

6505. Ms VICTORIA to ask the Minister for Tourism and Major Events — With reference to the Tourism Victoria Report 2014/15:

- (1) Why was the report released nearly two months later than it has been in each of the past three years.
- (2) Were any actions of the Minister's office responsible for this delay in part or in whole.

ANSWER:

- (1) This was due to the Government's announcement on 13 August 2015 that Tourism Victoria and the Victorian Major Events Company will be brought together in one entity, Visit Victoria.
- (2) There were no actions taken by the Minister's Office that delayed the release of the report.

Tourism and major events

6506. Ms VICTORIA to ask the Minister for Tourism and Major Events — With reference to the comments on page 22 of the Tourism Victoria Report 2014–15 outlining Air Services Attraction:

- (1) How does the Minister justify removing Air Services Attraction as a line item from the 2015–16 budget.
- (2) What effect will this cut have on Air Services Attraction in the following year.

ANSWER:

- (1) The Government continues to prioritise air services attraction as a core function of its marketing, business engagement and investment activities. The Government also continues to directly negotiate with international airlines to secure their services to Victoria.

In the last two months, Victoria has secured two new international airlines to the State in Scoot and China Airlines. In addition, it has secured a second double daily service from Etihad Airways as well as increased services from Air China, China Southern and China Eastern Airlines to increase international air capacity to Victoria. The Government expects that Victoria will continue to successfully attract new and expanded services into the future.

- (2) Where appropriate, funding to support these activities is drawn from appropriate program and portfolio budget line items. Funding has recently been directed from the Premier's Jobs and Investment Fund specifically for this activity, with other initiatives funded from Tourism Victoria's base funding. Further funding will be considered, depending on opportunities to influence the market and/or undertake cooperative activities with airlines. In summary, altering the source of funding for airline attraction incentives will have no impact on the Government's efforts to attract new international services to Victoria.

Tourism and major events

6507. **Ms VICTORIA** to ask the Minister for Tourism and Major Events — With reference to the Tourism Victoria Report 2014–15:

- (1) What changes have been made following the \$101 010 consultancy paid to Claire Ellis.
- (2) What value to the taxpayer has been gained from the \$33 500 consultancy paid to Pacific Aviation Consultancy.

ANSWER:

- (1) Claire Ellis Consulting was commissioned under the previous Government to undertake a review of the performance and impact of Regional Tourism Boards and Destination Management Plans in Victoria. The report was completed in December 2014 and provided input to the Victorian Visitor Economy Review undertaken in the first half of 2015.

As a result of this work, Tourism Victoria is undertaking work to provide strategic support for Regional Tourism Boards and engage across Government on regional investment priorities.

On 14 August 2015, the Premier announced that Visit Victoria will have a Director to work directly with Regional Tourism Boards and operators to grow tourism in Victoria's regions. The Government has also moved the tourism investment function of Tourism Victoria to the Department of Economic Development, Jobs, Transport and Resources in order to provide greater support for strategic tourism investment projects. In addition, a Victorian Visitor Economy Strategy is currently under development which will include further reforms in these areas.

- (2) Pacific Aviation Consulting is a specialist aviation insight and analysis provider which was commissioned to provide specific aviation data. This data is used by Tourism Victoria to identify opportunities in a dynamic aviation environment and in developing business cases to attract additional airline capacity.

Tourism and major events

6508. **Ms VICTORIA** to ask the Minister for Tourism and Major Events — With reference to the Tourism Victoria Report 2014–15:

- (1) Why have total wage payments for 2015 increased by \$1.9 million (22 per cent) since 2014.
- (2) What benefits to Victoria have resulted from this increase.

ANSWER:

As shown in note 3 to the financial statements (page 42 of the Annual Report), the employee expenses increase of \$1.9 million was more than offset by a \$2.1 million decrease in consultants, outsourcing and agency staff costs. This was as a result of a decision by the previous Government, supported by the current Government, to reduce the number and cost of agency staff, and where appropriate, replace these with public service positions.

These changes have resulted in a moderate saving in net personnel costs, and anticipated lower costs in the future as greater employment certainty supports reduced staff turnover, training and loss of corporate knowledge.

Tourism and major events

6509. Ms VICTORIA to ask the Minister for Tourism and Major Events — With reference to the Tourism Victoria Report 2014–15:

- (1) To what does the Minister attribute the 11.25 per cent shortfall in meeting the target for Victoria's share of domestic tourism advertising awareness among intrastate target markets.
- (2) What actions will the Minister take to address this shortfall.

ANSWER:

- (1) Advertising awareness is a measure introduced to gauge the reach of Tourism Victoria's paid advertising campaigns in core domestic markets. The measure is directed towards traditional forms of media such as press and television, and does not adequately take into account digital advertising. As Tourism Victoria activities are having a greater focus on digital activities, it is not surprising to see a reduced result against a measure reflecting traditional media. It should be noted that the original target was set before the mix of marketing activities was determined.

Consistent with the Department of Treasury and Finance's guidelines, output performance measures should be attributable to the actions of the organisation. This measure is increasingly being affected by the media presence of private sector operators, and consequently has not been included in the 2015-16 Budget Papers. To form a clearer picture as to Government performance, two additional performance measures were introduced in 2015-16: visitors to Tourism Victoria's consumer websites, and links from Tourism Victoria's consumer websites.

- (2) The Government is continuing to investigate ways of more effectively measuring tourism marketing activities, including in the digital landscape.

Energy and resources

6521. Mr NORTHE to ask the Minister for Energy and Resources — With reference to the media release by the Minister on 18 November 2015 announcing an independent review of previous Government programs for coal development:

- (1) Will Coal Resources Victoria maintain a presence in the Latrobe Valley and in particular its Traralgon office following the conclusion of this review.
- (2) Will the Coal Resources Victoria advisory committee be maintained following the conclusion of this review.

ANSWER:

The Victorian Government has commenced a review of previous government programs for coal development.

It would be pre-emptive to provide commentary on the future of both Coal Resources Victoria and the Coal Resources Victoria Advisory Committee prior to this review being completed.

The Department of Economic Development, Jobs, Transport and Resources will maintain its Traralgon office.

Education

6523. Mr WAKELING to ask the Minister for Education — With reference to the Minister's letter to the Editor in the *Shepparton Advertiser* on 18 November 2015 stating that high-risk asbestos had been removed from over 300 schools across Victoria:

- (1) Which 300 schools have had high-risk asbestos removed.
- (2) Are these 300 schools now totally asbestos-free.

ANSWER:

I am informed as follows:

The 2015-16 State Budget provides \$42 million as part of an extensive \$100 million asbestos-removal program. This program represents the first phase in the Government's commitment to remove asbestos from all government school buildings.

As part of the current audit process, there are over 300 schools that have had high-risk asbestos removed so far, that figure will continue to rise over the coming months. During an asbestos audit all A1 and A2 asbestos is made safe and then either immediately removed or scheduled for removal.

All schools are aware of and maintain a register of any remaining asbestos.

Education

6524. Mr WAKELING to ask the Minister for Education — With reference to the Minister's letter to the Editor in the *Shepparton Advertiser* on 18 November 2015 stating that asbestos had been removed from 119 relocatable buildings in schools:

- (1) Which schools had asbestos removed from their relocatable buildings.
- (2) How many relocatable buildings at each school had asbestos removed.

ANSWER:

I am informed as follows:

The 2015-16 State Budget provides \$35 million for 100 new relocatable buildings to ease enrolment pressure and reduce overcrowding at schools. These modern relocatable buildings will accommodate approximately 6000 students over the coming years.

In addition to investment in new relocatable buildings, the Relocatable Buildings Program is transferring over 160 relocatable buildings around the State to meet student enrolment demand for the 2016 school year.

Where a relocatable building scheduled for transfer has asbestos, all of the asbestos is removed and a clearance certificate provided prior to its arrival on the recipient school site.

Local government

6525. Ms SANDELL to ask the Minister for Local Government — When will the Government respond to the reports released in 2014 by the Local Government Electoral Review Panel chaired by Petro Georgiou.

ANSWER:

I am informed that:

A number of the recommendations contained in the Georgiou Review Reports were implemented as part of the Local Government Amendment (Improved Governance) Act 2015. Other recommendations fall within the terms of reference of the overarching review of the Local Government Act 1989 which has commenced and is expected to be complete in 2017.

Local government

6526. Ms SANDELL to ask the Minister for Local Government — With reference to the 2014 recommendations of the Local Government Electoral Review Panel, will the Government fix the Melbourne City Council gerrymander which gives businesses two votes in council elections while residents only get one.

ANSWER:

I am informed that:

The City of Melbourne franchise will be considered as a part of the overarching review of the Local Government Act 1989. The review has commenced and expected to be complete in 2017.

Environment, climate change and water

6527. Ms SANDELL to ask the Minister for Environment, Climate Change and Water — What action will the Minister take to respond to the concerns of the Indigo Shire Council and many local residents about the impact of Goulburn-Murray Water granting commercial water licences on the Stanley Plateau.

ANSWER:

I am informed that: Concerns of the Indigo Shire Council and residents of Stanley, in Ovens Valley, relate to the extraction of groundwater for bottling. They are concerned it does not add value to the local economy, undermines the viability of agriculture in the region and that it poses a threat to long-term sustainability of water resources in the region.

Under the Water Act 1989, extraction of groundwater for commercial purposes is allowed. The Act does not preference one type of water use over another.

Licensing assessment includes evaluation of risks to third parties (other water users), the environment and the sustainability of the resource.

Resource management and licensing is underpinned by the Act and is supported by:

- a. management plans;
- b. resource monitoring and assessment;
- c. caps on extraction of water resources;
- d. application of annual and/or seasonal allocation volumes tailored to resource availability; and
- e. in Northern Victoria, compliance with the Murray-Darling Basin Plan.

Stanley is located within the Upper Ovens Water Supply Protection Area and a statutory management plan is in place.

This plan aims to strike a balance between competing needs for water in the area, and to ensure that the environmental, social and economic benefits which the water resources provide, are maintained and enhanced.

The 2014-15 Annual Report for the Upper Ovens Water Supply Protection Area notes that groundwater levels have been stable for the last four years and extraction in the area has had little impact on groundwater levels.

Education

6538. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Albert Park:
 8889 Albert Park College
 1181 Albert Park Primary School
 8135 MacRobertson Girls High School
 2815 Middle Park Primary School
 2784 Montague Continuing Education Centre
 2932 Port Melbourne Primary School
 5145 Port Phillip Specialist School
 2460 St Kilda Park Primary School
 7384 Victorian College of the Arts Secondary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

The Department of Education and Training supports schools through the Planned Maintenance Program. The Department undertook a condition assessment audit of every Victorian government school in 2012. Every school received a copy of their report, which details their individual building and overall school rating.

The Department uses an evidence based methodology to rate the condition of school buildings and prioritise the allocation of planned maintenance funding to the lowest rated schools.

The amount of maintenance funding allocated to schools is determined by the amount of funding required to bring buildings within a school's entitlement up to the condition threshold standard.

In order to ensure that planned maintenance funding best meets the needs of schools, plans for the use of funding are developed in close consultation with schools.

Education

6539. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Altona:

5528 Alamanda K–9 College
 5287 Altona Green Primary School
 5172 Altona Meadows Primary School
 8857 Altona P–9 College
 3923 Altona Primary School
 5486 Carranballac P–9 College
 8861 Laverton P–12 College
 4159 Point Cook Prep–Year 9 College
 8847 Point Cook Senior Secondary College
 5337 Seabrook Primary School
 4440 Seaholme Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows: Please refer to response 6538.

Education

6540. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Brighton:

2048 Brighton Beach Primary School
1542 Brighton Primary School
7650 Brighton Secondary College
2870 Elsternwick Primary School
7810 Elwood College
3942 Elwood Primary School
3897 Gardenvale Primary School
3754 Hampton Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows: Please refer to response 6538.

Education

6541. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Bass:

8859 Bass Coast Specialist School
5195 Bass Valley Primary School
5421 Bayles Regional Primary School
3689 Cardinia Primary School
3664 Clyde Primary School
1282 Cowes Primary School
2776 Inverloch Primary School
2629 Koo Wee Rup Primary School
7955 Koo Wee Rup Secondary College
2899 Lang Lang Primary School
3053 Newhaven Primary School
6243 Pakenham Consolidated School
5504 Pakenham Lakeside Primary School
8223 Pakenham Secondary College
5507 Pakenham Springs Primary School
5423 Powlett River Primary School
1369 San Remo Primary School
3716 Wonthaggi North Primary School
3650 Wonthaggi Primary School
8736 Wonthaggi Secondary College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6542. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Brunswick:

3179 Brunswick East Primary School
 3585 Brunswick North Primary School
 4399 Brunswick North West Primary School
 8807 Brunswick Secondary College
 2743 Brunswick South Primary School
 4304 Brunswick South West Primary School
 3941 Coburg West Primary School
 3110 Merri Creek Primary School
 2837 Moreland Primary School
 8916 Parkville College
 4704 Pascoe Vale South Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6543. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Bayswater:

4143 Bayswater North Primary School
 2163 Bayswater Primary School
 7560 Bayswater Secondary College

4973 Bayswater South Primary School
 5039 Bayswater West Primary School
 4967 Boronia Heights Primary School
 8913 Boronia K–12 College
 4908 Boronia West Primary School
 5478 Great Ryrie Primary School
 8816 Heathmont College
 4819 Heathmont East Primary School
 5045 Marlborough Primary School
 5131 Regency Park Primary School
 2329 The Basin Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6544. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Bundoora:

4944 Bundoora Primary School
 7874 Bundoora Secondary College
 8890 Charles La Trobe P–12 College
 5027 Concord School
 2062 Greensborough Primary School
 8750 Greensborough Secondary College
 4845 Kingsbury Primary School
 3618 Norris Bank Primary School
 4935 Watsonia Heights Primary School
 4988 Watsonia North Primary School
 4838 Watsonia Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6545. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Bellarine:

1574 Barwon Heads Primary School
8250 Bellarine Secondary College
5280 Clifton Springs Primary School
1645 Drysdale Primary School
1146 Leopold Primary School
1911 Moolap Primary School
3100 Ocean Grove Primary School
3322 Point Lonsdale Primary School
2455 Portarlington Primary School
1190 Queenscliff Primary School
866 St Leonards Primary School
5354 Surfside Primary School
3345 Wallington Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6546. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Broadmeadows:

5453 Belle Vue Park Primary School
5186 Bethal Primary School
4875 Broadmeadows Primary School
5262 Broadmeadows Special Developmental School
5098 Broadmeadows Valley Primary School
5034 Campbellfield Heights Primary School
5554 Coolaroo South Primary School
5546 Dallas Brooks Community Primary School
3590 Fawkner Primary School
8862 Hume Central Secondary College
4950 Hume Valley School
5555 Jacana School for Autism

8894 John Fawcner Secondary College
 5227 Meadow Heights Primary School
 5524 Meadows Primary School
 4876 Moomba Park Primary School
 8407 Roxburgh College
 5443 Roxburgh Homestead Primary School
 5485 Roxburgh Park Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

- 6547. Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Benambra:
- 4691 Bandiana Primary School
 2222 Baranduda Primary School
 1489 Barnawartha Primary School
 1560 Beechworth Primary School
 7575 Beechworth Secondary College
 5222 Belvoir Wodonga Special Developmental School
 1883 Bethanga Primary School
 7618 Bogong Outdoor Education Centre
 327 Chiltern Primary School
 8843 Corryong College
 1772 Dederang Primary School
 2318 Eskdale Primary School
 5067 Falls Creek Primary School
 6229 Kiewa Valley Primary School
 5141 Melrose Primary School
 1115 Middle Indigo Primary School
 887 Mitta Mitta Primary School
 4644 Mount Beauty Primary School
 8100 Mount Beauty Secondary College
 1463 Osbornes Flat Primary School
 8300 Rutherglen High School
 522 Rutherglen Primary School
 1954 Talgarno Primary School
 1365 Tallangatta Primary School
 8370 Tallangatta Secondary College
 2337 Tallangatta Valley Primary School
 2282 Tawonga Primary School

3145 Upper Sandy Creek Primary School
 644 Wahgunyah Primary School
 2806 Walwa Primary School
 8851 Wodonga Middle Years College, Huon Campus
 37 Wodonga Primary School
 8480 Wodonga Senior Secondary College
 5042 Wodonga South Primary School
 4814 Wodonga West Primary School
 653 Wooragee Primary School
 1103 Yackandandah Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6548. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Bulleen:

4991 Birrale Primary School
 5099 Bulleen Heights School
 197 Doncaster Primary School
 7776 Doncaster Secondary College
 5168 Serpell Primary School
 8823 Templestowe College
 5004 Templestowe Heights Primary School
 5129 Templestowe Park Primary School
 4985 Templestowe Valley Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6549. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Bendigo East:

1008 Axedale Primary School
 7837 Bendigo South East 7–10 Secondary College
 1551 Big Hill Primary School
 1473 Drummartin Primary School
 1428 Eaglehawk North Primary School
 210 Eaglehawk Primary School
 7790 Eaglehawk Secondary College
 6217 East Loddon P–12 College
 1515 Elmore Primary School
 1788 Eppalock Primary School
 2367 Epsom Primary School
 1598 Goornong Primary School
 306 Huntly Primary School
 3686 Kennington Primary School
 1165 Quarry Hill Primary School
 1844 Raywood Primary School
 3505 Spring Gully Primary School
 1211 Strathfieldsaye Primary School
 7405 Weeroona College Bendigo
 1916 White Hills Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6550. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Buninyong:

1435 Ballan Primary School
 8828 Ballarat Secondary College
 3787 Balliang East Primary School
 1960 Bungaree Primary School
 1270 Buninyong Primary School
 5383 Canadian Lead Primary School
 1484 Cape Clear Primary School
 1135 Glen Park Primary School

755 Gordon Primary School
 1076 Haddon Primary School
 863 Lal Lal Primary School
 1386 Lethbridge Primary School
 880 Linton Primary School
 2271 Magpie Primary School
 1420 Meredith Primary School
 7267 Mount Clear College
 427 Mount Clear Primary School
 1918 Mount Egerton Primary School
 1436 Mount Pleasant Primary School
 487 Myrniong Primary School
 1072 Napoleons Primary School
 8900 Phoenix P-12 Community College
 1167 Sebastopol Primary School
 5181 Sovereign Hill School
 1591 Warrenheip Primary School

5440 Woody Yaloak Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6551. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Bendigo West:

1687 Baringhup Primary School
 877 Bendigo Primary School
 7595 Bendigo Senior Secondary College
 5298 Bendigo Special Developmental School
 1097 Bridgewater Primary School
 123 California Gully Primary School
 1976 Camp Hill Primary School
 120 Campbells Creek Primary School
 2051 Castlemaine North Primary School
 119 Castlemaine Primary School
 8824 Castlemaine Secondary College
 1054 Chewton Primary School
 7205 Crusoe 7-10 Secondary College
 5531 Golden Square Primary School
 264 Guildford Primary School
 5404 Harcourt Valley Primary School

4728 Kalianna Special School
 981 Kangaroo Flat Primary School
 5541 Lightning Reef Primary School
 744 Lockwood Primary School
 385 Lockwood South Primary School
 1592 Maiden Gully Primary School
 1254 Maldon Primary School
 400 Marong Primary School
 452 Newstead Primary School
 1316 Specimen Hill Primary School
 652 Winters Flat Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6552. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Burwood:

4317 Ashburton Primary School
 5097 Ashwood School
 8743 Ashwood Secondary College
 1148 Glen Iris Primary School
 4055 Hartwell Primary School
 5416 Parkhill Primary School
 5419 Roberts McCubbin Primary School
 4641 Solway Primary School
 3841 Wattle Park Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6553. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Bentleigh:

6363 Avenues Education
5240 Bayside Special Developmental School
7255 Bentleigh Secondary College
4318 Bentleigh West Primary School
4928 Berendale School
4712 Coatesville Primary School
4837 East Bentleigh Primary School
4366 Mckinnon Primary School
8125 Mckinnon Secondary College
1111 Moorabbin Primary School
5253 Southern Autistic School
4910 Southmoor Primary School
4687 Tucker Road Bentleigh Primary School
4778 Valkstone Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6554. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Caulfield:

3820 Caulfield Junior College
5489 Caulfield Primary School
4315 Caulfield South Primary School
8704 Glen Eira College
4846 Katandra School
8337 Oakwood School
3074 Ormond Primary School
4087 Ripponlea Primary School
1479 St Kilda Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.

- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6555. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Box Hill:

1026 Balwyn Primary School
 7610 Blackburn High School
 4860 Blackburn Lake Primary School
 2923 Blackburn Primary School
 7635 Box Hill High School
 4717 Box Hill North Primary School
 7050 Box Hill Senior Secondary College
 4314 Chatham Primary School
 4816 Kerrimuir Primary School
 7954 Koonung Secondary College
 4863 Laburnum Primary School
 3943 Mont Albert Primary School
 4715 Old Orchard Primary School
 2778 Surrey Hills Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6556. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Carrum:

3613 Banyan Fields Primary School
 4902 Belvedere Park Primary School
 4798 Bonbeach Primary School
 8423 Carrum Downs Secondary College

3385 Carrum Primary School
 5418 Kananook Primary School
 4939 Mahogany Rise Primary School
 5190 Patterson Lakes Primary School
 8725 Patterson River Secondary College
 5313 Rowellyn Park Primary School
 4974 Seaford North Primary School
 5191 Seaford Park Primary School
 3835 Seaford Primary School
 1222 Skye Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6557. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Cranbourne:

8874 Alkira Secondary College
 5371 Courtenay Gardens Primary School
 5510 Cranbourne Carlisle Primary School
 5518 Cranbourne East Primary School
 8898 Cranbourne East Secondary College
 4887 Cranbourne Park Primary School
 2068 Cranbourne Primary School
 7747 Cranbourne Secondary College
 5189 Cranbourne West Primary School
 5494 Lynbrook Primary School
 5521 Lyndhurst Primary School
 7108 Lyndhurst Secondary College
 5464 Marnebek School Cranbourne
 5232 Rangebank Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.

- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6558. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Clarinda:

4754 Cheltenham East Primary School
 7720 Cheltenham Secondary College
 3336 Clarinda Primary School
 4384 Clayton South Primary School
 4716 Huntingdale Primary School
 5101 Kingston Heath Primary School
 5422 Le Page Primary School
 4823 Oakleigh South Primary School
 8801 South Oakleigh Secondary College
 5538 Spring Parks Primary School
 4851 Westall Primary School
 8470 Westall Secondary College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6559. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Croydon:

4879 Ainslie Parklands Primary School
 7757 Croydon Community School
 5255 Croydon Hills Primary School
 2900 Croydon Primary School
 5210 Croydon Special Developmental School
 5132 Dorset Primary School
 5121 Kalinda Primary School
 8912 Melba Secondary College
 5059 Mooroolbark East Primary School
 4937 Pembroke Primary School
 4916 Ruskin Park Primary School

8815 Yarra Hills Secondary College
4219 Yarra Road Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6560. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Forest Hill:

5511 Aurora School
8747 Blackburn English Language School
454 Burwood East Primary School
5225 Burwood East Special Developmental School
4932 Burwood Heights Primary School
5111 Camelot Rise Primary School
8724 Forest Hill College
4986 Highvale Primary School
7918 Highvale Secondary College
5113 Livingstone Primary School
5285 Orchard Grove Primary School
4881 Parkmore Primary School
1022 Vermont Primary School
8420 Vermont Secondary College
5025 Vermont South Special School
5157 Weeden Heights Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

- 6561. Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Dandenong:
- 5231 Chalcot Lodge Primary School
 - 8858 Dandenong High School
 - 4723 Dandenong North Primary School
 - 1403 Dandenong Primary School
 - 4810 Dandenong South Primary School
 - 4217 Dandenong West Primary School
 - 8905 Doveton College
 - 4918 Emerson School
 - 5136 James Cook Primary School
 - 5535 Lyndale Greens Primary School
 - 8000 Lyndale Secondary College
 - 5087 Rosewood Downs Primary School
 - 4989 Wooranna Park Primary School
 - 4807 Yarraman Oaks Primary School
- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
 - (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
 - (3) How much maintenance funding does each of these school buildings require according to the CAR.
 - (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
 - (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

- 6562. Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Frankston:
- 5043 Aldercourt Primary School
 - 5005 Ballam Park Primary School
 - 4682 Frankston East Primary School
 - 4815 Frankston Heights Primary School
 - 7850 Frankston High School
 - 1464 Frankston Primary School
 - 5143 Frankston Special Developmental School
 - 5053 Karingal Heights Primary School
 - 4922 Karingal Primary School
 - 5135 Kingsley Park Primary School
 - 8835 McClelland Secondary College
 - 8809 Monterey Secondary College
 - 7028 Mount Erin Secondary College
 - 5080 Naranga Special School
 - 4290 Nepean Special School
 - 4780 Overport Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6563. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Eildon:

912 Alexandra Primary School
 7505 Alexandra Secondary College
 1666 Arthurs Creek Primary School
 3309 Badger Creek Primary School
 1669 Buxton Primary School
 1362 Christmas Hills Primary School
 3279 Chum Creek Primary School
 1585 Dixons Creek Primary School
 3956 Don Valley Primary School
 3931 Eildon Primary School
 3098 Flowerdale Primary School
 3982 Gladysdale Primary School
 7900 Healesville High School
 849 Healesville Primary School
 2541 Hoddles Creek Primary School
 814 Jamieson Primary School
 2105 Kangaroo Ground Primary School
 2188 Kinglake Primary School
 3255 Kinglake West Primary School
 2599 Launching Place Primary School
 1112 Mansfield Primary School
 8010 Mansfield Secondary College
 1273 Marysville Primary School
 1379 Merrijig Primary School
 3315 Middle Kinglake Primary School
 5441 Millwarra Primary School
 1134 Panton Hill Primary School
 8294 Rubicon Outdoor Centre
 128 St Andrews Primary School
 3947 Strathewen Primary School
 2544 Taggerty Primary School
 3237 Toolangi Primary School
 8410 Upper Yarra Secondary College
 1485 Warburton Primary School
 3466 Wesburn Primary School

1259 Woori Yallock Primary School
 956 Yarra Glen Primary School
 3216 Yarra Junction Primary School
 8500 Yea High School
 699 Yea Primary School
 4705 Yellingbo Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6564. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Geelong:

1492 Ashby Primary School
 5368 Barwon Valley School
 7585 Belmont High School
 26 Belmont Primary School
 2061 Chilwell Primary School
 4919 Fyans Park Primary School
 541 Geelong East Primary School
 7855 Geelong High School
 2143 Geelong South Primary School
 4224 Manifold Heights Primary School
 8022 Matthew Flinders Girls Secondary College
 5444 Newcomb Park Primary School
 8151 Newcomb Secondary College
 1887 Newtown Primary School
 8210 Oberon High School
 4735 Oberon Primary School
 4983 Oberon South Primary School
 4663 Roslyn Primary School
 4398 Tate Street Primary School Geelong
 5123 Whittington Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.

- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6565. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Eltham:

5184 Apollo Parkways Primary School
 4341 Briar Hill Primary School
 5161 Diamond Valley Special Developmental School
 4897 Eltham East Primary School
 7805 Eltham High School
 4212 Eltham North Primary School
 209 Eltham Primary School
 5260 Glen Katherine Primary School
 4893 Greenhills Primary School
 1295 Lower Plenty Primary School
 4112 Montmorency Primary School
 8068 Montmorency Secondary College
 4925 Montmorency South Primary School
 2959 Research Primary School
 5013 Sherbourne Primary School
 8730 St Helena Secondary College and Glen Katherine Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6566. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Gembrook:

3033 Beaconsfield Primary School
 2560 Beaconsfield Upper Primary School
 5213 Berwick Lodge Primary School
 40 Berwick Primary School
 7603 Berwick Secondary College

3535 Cockatoo Primary School
 3381 Emerald Primary School
 8707 Emerald Secondary College
 2506 Gembrook Primary School
 1697 Harkaway Primary School
 8865 Nossal High School
 2742 Officer Primary School
 5370 Pakenham Hills Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6567. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Essendon:

2608 Ascot Vale Primary School
 5109 Ascot Vale Special School
 4025 Ascot Vale West Primary School
 5068 Debney Meadows Primary School
 4015 Essendon North Primary School
 483 Essendon Primary School
 250 Flemington Primary School
 3987 Moonee Ponds Primary School
 2901 Moonee Ponds West Primary School
 7763 Mount Alexander 7–12 College
 4821 Strathmore North Primary School
 4612 Strathmore Primary School
 8345 Strathmore Secondary College
 4465 Travancore School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6568. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Gippsland South:

1 Alberton Primary School
 5021 Araluen Primary School
 2703 Devon North Primary School
 3028 Fish Creek and District Primary School
 6221 Foster Primary School
 5442 Gormandale and District Primary School
 4853 Guthridge Primary School
 3323 Kongwak Primary School
 3077 Korumburra Primary School
 7960 Korumburra Secondary College
 2981 Leongatha Primary School
 8745 Leongatha Secondary College
 2912 Loch Primary School
 5245 Loch Sport Primary School
 1694 Longford Primary School
 2383 Mirboo North Primary School
 8050 Mirboo North Secondary College
 5395 Nambrok Denison Primary School
 3401 Nyora Primary School
 6245 Poowong Consolidated School
 770 Rosedale Primary School
 8834 Sale College
 545 Sale Primary School
 5175 Sale Specialist School
 4324 Seaspray Primary School
 7845 South Gippsland Secondary College
 5495 South Gippsland Specialist School
 4275 Tarwin Lower Primary School
 5420 Tarwin Valley Primary School
 2253 Toora Primary School
 5396 Welshpool and District Primary School
 1176 Woodside Primary School
 2518 Wurruk Primary School
 693 Yarram Primary School
 8490 Yarram Secondary College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6569. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Euroa:

8 Avenel Primary School
 8915 Benalla P–12 College
 1125 Broadford Primary School
 7655 Broadford Secondary College
 862 Broken Creek Primary School
 3936 Colbinabbin Primary School
 1764 Devenish Primary School
 3944 Dhurringile Primary School
 1706 Euroa Primary School
 7820 Euroa Secondary College
 3971 Girgarre Primary School
 1742 Glenrowan Primary School
 1458 Harston Primary School
 300 Heathcote Primary School
 3440 Highlands Primary School
 1568 Kilmore Primary School
 2707 Longwood Primary School
 1874 Merrigum Primary School
 1126 Murchison Primary School
 1104 Nagambie Primary School
 5367 Peranbin Primary College, Violet Town Campus
 1855 Puckapunyal Primary School
 2005 Pyalong Primary School
 2571 Redesdale Mia Mia Primary School
 6238 Rushworth P–12 College
 8884 Seymour College
 3937 Stanhope Primary School
 1488 Tallarook Primary School
 2056 Thoona Primary School
 1225 Tooborac Primary School
 1277 Wandong Primary School
 3479 Willowmavin Primary School
 1870 Winton Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6570. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Gippsland East:

4169 Airly Primary School
 754 Bairnsdale Primary School
 8466 Bairnsdale Secondary College
 4725 Bairnsdale West Primary School
 6207 Boisdale Consolidated School
 1117 Briagolong Primary School
 1141 Bruthen Primary School
 1905 Buchan Primary School
 5392 Bundalaguah Primary School
 3920 Cann River P–12 College
 3684 Clifton Creek Primary School
 4387 Cobains Primary School
 1081 Dargo Primary School
 3215 Eagle Point Primary School
 5490 East Gippsland Specialist School
 5547 Goongerah P–8 School (interim name)
 1108 Heyfield Primary School
 2672 Lakes Entrance Primary School
 8720 Lakes Entrance Secondary College
 1120 Lindenow Primary School
 2963 Lindenow South Primary School
 1231 Lucknow Primary School
 861 Maffra Primary School
 8005 Maffra Secondary College
 3515 Mallacoota P–12 College
 3433 Marlo Primary School
 2535 Meerlieu Primary School
 3050 Metung Primary School
 2930 Newmerella Primary School
 1716 Nicholson Primary School
 3372 Noorinbee Primary School
 3738 Nowa Nowa Primary School
 4226 Nungurner Primary School
 831 Omeo Primary School
 4767 Orbost North Primary School
 2744 Orbost Primary School
 8215 Orbost Secondary College
 2343 Paynesville Primary School
 596 Stratford Primary School
 1631 Swan Reach Primary School
 8892 Swifts Creek School (Interim name)
 2216 Tambo Upper Primary School
 3968 Toorloo Arm Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.

- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6571. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Evelyn:

5011 Bimbadeen Heights Primary School
 5048 Birmingham Primary School
 5194 Chirnside Park Primary School
 5127 Coldstream Primary School
 2956 Gruyere Primary School
 7219 Lilydale Heights College
 7995 Lilydale High School
 876 Lilydale Primary School
 5057 Lilydale West Primary School
 5009 Manchester Primary School
 8071 Mooroolbark College
 3642 Mount Evelyn Primary School
 5246 Mount Evelyn Special Developmental School
 5241 Rolling Hills Primary School
 2820 Seville Primary School
 3892 Wandin North Primary School
 1033 Wandin Yallock Primary School
 1034 Yering Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6572. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Hastings:

3023 Baxter Primary School
 3933 Bittern Primary School
 4755 Cranbourne South Primary School
 3080 Crib Point Primary School
 3924 Devon Meadows Primary School
 8722 Elisabeth Murdoch College
 1098 Hastings Primary School
 5257 Langwarrin Park Primary School
 3531 Langwarrin Primary School
 2961 Pearcedale Primary School
 3261 Perseverance Primary School
 2656 Somerville Primary School
 5372 Somerville Rise Primary School
 8875 Somerville Secondary College
 1503 Tooradin Primary School
 3129 Tyabb Primary School
 3544 Tyabb Railway Station Primary School
 5202 Wallaroo Primary School
 7893 Western Port Secondary College
 5319 Woodlands Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6573. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Ferntree Gully:

5309 Eastern Ranges School
 7823 Fairhills High School
 4906 Fairhills Primary School
 4718 Ferntree Gully North Primary School
 5082 Kent Park Primary School
 5429 Knox Central Primary School
 5234 Knox Gardens Primary School
 4905 Mountain Gate Primary School
 5196 Templeton Primary School
 8428 Wantirna College

3709 Wantirna Primary School
4582 Wantirna South Primary School
5012 Wattle View Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6574. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Hawthorn:

7526 Auburn High School
2948 Auburn Primary School
4183 Auburn South Primary School
7680 Camberwell High School
888 Camberwell Primary School
4170 Camberwell South Primary School
3572 Canterbury Primary School
1508 Glenferrie Primary School
293 Hawthorn West Primary School
7366 Swinburne Senior Secondary College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6575. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Footscray:

5064 Ardeer South Primary School
 7645 Braybrook College
 5450 Dinjerra Primary School
 8836 Footscray City College (Footscray precinct share with City Primary School)
 1912 Footscray City Primary School (Footscray precinct share with City College)
 4160 Footscray North Primary School
 253 Footscray Primary School
 3890 Footscray West Primary School
 7841 Gilmore College For Girls
 5050 Glengala/Sunshine West Primary School
 8015 Maribyrnong Secondary College
 4792 Rosamond Special School
 8790 Sunshine College
 4744 Sunshine Heights Primary School
 3113 Sunshine Primary School
 5267 Sunshine Special Developmental School
 8838 Western English Language School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6576. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Ivanhoe:

3605 Austin Hospital School
 4746 Banyule Primary School
 294 Heidelberg Primary School
 4386 Ivanhoe East Primary School
 2436 Ivanhoe Primary School
 6242 Macleod College
 4753 Rosanna Golf Links Primary School
 4568 Rosanna Primary School
 5438 Streeton Primary School
 8812 Viewbank College
 4892 Viewbank Primary School
 5144 Waratah Special Developmental School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.

- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6577. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Keysborough:

- 5536 Athol Road Primary School
- 5533 Chandler Park Primary School
- 4257 Dingley Primary School
- 4802 Heatherhill Primary School
- 5534 Keysborough Primary School
- 8867 Keysborough Secondary College
- 5106 Kingswood Primary School
- 8749 Noble Park English Language School
- 3675 Noble Park Primary School
- 5055 Wallarano Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6578. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Kew:

- 7550 Balwyn High School
- 4638 Balwyn North Primary School
- 4733 Belle Vue Primary School
- 4675 Belmore School
- 5288 Boroondara Park Primary School
- 7690 Canterbury Girls' Secondary College
- 3680 Deepdene Primary School
- 4694 Greythorn Primary School

3161 Kew East Primary School
7950 Kew High School
1075 Kew Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6579. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Kororoit:

5179 Albanvale Primary School
8908 Brookside P–9 College
1434 Cairnlea Park Primary School
8909 Creekside K–9 College
5084 Deer Park North Primary School
5032 Deer Park West Primary School
5512 Derrimut Primary School
5236 Kings Park Primary School
5499 Kororoit Creek Primary School
8910 Lakeview Senior College
5139 Movelle Primary School
919 Rockbank Primary School
8911 Springside P–9 College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6580. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Monbulk:

5301 Aspendale Gardens Primary School
 4193 Aspendale Primary School
 3341 Chelsea Heights Primary School
 3729 Chelsea Primary School
 3790 Edithvale Primary School
 4955 Mentone Park Primary School
 846 Mordialloc (Beach) Primary School
 8075 Mordialloc College
 4171 Parkdale Primary School
 8225 Parkdale Secondary College
 4843 Parktone Primary School
 5142 Yarrabah School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6581. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Lara:

1910 Anakie Primary School
 4962 Bell Park North Primary School
 4804 Hamlyn Banks Primary School
 4681 Herne Hill Primary School
 769 Lara Lake Primary School
 4885 Lara Primary School
 4768 Nelson Park School
 7856 North Geelong Secondary College
 8901 Northern Bay P-12 College
 4867 Rollins Primary School
 8820 Western Heights Secondary College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.

- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6582. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Mornington:

5488 Benton Junior College
 5182 Kunyung Primary School
 2327 Moorooduc Primary School
 5040 Mornington Park Primary School
 2033 Mornington Primary School
 8804 Mornington Secondary College
 5239 Mornington Special Developmental School
 5140 Mount Eliza North Primary School
 1368 Mount Eliza Primary School
 8102 Mount Eliza Secondary College
 5171 Mount Martha Primary School
 2655 Osborne Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6583. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Lowan:

1208 Apsley Primary School
 8814 Baimbridge College
 8872 Balmoral K–12 Community College
 5377 Branhholme–Wallacedale Community School
 2058 Casterton Primary School
 7695 Casterton Secondary College
 116 Cavendish Primary School
 2118 Coleraine Primary School
 1035 Dartmoor Primary School

7770 Dimboola Memorial Secondary College
 1372 Dimboola Primary School
 6215 Dunkeld Consolidated School
 5432 Edenhope College
 4777 George Street Primary School, Hamilton
 6223 Goroke P-12 College
 3058 Halls Gap Primary School
 295 Hamilton (Gray Street) Primary School
 2035 Hamilton North Primary School
 5283 Hamilton Special Developmental School
 8818 Horsham College
 5548 Horsham Primary School
 5273 Horsham Special School
 4697 Horsham West and Haven Primary School
 2988 Jeparit Primary School
 8842 Kaniva College
 2805 Laharum Primary School
 854 Lake Bolac College
 1943 Maroona Primary School
 6237 Merino Consolidated School
 2167 Minyip Primary School
 1263 Moyston Primary School
 1548 Natimuk Primary School
 8833 Nhill College
 486 Penshurst Primary School
 2859 Pomonal Primary School
 3313 Rainbow Primary School
 8255 Rainbow Secondary College
 1595 Rupanyup Primary School
 1334 Warracknabeal Primary School
 8430 Warracknabeal Secondary College
 5291 Warracknabeal Special Developmental School
 2662 Willaura Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6584. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Morwell:
 2617 Boolarra Primary School

5117 Churchill North Primary School
 4970 Churchill Primary School
 2136 Commercial Road Primary School, Morwell
 1967 Cowwarr Primary School
 2888 Glengarry Primary School
 3584 Grey Street Primary School, Traralgon
 2382 Hazelwood North Primary School
 8716 Kurnai College
 5221 Latrobe Special Developmental School
 8821 Lowanna College
 4975 Morwell Park Primary School
 4692 Morwell Primary School (Regeneration Project, Torbruk Street and Commercial Road)
 4670 Newborough East Primary School
 4650 Newborough Primary School
 4680 Tobruk Street Primary School, Morwell
 856 Toongabbie Primary School
 4699 Traralgon (Kosciuszko Street) Primary School
 4700 Traralgon (Liddiard Road) Primary School
 4652 Traralgon (Stockdale Road) Primary School
 8803 Traralgon College 2114 Traralgon South Primary School
 2182 Tyers Primary School
 3967 Yallourn North Primary School
 2419 Yinnar Primary School
 2730 Yinnar South Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6585. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Macedon:

1070 Bolinda Primary School
 1288 Bullarto Primary School
 3035 Clarkefield Primary School
 716 Coimadai Primary School
 878 Darraweit Guim Primary School
 1609 Daylesford Primary School
 7115 Daylesford Secondary College
 1848 Drummond Primary School
 220 Elphinstone Primary School
 262 Gisborne Primary School

7857 Gisborne Secondary College
 767 Hepburn Primary School
 1004 Hesketh Primary School
 343 Kyneton Primary School
 7970 Kyneton Secondary College
 707 Lancefield Primary School
 1275 Langley Primary School
 1660 Macedon Primary School
 1408 Malmsbury Primary School
 415 Mount Macedon Primary School
 467 New Gisborne Primary School
 1913 Newham Primary School
 528 Riddells Creek Primary School
 366 Romsey Primary School
 614 Taradale Primary School
 5414 Toolern Vale and District Primary School
 1588 Trentham District Primary School
 621 Tylden Primary School
 647 Woodend Primary School
 691 Yandoit Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

- 6586. Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Mount Waverley:
- 7647 Brentwood Secondary College
 4903 Essex Heights Primary School
 5425 Glen Waverley Primary School
 8808 Glen Waverley Secondary College
 5436 Glen Waverley South Primary School
 4968 Glenallen School
 5010 Glendal Primary School
 4923 Mount View Primary School
 5430 Mount Waverley North Primary School
 3432 Mount Waverley Primary School
 8105 Mount Waverley Secondary College
 4874 Pinewood Primary School
 4924 Syndal South Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6587. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Malvern:

2634 Armadale Primary School
 4139 Lloyd Street Primary School
 1604 Malvern Central School
 2586 Malvern Primary School
 4669 Malvern Valley Primary School
 3016 Toorak Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6588. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Mulgrave:

5427 Albany Rise Primary School
 5038 Brandon Park Primary School
 5435 Carwatha College P–12
 4730 Harrisfield Primary School
 5176 Jells Park Primary School
 5151 Monash Special Developmental School
 2172 Mulgrave Primary School
 8813 Noble Park Secondary College

5120 Silverton Primary School
 5164 Springvale Park Special Developmental School
 5537 Springvale Rise Primary School (interim name)
 5105 Waverley Meadows Primary School
 8462 Wellington Secondary College
 5094 Wheelers Hill Primary School
 8474 Wheelers Hill Secondary College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6589. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Melbourne:

2605 Carlton Gardens Primary School
 1252 Carlton North Primary School
 4980 Carlton Primary School
 7947 Kensington Community High School
 2374 Kensington Primary School
 1402 North Melbourne Primary School
 2955 Princes Hill Primary School
 8245 Princes Hill Secondary College
 5023 Royal Childrens Hospital Education Institute
 8405 University High School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6590. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Murray Plains:

5407 Beverford District Primary School
 8882 Boort District P–12 School
 6211 Cohuna Consolidated School
 7735 Cohuna Secondary College
 8855 Echuca College
 2667 Echuca East Primary School
 208 Echuca Primary School
 4994 Echuca South Primary School
 5299 Echuca Specialist School
 3916 Echuca West Primary School
 2231 Gunbower Primary School
 1410 Kerang Primary School
 4949 Kerang South Primary School
 7945 Kerang Technical High School
 2265 Koondrook Primary School
 7965 Kyabram P–12 College
 3278 Lake Boga Primary School
 2122 Lake Charm Primary School
 1814 Lancaster Primary School
 2087 Leitchville Primary School
 6233 Lockington Consolidated School
 3859 Murrabit Group School
 3708 Nanneella Estate Primary School
 5456 Nyah District Primary School
 8878 Payika College a Koorie Pathways School (interim name)
 1712 Pyramid Hill College
 2443 Quambatook Group School
 795 Rochester Primary School
 8280 Rochester Secondary College
 8802 Swan Hill College
 4743 Swan Hill North Primary School
 1142 Swan Hill Primary School
 5268 Swan Hill Specialist School
 6255 Tongala Primary School
 3426 Ultima Primary School
 1771 Undera Primary School
 4041 Welton Primary School
 5439 Woorinen District Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6591. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Melton:

8777 Bacchus Marsh College
 28 Bacchus Marsh Primary School
 5090 Coburn Primary School
 5200 Darley Primary School
 3423 Exford Primary School
 5256 Kurunjang Primary School
 8718 Kurunjang Secondary College
 430 Melton Primary School
 8027 Melton Secondary College
 3717 Melton South Primary School
 5162 Melton Specialist School
 5036 Melton West Primary School
 5369 Pentland Primary School
 7247 Staughton College
 5206 Wedge Park Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6592. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Narracan:

5079 Baringa Special School
 3612 Bona Vista Primary School
 2017 Buln Buln Primary School
 2229 Bunyip Primary School
 2319 Darnum Primary School
 1924 Drouin Primary School
 7785 Drouin Secondary College
 2313 Drouin South Primary School
 1417 Drouin West Primary School
 2189 Ellinbank Primary School

2724 Garfield Primary School
 1951 Jindivick Primary School
 2471 Labertouche Primary School
 5393 Lardner and District Primary School
 2505 Longwarry Primary School
 2142 Moe (Albert Street) Primary School
 4662 Moe (South Street) Primary School
 4740 Moe Primary School
 2248 Nar Nar Goon Primary School
 2295 Narracan Primary School
 5394 Neerim District Rural Primary School
 8145 Neerim District Secondary College
 2432 Neerim South Primary School
 2712 Nilma Primary School
 4098 Noojee Primary School
 5389 Rawson Primary School
 2129 Ripplebrook Primary School
 2840 Tanjil South Primary School
 2966 Thorpdale Primary School
 8395 Trafalgar High School
 2185 Trafalgar Primary School
 5289 Warragul and District Specialist School
 4695 Warragul North Primary School
 2104 Warragul Primary School
 8827 Warragul Regional College
 2520 Willow Grove Primary School
 2178 Yarragon Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

- 6593.** **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Mildura:
- 3109 Beulah Primary School
 8832 Birchip P-12 School
 4263 Cardross Primary School
 7250 Chaffey Secondary College
 8904 Hopetoun P-12 College
 3174 Irymple Primary School
 7198 Irymple Secondary College

3702 Irymple South Primary School
 3470 Koorlong Primary School
 6235 Manangatang P-12 College
 8886 Merbein P-10 College
 2915 Mildura Primary School
 8045 Mildura Senior College
 4389 Mildura South Primary School
 5251 Mildura Specialist School
 3983 Mildura West Primary School
 5433 Murrayville Community College
 5402 Nangiloc Colignan and District Primary School
 3163 Nichols Point Primary School
 3301 Nullawil Primary School
 8220 Ouyen P-12 College
 4164 Piangil Primary School
 5346 Ranfurly Primary School
 4123 Red Cliffs East Primary School
 4057 Red Cliffs Primary School
 8260 Red Cliffs Secondary College
 8885 Robinvale P-12 College
 4416 Sunnyclyffs Primary School
 5386 Tempy Primary School
 3581 The Lake Primary School
 5403 Tyrrell College
 3819 Underbool Primary School
 3747 Walpeup Primary School
 6257 Werrimull P-12 School
 3373 Woomelang Group School
 8831 Wycheproof P-12 College
 3976 Yaaapeet Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

- 6594. Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Narre Warren North:
- 5238 Dandenong Valley Special Developmental School
 4407 Fleetwood Primary School
 5072 Fountain Gate Primary School
 8870 Fountain Gate Secondary College

8869 Gleneagles Secondary College
 244 Hallam Primary School
 8868 Hallam Senior Secondary College
 5293 Maramba Primary School
 5205 Mossgiel Park Primary School
 1901 Narre Warren North Primary School
 5363 Oatlands Primary School
 5235 Southern Cross Primary School
 5294 Thomas Mitchell Primary School
 5479 Timbarra P–9 College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6595. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Mill Park:

7813 Epping Secondary College
 5244 Findon Primary School
 5286 Meadowglen Primary School
 5325 Mill Park Heights Primary School
 5160 Mill Park Primary School
 8775 Mill Park Secondary College
 1975 Morang South Primary School
 1915 Plenty Parklands Primary School
 8846 The Lakes South Morang P–9 School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6596. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Narre Warren South:

5503 Berwick Chase Primary School
 5305 Berwick Fields Primary School
 5308 Brentwood Park Primary School
 5292 Coral Park Primary School
 4062 Hampton Park Primary School
 8709 Hampton Park Secondary College
 5482 Hillsmeade Primary School
 8421 Kambrya College
 5350 Kilberry Valley Primary School
 8839 Narre Warren South P-12 College
 5130 River Gum Primary School
 5463 Strathaird Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6597. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Niddrie:

4220 Aberfeldie Primary School
 4812 Avondale Primary School
 7670 Buckley Park College
 8806 Essendon East Keilor District College
 4877 Keilor Heights Primary School
 1578 Keilor Primary School
 5410 Niddrie Primary School
 7275 Rosehill Secondary College
 5290 Western Autistic School, Niddrie Campus

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.

- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6598. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Nepean:

1698 Balnarring Primary School
 1184 Boneo Primary School
 184 Dromana Primary School
 7122 Dromana Secondary College
 5133 Eastbourne Primary School
 5230 Peninsula Specialist College
 6249 Red Hill Consolidated School
 2627 Rosebud Primary School
 8290 Rosebud Secondary College
 1667 Rye Primary School
 4458 Somers Primary School
 4647 Somers School Camp
 1090 Sorrento Primary School
 4661 Tootgarook Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6599. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Northcote:

3599 Alphington Primary School
 4309 Bell Primary School
 4679 Croxton Special School
 6261 Distance Education Centre Victoria
 2711 Fairfield Primary School
 8180 Northcote High School
 1401 Northcote Primary School

3806 Penders Grove Primary School
 824 Preston South Primary School
 8797 Thornbury High School
 3889 Thornbury Primary School
 6359 Victorian School of Languages
 3139 Wales Street Primary School
 4177 Westgarth Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6600. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Thomastown:

3552 Baltara School
 5551 Epping Primary School
 5513 Epping Views Primary School
 4976 Lalor East Primary School
 5532 Lalor Gardens Primary School
 5035 Lalor North Primary School
 7986 Lalor North Secondary College
 4709 Lalor Primary School
 7985 Lalor Secondary College
 8841 Lara Secondary College
 5284 Merriang Special Developmental School
 7217 Peter Lalor Secondary College
 4827 Thomastown East Primary School
 5134 Thomastown Meadows Primary School
 631 Thomastown Primary School
 8383 Thomastown Secondary College
 4999 Thomastown West Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.

- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6601. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Oakleigh:

5428 Amsleigh Park Primary School
 2897 Carnegie Primary School
 734 Clayton North Primary School
 3703 Glen Huntly Primary School
 4176 Hughesdale Primary School
 8856 John Monash Science School
 3449 Murrumbeena Primary School
 1601 Oakleigh Primary School
 4832 Sussex Heights Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6602. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Warrandyte:

5104 Andersons Creek Primary School
 4813 Beverley Hills Primary School
 5019 Donburn Primary School
 5454 Doncaster Gardens Primary School
 4961 Donvale Primary School
 7773 East Doncaster Secondary College
 4871 Heatherwood School
 5212 Milgate Primary School
 4854 Park Orchards Primary School
 8437 Warrandyte High School
 12 Warrandyte Primary School
 3476 Warranwood Primary School
 3241 Wonga Park Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6603. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Ovens Valley:

5207 Appin Park Primary School
 776 Bright P–12 College
 1704 Carraragarmungee Primary School
 6209 Cobram Primary School
 7725 Cobram Secondary College
 5147 Cobram Special Developmental School
 1422 Edi Upper Primary School
 5399 Everton Primary School
 5398 Greta Valley Primary School
 843 Harrierville Primary School
 4896 Invergordon Primary School
 2069 Katamatite Primary School
 737 Milawa Primary School
 1335 Moyhu Primary School
 2677 Myrree Primary School
 8873 Myrtleford P–12 College
 1399 Oxley Primary School
 1144 Porepunkah Primary School
 1583 Springhurst Primary School
 8837 The Alpine School
 2225 Tungamah Primary School
 275 Wandiligong Primary School
 5226 Wangaratta District Specialist School
 8425 Wangaratta High School
 643 Wangaratta Primary School
 4642 Wangaratta West Primary School
 5397 Whitfield District Primary School
 1373 Whorouly Primary School
 8883 Yarrawonga College P–12
 4761 Yarrunga Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.

- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6604. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Wendouree:

1091 Alfredton Primary School
 7540 Ballarat High School
 4690 Ballarat North Primary School
 33 Ballarat Primary School (Dana Street)
 4762 Ballarat Specialist School
 2043 Black Hill Primary School
 5384 Caledonian Primary School
 5201 Delacombe Primary School
 4936 Forest Street Primary School
 882 Invermay Primary School
 2093 Little Bendigo Primary School
 2022 Macarthur Street Primary School
 695 Pleasant Street Primary School, Ballarat
 2103 Urquhart Park Primary School
 1813 Wendouree Primary School
 5520 Yuille Park P-8 Community College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6605. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Pascoe Vale:

4543 Coburg North Primary School
 484 Coburg Primary School

8849 Coburg Senior High School
 5261 Coburg Special Developmental School
 5542 Glenroy Central Primary School
 8893 Glenroy Secondary College
 4915 Glenroy Specialist School
 4809 Glenroy West Primary School
 4721 Oak Park Primary School
 8227 Pascoe Vale Girls Secondary College
 4731 Pascoe Vale North Primary School
 3081 Pascoe Vale Primary School
 4158 Westbreen Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6606. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Werribee:

5152 Iramoo Primary School
 1961 Little River Primary School
 8848 Manor Lakes P-12 College
 5091 Manorvale Primary School
 8866 Suzanne Cory High School
 5343 Thomas Chirnside Primary School
 5165 Warringa Park School
 649 Werribee Primary School
 8465 Werribee Secondary College
 5365 Westgrove Primary School
 5049 Woodville Primary School
 5540 Wyndham Park Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6607. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Polwarth:

6201 Alvie Consolidated School
 4332 Anglesea Primary School
 6203 Apollo Bay P–12 College
 932 Bannockburn Primary School
 482 Beeac Primary School
 723 Birregurra Primary School
 6259 Camperdown College
 3497 Carlisle River Primary School
 864 Cobden Primary School
 7088 Cobden Technical School
 117 Colac Primary School
 8864 Colac Secondary College
 4775 Colac South West Primary School
 5247 Colac Specialist School
 4064 Colac West Primary School
 1642 Deans Marsh Primary School
 5375 Derrinallum P–12 College
 2028 Elliminyt Primary School
 2708 Forrest Primary School
 5276 Hampden Specialist School
 1147 Inverleigh Primary School
 6231 Lavers Hill P–12 College
 1293 Lismore Primary School
 2162 Lorne-Aireys Inlet P–12 College, Lorne Campus
 5376 Mortlake P–12 College
 1178 Noorat Primary School
 1652 Nullawarre and District Primary School
 531 Rokewood Primary School
 379 Shelford Primary School
 4895 Simpson Primary School
 582 Skipton Primary School
 2065 Teesdale Primary School
 6236 Terang College
 6260 Timboon P–12 School
 2015 Winchelsea Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6608. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Williamstown:

- 4931 Altona North Primary School
- 8800 Bayside P–12 College
- 3988 Kingsville Primary School
- 4665 Newport Gardens Primary School
- 113 Newport Lakes Primary School
- 3659 Spotswood Primary School
- 4788 Wembley Primary School
- 8475 Williamstown High School
- 1409 Williamstown North Primary School
- 1183 Williamstown Primary School
- 5278 Yarraville Special Developmental School
- 2832 Yarraville West Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6609. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Prahran:

- 8025 Melbourne High School
- 583 South Yarra Primary School
- 1896 Stonnington Primary School
- 3774 Victorian College for the Deaf

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.

- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6610. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Yan Yean:

1476 Beveridge Primary School
 5037 Diamond Creek East Primary School
 1003 Diamond Creek Primary School
 8746 Diamond Valley College
 945 Doreen Primary School
 5552 Hazel Glen Primary School (interim name)
 3939 Hurstbridge Primary School
 5497 Laurimar Primary School
 488 Mernda Primary School
 1244 Upper Plenty Primary School
 664 Wallan Primary School
 8791 Wallan Secondary College
 4060 Wattle Glen Primary School
 2090 Whittlesea Primary School
 7408 Whittlesea Secondary College
 2054 Yarrambat Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6611. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Preston:

4646 Newlands Primary School
 7300 Northern College of the Arts and Technology
 5219 Northern School For Autism
 4764 Preston North East Primary School
 1494 Preston Primary School

3885 Preston West Primary School
 4686 Reservoir East Primary School
 8708 Reservoir High School
 3960 Reservoir Primary School
 5523 Reservoir Views Primary School
 4711 Reservoir West Primary School
 5544 William Ruthven Primary School
 8895 William Ruthven Secondary College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6612. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Yuroke:

5522 Aitken Creek Primary School
 4770 Craigieburn Primary School
 8705 Craigieburn Secondary College
 5243 Craigieburn South Primary School
 890 Greenvale Primary School
 1051 Mickleham Primary School
 8853 Mount Ridley P-12 College
 5493 Roxburgh Rise Primary School
 982 Westmeadows Primary School
 5342 Willmott Park Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6613. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Richmond:

1886 Abbotsford Primary School
 1360 Clifton Hill Primary School
 6212 Collingwood College
 8748 Collingwood English Language School
 8742 Fitzroy High School
 1490 Fitzroy North Primary School
 450 Fitzroy Primary School
 8003 Lynall Hall Community School
 8819 Melbourne Girls' College
 5269 Richmond Primary School
 5044 Richmond West Primary School
 3146 Spensley Street Primary School
 5271 Yarra Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6614. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Ringwood:

4844 Antonio Park Primary School
 4702 Eastwood Primary School
 2904 Mitcham Primary School
 4808 Mount Pleasant Road Nunawading Primary School
 8744 Mullauna Secondary College
 4886 Mullum Primary School
 8185 Norwood Secondary College
 5431 Rangeview Primary School
 4911 Ringwood Heights Primary School
 4120 Ringwood North Primary School
 8270 Ringwood Secondary College
 5075 Tinternvale Primary School
 5530 Whitehorse Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.

- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6615. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Ripon:

1637 Amphitheatre Primary School
 4995 Ararat North Primary School
 800 Ararat Primary School
 8753 Ararat Secondary College
 4720 Ararat West Primary School
 4 Avoca Primary School
 749 Bealiba Primary School
 60 Beaufort Primary School
 7565 Beaufort Secondary College
 2072 Buangor Primary School
 1030 Carisbrook Primary School
 8830 Charlton College
 1552 Clunes Primary School
 1136 Concongella Primary School
 2041 Creswick North Primary School
 122 Creswick Primary School
 7775 Donald High School
 1465 Donald Primary School
 1582 Dunolly Primary School
 959 Elmhurst Primary School
 860 Great Western Primary School
 1052 Inglewood Primary School
 1862 Landsborough Primary School
 1554 Marnoo Primary School
 8845 Maryborough Education Centre
 1739 Miners Rest Primary School
 1683 Moonambel Primary School
 2037 Mount Blowhard Primary School
 1347 Natte Yallock Primary School
 1330 Navarre Primary School
 453 Newlyn Primary School
 5272 Skene Street School Stawell
 1646 St Arnaud Primary School
 8335 St Arnaud Secondary College
 502 Stawell Primary School
 8731 Stawell Secondary College
 4934 Stawell West Primary School

954 Talbot Primary School
1023 Tarnagulla Primary School
1207 Timor Primary School
1150 Trawalla Primary School
859 Waubra Primary School
6262 Wedderburn College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6616. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of Rowville:

5426 Carrington Primary School
5345 Heany Park Primary School
5295 Karoo Primary School
4990 Knox Park Primary School
1866 Lysterfield Primary School
5281 Park Ridge Primary School
5000 Rowville Primary School
8734 Rowville Secondary College
1028 Scoresby Primary School
8307 Scoresby Secondary College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

- 6617. Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Sandringham:
- 4803 Beaumaris North Primary School
 - 3899 Beaumaris Primary School
 - 3631 Black Rock Primary School
 - 84 Cheltenham Primary School
 - 8030 Mentone Girls Secondary College
 - 2950 Mentone Primary School
 - 8739 Sandringham College
 - 4429 Sandringham East Primary School
 - 267 Sandringham Primary School
- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
 - (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
 - (3) How much maintenance funding does each of these school buildings require according to the CAR.
 - (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
 - (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

- 6618. Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Shepparton:
- 1563 Ardmona Primary School
 - 4742 Bouchier Street Primary School Shepparton
 - 2563 Congupna Primary School
 - 3907 Currawa Primary School
 - 1527 Dookie Primary School
 - 4657 Gowrie Street Primary School Shepparton
 - 3696 Grahamvale Primary School
 - 5020 Guthrie Street Primary School Shepparton
 - 4401 Katandra West Primary School
 - 4689 Katunga Primary School
 - 2269 Katunga South Primary School
 - 1366 Kialla Central Primary School
 - 1727 Kialla West Primary School
 - 4269 Lemnos Primary School
 - 7331 McGuire College
 - 1612 Mooroopna North Primary School
 - 5088 Mooroopna Park Primary School
 - 1432 Mooroopna Primary School
 - 8073 Mooroopna Secondary College
 - 2060 Nathalia Primary School
 - 8140 Nathalia Secondary College

2134 Numurkah Primary School
 8190 Numurkah Secondary College
 3805 Orrvale Primary School
 1713 Shepparton East Primary School
 8320 Shepparton High School
 4666 St Georges Road Primary School Shepparton
 2790 Strathmerton Primary School
 3067 Tallygaroopna Primary School
 1441 Tatura Primary School
 1455 Toolamba Primary School
 5153 Verney Road School
 5401 Waaia Yalca South Primary School
 8422 Wanganui Park Secondary College
 4943 Wilmot Road Primary School Shepparton
 1938 Wunghnu Primary School
 4359 Zeerust Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6619. Mr WAKELING to ask the Minister for Education — With reference to the following schools in the electorate of St Albans:

4855 Albion North Primary School
 4265 Albion Primary School
 4848 Ardeer Primary School
 5214 Furlong Park School For Deaf Children
 4979 Jackson School
 8715 Keilor Downs Secondary College
 5539 Keilor Views Primary School
 5336 Monmia Primary School
 4741 St Albans East Primary School
 4948 St Albans Heights Primary School
 5118 St Albans Meadows Primary School
 4811 St Albans North Primary School
 2969 St Albans Primary School
 8330 St Albans Secondary College
 5047 Stevensville Primary School
 5526 Sunshine Harvester Primary School
 4745 Sunshine North Primary School

4945 University Park Primary School
8891 Victoria University Secondary College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6620. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Sydenham:

8799 Copperfield College
5297 Mackellar Primary School
5480 Parkwood Green Primary School
3559 Sydenham Hillside Primary School
5508 Taylors Hill Primary School
5258 Taylors Lakes Primary School
8787 Taylors Lakes Secondary College

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6621. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Tarneit:

5315 Baden Powell P-9 College
5254 Bellbridge Primary School
5312 Cambridge Primary School
8710 Hoppers Crossing Secondary College

5002 Mossfiel Primary School
8914 Tarneit P-9 College
8854 Tarneit Senior College
8783 The Grange P-12 College
5498 Truganina South Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

6622. **Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of Sunbury:

2479 Diggers Rest Primary School
5007 Gladstone Park Primary School
7858 Gladstone Park Secondary College
5093 Gladstone Views Primary School
5248 Goonawarra Primary School
5352 Killara Primary School
5180 Kismet Park Primary School
5218 Sunbury and Macedon Ranges Specialist School
8350 Sunbury College
8723 Sunbury Downs Secondary College
5197 Sunbury Heights Primary School
1002 Sunbury Primary School
5006 Sunbury West Primary School
4852 Tullamarine Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

- 6623. Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of South Barwon:
- 4873 Bellaire Primary School
 - 319 Bellbrae Primary School
 - 1602 Ceres Primary School
 - 7183 Grovedale College
 - 283 Grovedale Primary School
 - 5076 Grovedale West Primary School
 - 304 Highton Primary School
 - 5185 Mandama Primary School
 - 4972 Montpelier Primary School
 - 4117 Moriac Primary School
 - 5380 Mount Duneed Regional Primary School
 - 3368 Torquay P–6 College
- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
 - (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
 - (3) How much maintenance funding does each of these school buildings require according to the CAR.
 - (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
 - (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Education

- 6624. Mr WAKELING** to ask the Minister for Education — With reference to the following schools in the electorate of South-West Coast:
- 3 Allansford and District Primary School
 - 1324 Bolwarra Primary School
 - 7395 Brauer Secondary College
 - 5228 Bundarra Primary School
 - 105 Cudgee Primary School
 - 5381 Grasmere Primary School
 - 5434 Hawkesdale P–12 College
 - 6225 Heywood Consolidated School
 - 7910 Heywood District Secondary College
 - 618 Koroit and District Primary School
 - 1571 Macarthur Primary School
 - 4215 Merrivale Primary School
 - 5382 Narrawong District Primary School
 - 1079 Panmure Primary School
 - 6247 Port Fairy Consolidated School
 - 5282 Portland Bay School

1194 Portland North Primary School
 489 Portland Primary School
 8798 Portland Secondary College
 4750 Portland South Primary School
 8811 Warrnambool College
 4773 Warrnambool East Primary School
 1743 Warrnambool Primary School
 5277 Warrnambool Special Developmental School
 182 Warrnambool West Primary School
 648 Woodford Primary School
 688 Woolsthorpe Primary School

- (1) What criteria does the Government apply when allocating maintenance funding for buildings in these schools.
- (2) What is the Condition Assessment Report (CAR) score/figure for each of the buildings in these schools.
- (3) How much maintenance funding does each of these school buildings require according to the CAR.
- (4) During the current term of this Government, which of these school buildings will receive maintenance funding.
- (5) How much funding will each of these school buildings be allocated.

ANSWER:

I am informed as follows:

Please refer to response 6538.

Public transport

6626. Mr WALSH to ask the Minister for Public Transport —

- (1) What works are required to upgrade the Echuca to Bendigo train line from Class 4 to Class 2.
- (2) What would be the cost of these works.

ANSWER:

V/Line and Public Transport Victoria have advised that level crossings, signals, and track works are required on the Echuca to Bendigo rail line to upgrade the line from a Class 4 to a Class 2.

In July 2015, I announced more than \$10 million in critical maintenance works on the Bendigo to Echuca rail line. These works have been completed and are another example of the Andrews Labor Government ensuring safe, reliable train services across regional Victoria.

Moreover, the Andrews Labor Government is also developing a plan for the short, medium and long-term development of public transport in regional Victoria. The Regional Network Development Plan will set out priorities for regional public transport services, infrastructure and investment over the next 20-30 years.

Environment, climate change and water

6627. Mr WALSH to ask the Minister for Environment, Climate Change and Water — With reference to the Department of Environment, Land, Water and Planning Report 2014–15, page 148, and the statement that the state was entitled to a refinancing benefit of \$160 million under the Victorian Desalination Plant Project Deed, can the Government provide an updated ‘Actual and forecast Annual Service Payments’ table; if not, why not.

ANSWER:

I am informed that:

All disclosures that are required to be made by Partnerships Victoria Policy, Australian Accounting Standards and by the Victorian Auditor General have been made for the \$3.5 billion (capex) Victorian Desalination Project (VDP).

The former Government had previously released a table of VDP costs for each water order option and water order year to the end of the project term. This was misleading to the public as providing long term forecasts for other than the base (OGL) costs misrepresents total costs given OGL water orders have now been placed for 2012–13 to 2015–16.

The VDP costs are updated annually to reflect the latest movements in indices, the effects of any refinancings and any other adjustments required. The VDP costs for each water order option for the next water order decision (2016/17) are available in Table 39, page 108 of the Melbourne Water 2016. Price Submission. Historical actuals, the forecast costs for this financial year and the forecast annual base (OGL) costs to 2020–21 are included in Figure 4 on page 18. Please note that costs are disclosed in real dollars-not nominal-which is an Essential Services Commission requirement). The report can be found at:

<http://www.esc.vic.gov.au/Water/Water-Price-Review-2016-Melbourne-Water>.

Future costs of the VDP from 2015–16 through to the end of the project term in 2039 are provided on page 149 in Table 3.1 under 'Minimum Future Lease' payments, and on page 152 in Table 3.4 under Total commitments for expenditure' (exclusive of GST) in the 2014–15 Department of Environment, Land, Water and Planning Annual Report <http://delwp.vic.gov.au/about-us/annual-report>.

The costs of each water order option for the upcoming supply period, and base costs for subsequent years are the only relevant information for water ordering, water planning and financial statement disclosures. The Melbourne Water Pricing Submission figures show the additional nominal costs to produce water from the VDP for 2016–17 range from \$558 to \$615 per ML.

Local government

6628. Mr R. SMITH to ask the Minister for Local Government — With reference to the issue of removing Sunbury from the Hume Local Government Area, and creating the new Local Government Area of Sunbury:

- (1) From 1 December 2014 to 1 December 2015, how many representations have been made by the Member for Sunbury to the Minister on this matter.
- (2) In what form were these representations made.
- (3) Were these representations made in favour of the Local Government Area division, or against the division.

ANSWER:

I initiated the appointment of the Sunbury Auditors to undertake the critical analysis and consultation that was lacking from the previous government's ill-considered process.

Through their independent review the Auditors carried out the most comprehensive consultation process ever undertaken on this issue. The Auditors distributed information sheets and held face to face meetings with all who wanted to meet, including people and groups from Sunbury, Craigieburn and Broadmeadows. The Auditors also met with Hume City Council, peak local government organisations such as the MAV, VLGA and LGPro, and businesses such as the Melbourne Airport. They made themselves available to meet with all Members of Parliament with electorates in the affected area. A public meeting was held, which was attended by over 250 people and issues regarding separation were thoroughly canvassed. Throughout the course of consultations, the Auditors received over 100 written submissions which they then made public.

The feedback from these consultations and my direct contact with residents, businesses, and Members of Parliament formed the basis of the decision for the Government to not proceed with the separation.

Emergency services

6629. Ms SANDELL to ask the Minister for Emergency Services — With reference to the unreleased report into the resourcing, management and operations of the CFA and MFB, and the Special Minister for State's response to a question on notice asked on 24 November 2015 stating that it will be released when it has been properly considered, what is the expected release date for the report.

ANSWER:

I am advised that:

As I announced on 15 December 2015, a Ministerial Working Group has been established to consider the recommendations made following the Fire Services Review headed by Mr David O'Byrne.

This work is expected to be completed after the current fire season has concluded. The government will publicly release the report and its response to the recommendations, after proper consideration.

Emergency services

6630. Ms SANDELL to ask the Minister for Emergency Services — What is the impact on Victoria's fire readiness resulting from the Government's failure to negotiate an agreement with the United Firefighters Union of Australia prior to the 2015–16 fire season.

ANSWER:

Our emergency services personnel do an outstanding job protecting lives and properties. All tiers of government, emergency services and the broader community have a role to play in improving bushfire safety.

The Victorian Government has referred this matter to the Fair Work Commission to assist in the resolution of the negotiations.

Our paid and volunteer firefighters have done an outstanding job in keeping Victorians safe in what has been a difficult fire season to date.

Energy and resources

6631. Ms SANDELL to ask the Minister for Energy and Resources — When will the terms of reference for the independent review of previous government programs for coal development, announced on 18 November 2015, be made public.

ANSWER:

As announced on 18 November 2015, the Victorian Government has commissioned Mr Rhys Edwards to undertake an independent review of previous government programs aimed at coal development. The review will assess the key learnings and help shape a new decision making framework for considering future coal project proposals.

The Government will release the coal review once it has had the opportunity to consider Mr Edwards' findings, which is expected in mid 2016.

The coal review will feed into the Victorian Government's new coal policy, which will consider the economic, social and environmental factors of new coal development. The coal policy will also incorporate findings from the Climate Change Act review and the Hazelwood Mine Fire Inquiry recommendations.

The coal policy will be released for public consultation in late 2016.

Environment, climate change and water

6632. Ms SANDELL to ask the Minister for Environment, Climate Change and Water — With reference to Goulburn-Murray Water granting groundwater licences on the Stanley Plateau, originally meant for agricultural use, to businesses intending to export this water to sell as bottled water:

- (1) Will the Minister meet with the Indigo Shire Council about this issue.
- (2) Will the Minister review the decision.

ANSWER:

I am informed that: Concerns of the Indigo Shire Council and residents of Stanley, in Ovens Valley, relate to the extraction of groundwater for bottling. They are concerned it does not add value to the local economy, undermines the viability of agriculture in the region and that it poses a threat to long-term sustainability of water resources in the region.

Under the Water Act 1989, extraction of groundwater for commercial purposes is allowed. The Act does not preference one type of water use over another.

Licensing assessment includes evaluation of risks to third parties (other water users), the environment and the sustainability of the resource.

Resource management and licensing is underpinned by the Act and is supported by:

- a. management plans;
- b. resource monitoring and assessment;
- c. caps on extraction of water resources;
- d. application of annual and/or seasonal allocation volumes tailored to resource availability; and
- e. in Northern Victoria, compliance with the Murray-Darling Basin Plan.

Stanley is located within the Upper Ovens Water Supply Protection Area and a statutory management plan is in place.

This plan aims to strike a balance between competing needs for water in the area, and to ensure that the environmental, social and economic benefits which the water resources provide, are maintained and enhanced.

The 2014-15 Annual Report for the Upper Ovens Water Supply Protection Area notes that groundwater levels have been stable for the last four years and extraction in the area has had little impact on groundwater levels.

Environment, climate change and water

6633. Ms SANDELL to ask the Minister for Environment, Climate Change and Water — Will the Minister review the Water Act 1989 with a view to preventing agricultural water being used for other business purposes.

ANSWER:

I am informed that: Concerns of the Indigo Shire Council and residents of Stanley, in Ovens Valley, relate to the extraction of groundwater for bottling. They are concerned it does not add value to the local economy, undermines the viability of agriculture in the region and that it poses a threat to long-term sustainability of water resources in the region.

Under the Water Act 1989, extraction of groundwater for commercial purposes is allowed. The Act does not preference one type of water use over another.

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- a. management plans;
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- c. caps on extraction of water resources;
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- e. in Northern Victoria, compliance with the Murray-Darling Basin Plan.

Stanley is located within the Upper Ovens Water Supply Protection Area and a statutory management plan is in place.

This plan aims to strike a balance between competing needs for water in the area, and to ensure that the environmental, social and economic benefits which the water resources provide, are maintained and enhanced.

The 2014-15 Annual Report for the Upper Ovens Water Supply Protection Area notes that groundwater levels have been stable for the last four years and extraction in the area has had little impact on groundwater levels.

Attorney-General

6634. Ms ASHER to ask the Attorney-General — With reference to Civic Compliance Victoria:

- (1) How many reminder infringement items of correspondence were issued in the last year.
- (2) What cost was incurred sending these reminder infringement items of correspondence.
- (3) What is Civic Compliance's estimation of the proportion of these reminder letters that were:
 - (a) genuine reminder notices;
 - (b) letters sent to people who have changed their address and letters that have been returned to sender on this basis.

ANSWER:

I am advised that:

The State is responsible for managing the infringements system in Victoria. In 2014-15 there were 5.32 million infringement notices issued in Victoria.

In 2014-15 over 80 per cent of people who received fines actioned them prior to the need for any enforcement activity. The minority who do not action their fines may be subject to enforcement from the Sheriff of Victoria.

Tenix Solutions is contracted to provide services relating to the processing and clearance of traffic infringements, court orders and warrants. The aggregate amount for this service is an all-encompassing fee stated by the terms of the contract: payments are not made for individual elements in the enforcement lifecycle and the cost of enforcement covers all actions, including the various reminder notices.

All notices sent by Victorian law enforcement agencies are genuine. Under the Road Safety Act 1986, motorists are legally obliged to maintain their address at VicRoads. Where people have done this they will receive their notices. It is not possible to estimate how many people do this within the statutory timeframe.

You may also be interested in the recently published Attorney-General's Annual Report on the Infringements System-2014-15. The Annual Report and past reports are available from the Department of Justice website at www.justice.vic.gov.au.

Finance

6645. Ms SANDELL to ask the Minister for Finance — When will the Minister release the report of the Essential Services Commission Inquiry into the True Value of Distributed Generation to Victorian Consumers.

ANSWER:

I am informed that:

Due to the complexities of the issue and sensitivity of the subject, the Essential Services Commission (ESC) requested an alteration to the original end of 2016 deadline.

I have approved the ESC's request for the report to be released in two parts:

- Part 1 - True energy value of distributed generation, which will be released by August 2016; and
- Part 2 - True network value of distributed generation, which will be released by February 2017.

Police

6646. Ms SANDELL to ask the Minister for Police — Will the Minister take action to have noise cameras installed at the intersection of Flemington Road and Gatehouse Street in Parkville and North Melbourne in order to assist control of the illegal noise emissions from motorcycles.

ANSWER:

I am advised that:

This matter does not fall within the responsibility of my portfolio but falls within the responsibility of the Minister for Roads and Road Safety.

Public transport

6647. Mr HODGETT to ask the Minister for Public Transport — With reference to the 12 month Night Network overnight train service trial:

- (1) From 1 January 2016, will Victoria Police Protective Services Officers (PSOs) be stationed overnight as part of the trial at:
 - (a) Melbourne metropolitan railway stations;
 - (b) regional railway stations.
- (2) From 1 January 2016, how many railway stations will be staffed with PSOs during the hours that Night Network trains operate in:
 - (a) the Melbourne metropolitan system;
 - (b) regional Victoria, including provincial city railway stations.
- (3) Which stations will have PSOs patrolling overnight once Night Network commences.

ANSWER:

Protective Services Officers are the responsibility of Victoria Police. As such, this question should be directed to the Minister for Police, the Hon Wade Noonan MP.

Police

6648. Mr HODGETT to ask the Minister for Police — With reference to the 12 month Night Network overnight train service trial:

- (1) From 1 January 2016, will Victoria Police Protective Services Officers (PSOs) be stationed overnight as part of the trial at:
 - (a) Melbourne metropolitan railway stations;
 - (b) regional railway stations.

- (2) From 1 January 2016, how many railway stations will be staffed with PSOs during the hours that Night Network trains operate in:
 - (a) the Melbourne metropolitan system;
 - (b) regional Victoria, including provincial city railway stations.
- (3) Which stations will have PSOs patrolling overnight once Night Network commences.

ANSWER:

I am advised that:

As part of the Government's Night Network trial, a typical night will see approximately 160 Protective Services Officers (PSOs) and 70 Transit Police working across the network during the extended weekend timetable.

PSOs will be stationed at 78 premium rail stations across the metropolitan network, while roving Transit Police will patrol all train lines throughout the night on weekends, and will be supported by police in divisional vans when required.

In line with the public transport arrangements for New Year's Eve, the four city loop stations will close during the Night Network Trial. The remaining 78 premium stations, which will be staffed by PSOs throughout the night during the trial, are listed at <http://ptv.vic.gov.au/getting-around/stations-and-stops/premium-stations/>.

At approximately 2am, V/Line coaches will leave Southern Cross Station for Ballarat, Bendigo, Geelong and Traralgon. This will provide a mix of stopping and express services, for commuters travelling to regional centres. Local police will continue to provide a police response across these four key regional centres.

Public transport

6649. Mr HODGETT to ask the Minister for Public Transport — With reference to the 12 month Night Network overnight train services commencing in 2016, during the initial 12 month trial:

- (1) What total annual patronage is forecast for the Night Network on:
 - (a) Metro trains;
 - (b) Yarra Trams;
 - (c) reconfigured NightRider buses;
 - (d) V/Line 0200 hours coach departures.
- (2) What total additional passenger revenue is the Night Network forecast to create for:
 - (a) Metro trains;
 - (b) V/Line.

ANSWER:

I am informed that, as at the date the question was raised:

In terms of the number of passengers likely to use services, these services have never been provided on a regular basis in Melbourne before. The purpose of the 12 month trial is to assess the demand for late night travel on weekends to enable a decision on the level of future services to be provided.

As the level of additional revenue depends on the demand for late night travel; the Government is unable to provide forecasts for revenue until it has established the trends for patronage.

Housing, disability and ageing

6660. Mr BLACKWOOD to ask the Minister for Housing, Disability and Ageing—With reference to funding to repair the toilet at Yooralla in Drouin:

- (1) Has the Government cut funding to Yooralla.
- (2) Does the Minister have a plan to provide the necessary repairs.

ANSWER:

I am informed that:

- There has been no reduction in funding from the Department of Health and Human Services to Yooralla.
- The facility in question is owned by Yooralla, they are currently exploring options to provide the necessary repairs.
- Yooralla has made alternative arrangements for users of the facility, so that full access to toilet amenities has continued while the options for repair are investigated.

Education

6661. Mr WAKELING to ask the Minister for Education — With reference to future funding for the Victorian Virtual Learning Network (VVLN) for the years 2016 to 2018:

- (1) Is the VVLN still a virtual provider in Victoria.
- (2) Has the independent financial advisor appointed by the Department of Education and Training to develop a Financial Sustainability Options Analysis to assist VVLN in becoming self-sustaining completed its report for the Government; if so:
 - (a) when did the Department of Education and Training receive the report;
 - (b) what were the findings of the report;
 - (c) is the VVLN self-sustaining.
- (3) Will the VVLN continue to be a provider to the Department of Education and Training; if so, for how long.
- (4) What virtual programs are available for students who are currently enrolled if the VVLN is unsustainable.

ANSWER:

I am informed as follows:

The VVLN is still a virtual provider in Victoria. The VVLN has indicated that it will be delivering 11 VCE units in 2016, with a projected enrolment of 200 students, from 39 schools.

The independent financial advisor completed its report in October 2015.

The report found that with its current model, the VVLN would remain dependent on external funding sources.

Multiple options were presented in the report including the VVLN being fully funded by the enrolling school of the VCE student or the VVLN identifying other investors.

A VVLN Coordinator to support school liaison, administration, management, quality assurance and evaluation has been funded by the Department for 2016 and 2017.

The Department will continue to work with all virtual learning providers, including the VVLN to develop a Virtual Learning consortium approach, to ensure a coordinated approach to the development and delivery of virtual programs for students across Victoria.

A range of virtual programs are available to address limited curriculum provision in rural and regional Victoria, if the VVLN was unsustainable. The Department funds the Distance Education Centre Victoria (DECV) to deliver curriculum virtually as its core business. In addition to the DECV, several individual schools and networks of

schools provide virtual curriculum delivery. These include: Grampians Virtual School John Monash Science School through the Virtual School of Emerging Sciences, Gippsland Rural School Virtual Learning Network and the Victorian School of Languages.

Education

6662. Mr WAKELING to ask the Minister for Education — With reference to the establishment of a cattle and sheep sale yard facility near Miners Rest Primary School:

- (1) What investigations have taken place regarding the impact of establishing the sale yard near the school.
- (2) What investigations have taken place regarding the potential health risks of the sale yard to students who attend the school.
- (3) Are there any health risks to students attending this school if the sale yard is constructed.

ANSWER:

I am informed as follows:

Following an extensive consultation process and receipt of an independent planning panel report, the Ballarat City Council has supported the application of a proposed site for the establishment of a cattle and sheep sale yard facility in Miners Rest. I understand the Council has forwarded an Amendment to the Ballarat Planning Scheme to the Minister for Planning for final approval. The proposed site for the establishment of a cattle and sheep sale yard facility is approximately 800 metres from Miners Rest Primary School.

The Department and school have continued to monitor developments in relation to the proposed location of the sale yard, with school community members being represented in consultation processes undertaken. I understand that the independent planning panel report confirmed the suitability of the proposed site. The Department relies on the expert advice of relevant government departments such as Department of Health and Human Services and appropriate experts to inform our response and any corresponding actions. At this point in time we have not been advised of evidence that the establishment of the sale yards would pose a health risk to the students at the school.

I have asked the region and school to continue to monitor developments and advise if any health and wellbeing issues arise so that appropriate actions can be undertaken.

Education

6663. Mr HIBBINS to ask the Minister for Education — Has an agreement been reached between the Victorian Government and Swinburne University for the sale, lease and/or use of land for the Prahran State Secondary School at the former Swinburne Prahran Campus.

ANSWER:

I am informed as follows:

The Department of Education and Training is negotiating with Swinburne University for the purchase or lease of building PA on the Swinburne Prahran Campus. To facilitate these negotiations and at the request of both groups, a valuation of the property has recently been completed by the Valuer-General. We hope to come to a formal agreement once all relevant matters have been discussed.

Environment, climate change and water

6665. Mr WALSH to ask the Minister for Environment, Climate Change and Water — With reference to the Melbourne urban water supply system:

- (1) Is the Government considering using the Geelong interconnector pipeline to send water from the Melbourne system to the Barwon system.

- (2) If there is desalinated water in the Melbourne system and the Geelong interconnector pipeline is in use, will Barwon Water customers pay desalinated water prices.
- (3) Is the Government considering the addition of a fourth 50GL desalination unit for the Wonthaggi Desalination Plant to expand the plant's capacity to 200GL.
- (4) Will the Government consider seasonal water consumption targets as part of its future consumer awareness campaign.
- (5) Since December 2014, what new projects has the Government initiated for Melbourne for:
 - (a) stormwater harvest and re-use;
 - (b) rainwater harvest and re-use;
 - (c) recycled water treatment and re-use.

ANSWER:

I am informed that:

Barwon Water has responsibility for managing its water supply, including whether to use the Melbourne-Geelong interconnector pipeline to transfer water from the Melbourne system to the Barwon system.

Barwon Water has a 16GL share in the Greater Yarra/Thompson River entitlement, and has the option of using this entitlement to assist it in meeting its water supply needs. This would involve transfer of water through the Melbourne-Geelong interconnector pipeline. The charges Barwon Water pays Melbourne Water for this service were set as part of Melbourne Water's 2013-16 ESC price determination, and are not related to the usage of water from the Victorian Desalination Plant.

Melbourne currently has adequate water security, supported by the 150GL Victorian Desalination Plant. The government is not currently considering the addition of fourth 50GL desalination unit for the Victorian Desalination Plant.

The Target 155 behaviour change program was a highly successful initiative, and the government will consider such options as part of the development of the new Water Plan for Victoria.

The projects listed below, which would involve either stormwater or rainwater harvest and re-use in Melbourne, were awarded funding through the Living Victoria Fund, established under the previous government. However, contracts were not executed prior to the change in government. This government has conditionally approved funding these projects subject to funding agreements being executed, consistent with the recommendations of the Independent Review of the Office of Living Victoria undertaken by Mr Des Pearson. The government is in the process of negotiating funding agreements with the proponents.

Project	Proponent
Edithvale-Demonstrating a Water Sensitive Project	Kingston City Council
Bolin Bolin Billabong Stormwater Harvesting Project	Manningham City Council
Connecting communities across the Federation Trail	Melbourne Water
Darebin International Sports Centre Stormwater Harvest	Darebin City Council
NHNH moving towards a greener community	Notting Hill Community Association Inc
Vasil's Garden Rainwater and Greywater Harvesting	Maresi Corporation Pty Ltd

MEMBERS INDEX

ALLAN, Ms (Bendigo East) (Minister for Public Transport and Minister for Employment)

Adjournment

Ascot Vale Primary School, 258
 Canterbury–Bedford roads, Heathmont, 258
 Coolaroo South Primary School, 258
 Elwood College, 258
 Gippsland roads, 258
 Kilberry Valley Primary School, 258
 Level crossings, 257
 Lilydale and Mooroolbark level crossings, 257
 Protective services officers, 258
 Railway Place, Coburg, 257

Business of the house

Program, 16

Points of order, 3, 9, 77, 116, 117, 118, 207

Questions without notice and ministers statements

Level crossings, 3, 4, 5, 6, 108, 109, 111, 112, 113, 114
 Ministers statements
 level crossings, 5
 Murray Basin rail project, 209
 V/Line services, 8, 110, 111

ANDREWS, Mr (Mulgrave) (Premier)

Absence of ministers, 1

Points of order, 6, 208, 211

Questions without notice and ministers statements

Kindergartens, 115
 Level crossings, 1, 2, 204, 205
 Ministerial office capability review, 210
 Ministers statements
 ambulance services, 109
 asylum seekers, 2
 group training organisations, 204
 Ombudsman jurisdiction, 208, 209

ANGUS, Mr (Forest Hill)

Bills

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 53

Members statements

Australia Day, 85
 Camelot Rise Primary School, 84
 Chinese New Year, 84
 Forest Hill Men's Shed, 84
 Parkmore Primary School, 84

Rulings, 139, 142

ASHER, Ms (Brighton)

Adjournment

Elwood College, 254

Members statements

United Firefighters Union, 20

BATTIN, Mr (Gembrook)

Adjournment

Narre Warren ambulance services, 72

Constituency questions

Gembrook electorate, 9

Members statements

Beaconsfield football match, 192
 Narre Warren ambulance services, 192

BLACKWOOD, Mr (Narracan)

Members statements

Gippsland rail services, 189

BLANDTHORN, Ms (Pascoe Vale)

Adjournment

Railway Place, Coburg, 255

Constituency questions

Pascoe Vale electorate, 11

Members statements

Stephen Elder, 21

Scrutiny of Acts and Regulations Committee

Alert Digest No. 1, 13

BRITNELL, Ms (South-West Coast)

Adjournment

South-West Coast electorate schools, 181

Bills

Access to Medicinal Cannabis Bill 2015, 224

BROOKS, Mr (Bundoora)

Bills

Building Legislation Amendment (Consumer Protection) Bill 2015, 70, 121

Constituency questions

Bundoora electorate, 120

Members statements

Ellen Smiddy, 83

BULL, Mr J. (Sunbury)**Adjournment**

Sunbury Primary School, 178

Bills

Access to Medicinal Cannabis Bill 2015, 238

Constituency questions

Sunbury electorate, 212

Members statements

Sunbury electorate roads, 81

Sunbury recycled water treatment plant, 81

BULL, Mr T. (Gippsland East)**Bills**

Aboriginal Heritage Amendment Bill 2015, 32

Constituency questions

Gippsland East electorate, 118

Members statements

Gippsland Lakes Coordinating Committee, 22

Sophie Molineux and Aislin Jones, 22

BURGESS, Mr (Hastings)**Petitions**

Police numbers, 13

Public holidays, 12

Points of order, 58**CARBINES, Mr** (Ivanhoe)**Constituency questions**

Ivanhoe electorate, 119

Members statements

Australia Day, 189

Points of order, 120**CARROLL, Mr** (Niddrie)**Bills**

Access to Medicinal Cannabis Bill 2015, 247

Consumer Acts and Other Acts Amendment Bill 2015, 167

Constituency questions

Niddrie electorate, 213

Members statements

Police custody officers, 191

CLARK, Mr (Box Hill)**Bills**

Building Legislation Amendment (Consumer Protection) Bill 2015, 66

Children Legislation Amendment Bill 2016, 12

Drugs, Poisons and Controlled Substances Amendment Bill 2015, 199

Victoria Police Amendment (Merit-based Transfer) Bill 2016, 12

Business of the house

Program, 16

Legislative Council Standing Committee on the Economy and Infrastructure

Minister for Public Transport, 173

Members statements

Blackburn level crossing, 193

Points of order, 3, 5, 77, 116, 185, 205, 207, 208, 209, 210**Questions without notice and ministers statements**

Level crossings, 206, 207

Royal Commission into Trade Union Governance and Corruption

Report, 15

COUZENS, Ms (Geelong)**Bills**

Aboriginal Heritage Amendment Bill 2015, 249

Access to Medicinal Cannabis Bill 2015, 241

Members statements

Cadel Evans Great Ocean Road Race, 84

Geelong floods, 84

CRISP, Mr (Mildura)**Bills**

Aboriginal Heritage Amendment Bill 2015, 42

Access to Medicinal Cannabis Bill 2015, 216

Drugs, Poisons and Controlled Substances Amendment Bill 2015, 200

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 61

Members statements

Australia Day, 80

Green Lake project, 80

Queensland fruit fly, 81

Willowfest Australian Cricket Club Championships, 81

Petitions

Christmas carols in schools, 78

D'AMBROSIO, Ms (Mill Park) (Minister for Industry and Minister for Energy and Resources)

Questions without notice and ministers statements

Advanced Lignite Demonstration Program, 7

DIMOPOULOS, Mr (Oakleigh)

Adjournment

Level crossings, 256

Bills

Building Legislation Amendment (Consumer Protection) Bill 2015, 156

Constituency questions

Oakleigh electorate, 119

Grievances

Level crossings, 136

Members statements

Level crossings, 192

Personal explanation

Member for Oakleigh, 248

DIXON, Mr (Nepean)

Constituency questions

Nepean electorate, 213

Members statements

Government performance, 193

DONNELLAN, Mr (Narre Warren North) (Minister for Roads and Road Safety and Minister for Ports)

Legislative Council Standing Committee on the Economy and Infrastructure

Minister for Public Transport, 177

Points of order, 186

Questions without notice and ministers statements

Ministers statements: clearways, 7

Written responses to questions without notice

Construction, Forestry, Mining and Energy Union, 76

EDBROOKE, Mr (Frankston)

Bills

Access to Medicinal Cannabis Bill 2015, 220

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 62

Constituency questions

Frankston electorate, 213

Members statements

Mornington Peninsula bus services, 85

EDWARDS, Ms (Bendigo West)

Adjournment

Bendigo Primary School, 72

Bills

Aboriginal Heritage Amendment Bill 2015, 40

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 51

Members statements

Maldon, 190

EREN, Mr (Lara) (Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans)

Bills

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 55

Members statements

Bushfires, 19

Points of order, 92

FOLEY, Mr (Albert Park) (Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries)

Bills

Children Legislation Amendment Bill 2016, 12, 93

FYFFE, Mrs (Evelyn)

Adjournment

Lilydale and Mooroolbark level crossings, 255

Bills

Access to Medicinal Cannabis Bill 2015, 231

Constituency questions

Evelyn electorate, 10

Members statements

Australia Day, 23

Seville Township Group, 24

Visitor Economy Ministerial Advisory Committee chair, 23

Points of order, 185, 186

GIDLEY, Mr (Mount Waverley)

Members statements

Australia Day, 24

Points of order, 117, 118, 138

GRALEY, Ms (Narre Warren South)**Adjournment**

Kilberry Valley Primary School, 254

Bills

Building Legislation Amendment (Consumer Protection) Bill 2015, 157

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 48

Constituency questions

Narre Warren South electorate, 119, 214

Members statements

Narre Warren South electorate student achievements, 23

Public transport, 87

Points of order, 139**Statements on reports**

Public Accounts and Estimates Committee: budget estimates 2015–16 (hearings alert), 87

GREEN, Ms (Yan Yean)**Bills**

Aboriginal Heritage Amendment Bill 2015, 31

Building Legislation Amendment (Consumer Protection) Bill 2015, 124

Constituency questions

Yan Yean electorate, 11

Members statements

Black Saturday, 25

Statements on reports

Public Accounts and Estimates Committee: budget estimates 2015–16, 90

GUY, Mr (Bulleen) (Leader of the Opposition)**Points of order**, 1, 2, 4, 109, 204, 210**Questions without notice and ministers statements**

Level crossings, 1, 2, 108, 109, 113, 204

Ministerial office capability review, 209, 210

HALFPENNY, Ms (Thomastown)**Bills**

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 60

Members statements

Lalor Secondary College, 26

HENNESSY, Ms (Altona) (Minister for Health and Minister for Ambulance Services)**Bills**

Health Complaints Bill 2016, 12, 94, 98

Points of order, 208**Questions without notice and ministers statements**

Ministers statements

Hazelwood mine fire inquiry report, 111

health funding, 207

HIBBINS, Mr (Pahran)**Adjournment**

Punt Road planning overlay, 180

Bills

Access to Medicinal Cannabis Bill 2015, 219

Drugs, Poisons and Controlled Substances Amendment Bill 2015, 199, 200

Relationships Amendment Bill 2015, 108, 121

Business of the house

Program, 18

Constituency questions

Pahran electorate, 213

Legislative Council Standing Committee on the Economy and Infrastructure

Minister for Public Transport, 175

Points of order, 118, 121**HODGETT, Mr** (Croydon)**Grievances**

Public transport, 129

Legislative Council Standing Committee on the Economy and Infrastructure

Minister for Public Transport, 175

Points of order, 3, 6, 92, 204**Questions without notice and ministers statements**

Level crossings, 3, 4, 5, 6, 111, 112, 205

HOWARD, Mr (Buninyong)**Bills**

Building Legislation Amendment (Consumer Protection) Bill 2015, 155

Members statements

Bushfires, 195

MEMBERS INDEX

ASSEMBLY

v

HUTCHINS, Ms (Sydenham) (Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations)

Members statements

Bushfires, 80
Peter and Angela Thiveos, 80

Questions without notice and ministers statements

Ministers statements: labour hire industry, 112

KAIROUZ, Ms (Kororoit)

Adjournment

Rockbank Primary School, 179

Bills

Building Legislation Amendment (Consumer Protection) Bill 2015, 158

KATOS, Mr (South Barwon)

Business of the house

Program, 18

Grievances

Public transport, 145

Members statements

Beach Road–Surf Coast Highway, Torquay, 194
Joe Sweeney, 194

KEALY, Ms (Lowan)

Bills

Access to Medicinal Cannabis Bill 2015, 228
Consumer Acts and Other Acts Amendment Bill 2015, 170

Constituency questions

Lowan electorate, 9

Members statements

Albacutya Bridge, 82
Country Fire Authority Dimboola brigade, 83
Country Fire Authority North Hamilton brigade, 83
Horsham Arts Council, 83
Wimmera cancer centre, 83

Points of order, 110

KILKENNY, Ms (Carrum)

Adjournment

Skye Primary School, 182

Bills

Aboriginal Heritage Amendment Bill 2015, 250

Constituency questions

Carrum electorate, 118

Members statements

Asylum seekers, 85

KNIGHT, Ms (Wendouree)

Members statements

Cardinal George Pell, 81

LIM, Mr (Clarinda)

Bills

Access to Medicinal Cannabis Bill 2015, 223
Building Legislation Amendment (Consumer Protection) Bill 2015, 154

McCURDY, Mr (Ovens Valley)

Bills

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 50

Members statements

Australia Day, 188
Stella Dunne, 188

Petitions

Christmas carols in schools, 187

McGUIRE, Mr (Broadmeadows)

Adjournment

Coolaroo South Primary School, 254

Bills

Access to Medicinal Cannabis Bill 2015, 217
Building Legislation Amendment (Consumer Protection) Bill 2015, 126

Business of the house

Program, 17

Members statements

Refugees, 20

Rulings, 92

McLEISH, Ms (Eildon)

Adjournment

Mansfield Secondary College, 73

Bills

Aboriginal Heritage Amendment Bill 2015, 38

Constituency questions

Eildon electorate, 119

Members statements

Australia Day, 85

Points of order, 212**MERLINO, Mr** (Monbulk) (Minister for Education)**Grievances**

Education, 132

Points of order, 4, 5, 77, 116**Questions without notice and ministers statements**

Ministers statements

rural and regional schools, 206

school breakfast clubs, 9

vocational education and training, 115

MORRIS, Mr (Mornington)**Adjournment**

Bungower Road–Nepean Highway, Mornington, 71

Esplanade, Mount Martha, 180

Members statements

Pauline Burren, 19

NARDELLA, Mr (Melton) (The Deputy Speaker)**Bills**

Access to Medicinal Cannabis Bill 2015, 245

Rulings, 120, 121, 178**NEVILLE, Ms** (Bellarine) (Minister for Environment, Climate Change and Water)**Adjournment**

Bendigo Primary School, 75

Brooklyn industrial estate, 75

Bungower Road–Nepean Highway, Mornington, 75

Chelsea Heights Primary School, 75

Kindergarten funding, 75

Mansfield Secondary College, 75

Morwell Primary School, 75

Narre Warren ambulance services, 75

Riddells Creek Primary School, 75

Valkstone Primary School, 75

Members statements

Dick Gray, 189

Questions without notice and ministers statements

Ministers statements: Goulburn-Murray Water Connections Project, 114

NORTHE, Mr (Morwell)**Adjournment**

Morwell Primary School, 71

Bills

Building Legislation Amendment (Consumer Protection) Bill 2015, 128, 150

Consumer Acts and Other Acts Amendment Bill 2015, 159

Grievances

V/Line services, 134

Members statements

Australia Day, 25

Latrobe Valley fuel prices, 25

Questions without notice and ministers statements

V/Line services, 110, 111

O'BRIEN, Mr D. (Gippsland South)**Adjournment**

Gippsland roads, 253

Bills

Access to Medicinal Cannabis Bill 2015, 236

Building Legislation Amendment (Consumer Protection) Bill 2015, 122

Members statements

Gippsland cheese producers, 190

Max Jelbart, 191

Port Welshpool jetty, 191

Seaspray Surf Life Saving Club, 191

Petitions

Leongatha South landfill site, 187

Statements on reports

Public Accounts and Estimates Committee: budget estimates 2015–16, 89

O'BRIEN, Mr M. (Malvern)**Legislative Council Standing Committee on the Economy and Infrastructure**

Minister for Public Transport, 177

Members statements

Burke Road level crossing, 195

PAKULA, Mr (Keysborough) (Attorney-General and Minister for Racing)**Adjournment**

Benalla police station, 182

Caulfield electorate constituent, 182

Dandenong South level crossing, 183

Esplanade, Mount Martha, 182

Montmorency South Primary School, 182

Punt Road planning overlay, 183

Rockbank Primary School, 182

Skye Primary School, 183

South-West Coast electorate schools, 183
Sunbury Primary School, 182

Bills

Crimes Legislation Amendment Bill 2016, 78, 195, 197
Relationships Amendment Bill 2015, 107

Legislative Council Standing Committee on the Economy and Infrastructure

Minister for Public Transport, 172

Petitions

Keysborough and Dandenong South bus services, 187

Points of order, 185

PALLAS, Mr (Werribee) (Treasurer)

Members statements

Werribee electorate Endeavour Award, 79

Questions without notice and ministers statements

Ministers statements
employment, 211
level crossings, 6

PAYNTER, Mr (Bass)

Bills

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 59

Constituency questions

Bass electorate, 213

Members statements

Chisholm TAFE, 86

Petitions

Cranbourne shared housing development, 12

PEARSON, Mr (Essendon)

Adjournment

Ascot Vale Primary School, 253

Bills

Aboriginal Heritage Amendment Bill 2015, 43
Access to Medicinal Cannabis Bill 2015, 244
Building Legislation Amendment (Consumer Protection) Bill 2015, 150
Consumer Acts and Other Acts Amendment Bill 2015, 163
Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 64

Business of the house

Program, 18

Constituency questions

Essendon electorate, 119

Members statements

Dr Nigel Toussaint, 22

Statements on reports

Public Accounts and Estimates Committee: budget estimates 2015–16, 89

PERERA, Mr (Cranbourne)

Bills

Access to Medicinal Cannabis Bill 2015, 243

Members statements

Kindergarten funding, 24
Lynbrook Primary School, 24

PESUTTO, Mr (Hawthorn)

Bills

Relationships Amendment Bill 2015, 121

Points of order, 120, 172, 211

Questions without notice and ministers statements

Ombudsman jurisdiction, 208, 209

RICHARDSON, Ms (Northcote) (Minister for Women and Minister for the Prevention of Family Violence)

Members statements

Chandler Highway bridge, 188
International Day of Women and Girls in Science, 188
St Georges Road, Northcote, 188

RICHARDSON, Mr (Mordialloc)

Adjournment

Chelsea Heights Primary School, 72

Bills

Aboriginal Heritage Amendment Bill 2015, 248

Members statements

Australia Day, 24

RYALL, Ms (Ringwood)

Bills

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 56

Constituency questions

Ringwood electorate, 119

Members statements

Police numbers, 83

Points of order, 77, 116, 118

MEMBERS INDEX

viii

ASSEMBLY

RYAN, Ms (Euroa)

Adjournment

Benalla police station, 179

Members statements

Nagambie ambulance services, 20

SANDELL, Ms (Melbourne)

Bills

Aboriginal Heritage Amendment Bill 2015, 35

Consumer Acts and Other Acts Amendment Bill 2015, 165

Members statements

Privatisation, 191

Questions without notice and ministers statements

Advanced Lignite Demonstration Program, 6, 7

SCOTT, Mr (Preston) (Minister for Finance and Minister for Multicultural Affairs)

Bills

Drugs, Poisons and Controlled Substances Amendment Bill 2015, 199

Victoria Police Amendment (Merit-based Transfer) Bill 2016, 12, 92

SHEED, Ms (Shepparton)

Bills

Access to Medicinal Cannabis Bill 2015, 239

Members statements

Goulburn Valley Health, 23

SMITH, Mr R. (Warrandyte)

Constituency questions

Warrandyte electorate, 212

Legislative Council Standing Committee on the Economy and Infrastructure

Minister for Public Transport, 176

Members statements

Warrandyte Bridge, 80

Points of order, 7, 114, 115, 205, 211, 212

SOUTHWICK, Mr (Caulfield)

Adjournment

Caulfield electorate constituent, 178

Bills

Access to Medicinal Cannabis Bill 2015, 222

Constituency questions

Caulfield electorate, 117

Grievances

Level crossings, 139

Members statements

Electricity prices, 81

Points of order, 178

SPEAKER, The (Hon. Telmo Languiller)

Acknowledgement of country, 1

Black Saturday, 1

Business of the house

Notices of motion, 12, 187

Distinguished visitors, 108

Rulings, 1, 2, 3, 4, 5, 6, 7, 8, 11, 77, 109, 110, 114, 115, 116, 117, 118, 138, 186, 204, 205, 207, 208, 209, 210, 211, 212

Rulings by the Chair

Constituency questions, 117, 212

Statements on parliamentary committee reports, 79

Suspension of members

Member for Caulfield, 118

Member for Clarinda, 206

Member for Eltham, 112

Member for Footscray, 117

Member for Kew, 206

Member for Warrandyte, 116

Members for Gembrook and Narre Warren South, 110

Minister for Environment, Climate Change and Water, 115

Minister for Roads and Road Safety, and member for Hastings, 186

SPENCE, Ms (Yuroke)

Bills

Access to Medicinal Cannabis Bill 2015, 235

Members statements

Hume Junior Chess Tournament, 191

STAIKOS, Mr (Bentleigh)

Adjournment

Valkstone Primary School, 75

Bills

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 65

Members statements

Lorraine Francis Community Award, 194

Points of order, 142

STALEY, Ms (Ripon)**Adjournment**

Kindergarten funding, 74

Bills

Building Legislation Amendment (Consumer Protection) Bill 2015, 125

Constituency questions

Ripon electorate, 120

Members statements

Ruth de Fegely, 25

Petitions

Christmas carols in schools, 78
Public holidays, 78
Special religious instruction, 78

Statements on reports

Public Accounts and Estimates Committee: budget estimates 2015–16, 91

SULEYMAN, Ms (St Albans)**Bills**

Access to Medicinal Cannabis Bill 2015, 233

Members statements

Lunar New Year, 86
St Albans level crossings, 87

THOMAS, Ms (Macedon)**Adjournment**

Riddells Creek Primary School, 74

Bills

Aboriginal Heritage Amendment Bill 2015, 34
Access to Medicinal Cannabis Bill 2015, 214
Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 58

Constituency questions

Macedon electorate, 10

Grievances

Health funding, 143

Members statements

The Stella Prize, 193

THOMPSON, Mr (Sandringham)**Bills**

Access to Medicinal Cannabis Bill 2015, 234

Members statements

Life Saving Victoria, 82
Synthetic drugs, 82

THOMSON, Ms (Footscray)**Adjournment**

Brooklyn industrial estate, 71

Bills

Building Legislation Amendment (Consumer Protection) Bill 2015, 152

Members statements

Lunar New Year, 82

VICTORIA, Ms (Bayswater)**Adjournment**

Canterbury–Bedford roads, Heathmont, 252

Bills

Aboriginal Heritage Amendment Bill 2015, 26

Members statements

Paul Curran, 187

WAKELING, Mr (Ferntree Gully)**Bills**

Access to Medicinal Cannabis Bill 2015, 200, 214
Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 45

Members statements

Australia Day, 190
Dr Graeme Emonson, 190
Graeme McEwin, 190

WALSH, Mr (Murray Plains)**Constituency questions**

Murray Plains electorate, 212

Legislative Council Standing Committee on the Economy and Infrastructure

Minister for Public Transport, 176

Points of order, 8, 9, 77**Questions without notice and ministers statements**

Kindergartens, 114, 115
V/Line services, 8

WARD, Ms (Eltham)**Adjournment**

Montmorency South Primary School, 180

Bills

Aboriginal Heritage Amendment Bill 2015, 37
Access to Medicinal Cannabis Bill 2015, 229
Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 64

MEMBERS INDEX

x

ASSEMBLY

Constituency questions

Eltham electorate, 10, 213

Grievances

Opposition performance, 147

Members statements

Nada Cahill and Karen Dedadic, 21

WYNNE, Mr (Richmond) (Minister for Planning)

Questions without notice and ministers statements

Level crossings, 206, 207

WATT, Mr (Burwood)

Adjournment

Protective services officers, 256

Bills

Consumer Acts and Other Acts Amendment Bill 2015, 168

Education and Training Reform Amendment (Victorian Institute of Teaching) Bill 2015, 63

Constituency questions

Burwood electorate, 11

Members statements

Deakin interconnect, 26

Points of order, 11, 120, 186

WELLS, Mr (Rowville)

Constituency questions

Rowville electorate, 10

Independent Broad-based Anti-corruption Commission Committee

Strengthening Victoria's key anti-corruption agencies?, 78

Members statements

East-west link, 21

Statements on reports

Independent Broad-based Anti-corruption Commission Committee: strengthening Victoria's key anti-corruption agencies?, 88

WILLIAMS, Ms (Dandenong)

Adjournment

Dandenong South level crossing, 181

Bills

Access to Medicinal Cannabis Bill 2015, 226

Constituency questions

Dandenong electorate, 10

Members statements

PGM Refiners, 86