

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Tuesday, 24 November 2015

(Extract from book 18)

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

By authority of the Victorian Government Printer

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The Lieutenant-Governor

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Deputy Speaker:

Mr D. A. NARDELLA

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Ms Kilkenny, Mr McCurdy, Mr McGuire, Ms McLeish, Mr Pearson, Ms Ryall, Ms Thomas,
Mr Thompson, Ms Thomson, Ms Ward and Mr Watt.

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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

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

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-EIGHTH PARLIAMENT — FIRST SESSION

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Lim, Mr Muy Hong	Clarinda	ALP	Williams, Ms Gabrielle	Dandenong	ALP
McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP

¹Elected 31 October 2015

²Resigned 3 September 2015

³Resigned 3 September 2015

⁴Elected 14 March 2015

⁵Elected 31 October 2015

⁶Resigned 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 Elasmar 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 Kealy, Ms Kilkenny and Mr Pesutto. (*Council*): Mr Dalla-Riva.

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Tuesday, 24 November 2015

The SPEAKER (Hon. Telmo Languiller) took the chair at 12.04 p.m. and read the prayer.

DISTINGUISHED VISITORS

The SPEAKER — Order! I would like to acknowledge in the gallery Mr Bhagwant Mann, member of Parliament from Sangrur constituency of the Indian state of Punjab, and Ms Myriam Boisbouvier-Wylie, Honorary Consul General of France in Victoria. Welcome.

Honourable members applauded.

PARIS TERRORIST ATTACKS

The SPEAKER — Order! In recent weeks the world has been shocked and saddened by a series of terrorist attacks that have claimed the lives of so many people in Paris, Beirut, Ankara and Bamako. All human life is precious, and every person has a right to live in safety, security and peace. Each callous and unthinkable act of terror has targeted the innocent.

The scale of the Paris tragedy on 13 November, and the loss of so many young lives that held so much promise, stunned all of us. I was shocked to hear about these attacks, as it was only one day before that the President and I welcomed a delegation of senators from the French Parliament.

As a sign of respect and mourning the Parliament of Victoria lowered its flags to half-mast. We showed solidarity with the people of Paris and France by illuminating our Parliament building in the colours of the French flag. The enlightened values of *liberté, égalité* and *fraternité* can never be dimmed by the darkness of terrorism. We unite with all peace-loving people around the world in condemning all of these atrocities.

On behalf of the Premier, the Leader of the Opposition and all members, the President and I offer our condolences to the people who have suffered through these attacks and particularly to the families who lost loved ones. A world connected in grief must work together towards peace. I ask members to stand and observe a minute of silence in memory of the victims of these terrorist attacks.

Honourable members stood in their places.

CONDOLENCES**Hayden Kevin Shell**

The SPEAKER — Order! I advise the house of the death of Hayden Kevin Shell, a member of the Legislative Assembly for the electoral districts of Geelong West from 1982 to 1985 and Geelong from 1985 to 1992.

I ask members to rise in their places as a mark of respect to the memory of the deceased.

Honourable members stood in their places.

**QUESTIONS WITHOUT NOTICE and
MINISTERS STATEMENTS****Lancefield bushfire**

Mr GUY (Leader of the Opposition) — My question is to the Premier. With the Premier stating, ‘I take responsibility for each and every thing that happens under my leadership of the government’, and further noting that the Premier appeared at functions in Lancefield, some with media present, during the Lancefield fire, I ask: why did the Premier send the departmental secretary to apologise to the community of Lancefield for the mismanagement of this controlled burn instead of apologising in person himself?

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his question. The people of Lancefield were badly let down by a series of decisions that were not appropriate.

An honourable member interjected.

Mr ANDREWS — No member of this government was at the tennis; let me assure you of that, so we are not going to be having lectures from those who abrogated their responsibilities.

Mr Guy — On a point of order, Speaker, on relevance, this is a serious question, and I did not ask about lectures; I asked a very straightforward question as to why was the departmental secretary dispatched to apologise face to face to the people of Lancefield, given that the Premier had been to that town multiple times in the weeks before.

The SPEAKER — Order! I ask the Premier to come back to answering the question.

Mr ANDREWS — The Leader of the Opposition in his point of order has effectively answered his question. I have visited that community on many occasions, and

on each of those occasions I made it very clear — and in media and in all sorts of different forums over a long period of time now — that what occurred was unacceptable — —

An honourable member interjected.

Mr ANDREWS — It was face to face, actually; it was. If those opposite were less interested in scoring points and more interested in the people of Lancefield, they would know that I and the minister, and other members including the local member, have met with many local residents and expressed our concern, expressed our sympathy for them and taken responsibility for what went wrong. What happened in Lancefield should not have happened. We are deeply sorry for the fact that errors were made, and in recognition of that a full inquiry was put in place. There were 22 recommendations and every single one of them will be implemented.

For those opposite to suggest that we have been anything other than transparent about the fact that this — —

Honourable members interjecting.

Mr ANDREWS — Things went wrong; be in no doubt about that. We were deeply upset because of that, and we were standing with the community of Lancefield, rebuilding and supporting them at their time of need. For those opposite to suggest otherwise is completely and utterly wrong. We will continue visiting the community of Lancefield. We will continue to stand with the community of Lancefield just as we have — both the local member, an outstanding local member, and the minister, who has handled this matter impeccably, admitting fault, offering an apology and rectifying things. That is what we are all about, and to suggest otherwise is completely wrong and a reflection of the sorts of games this mob opposite plays.

Supplementary question

Mr GUY (Leader of the Opposition) — Again noting that the Premier had said, ‘I take responsibility for each and every thing that happens under the leadership of my government’, and although a departmental apology has been made to the faces of the people of Lancefield, why have many Lancefield locals, some of whom lost houses or property, still heard nothing from the government as to when they will be paid compensation or how much they will receive?

Honourable members interjecting.

Mr ANDREWS (Premier) — On a point of order, Speaker, the member for Hawthorn ought to withdraw that offensive remark making light of the tragedy and suffering of people in Lancefield.

Honourable members interjecting.

The SPEAKER — Order! The member for Hawthorn, to withdraw.

Mr Pesutto — I will not withdraw that, Speaker, with all due respect. I want to address the point of order.

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBERS

Members for Warrandyte and Dandenong

The SPEAKER — Order! Under standing order 124, the member for Warrandyte and the member for Dandenong will withdraw from the house for the period of 1 hour. The Chair will not hesitate to suspend other members. The member for Warrandyte will come to see me later in my office. The member knows well that members should not reflect on a decision made by the Chair under standing order 124, a standing order agreed to by this house.

Honourable members for Warrandyte and Dandenong withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Lancefield bushfire

Questions and statements resumed.

Mr Pesutto — Speaker, I want to address the point of order. The Premier, if he wants to show respect for the people of Lancefield — —

The SPEAKER — Order! The member for Hawthorn will resume his seat.

Honourable members interjecting.

Questions and statements interrupted.

SUSPENSION OF MEMBER

Member for Hawthorn

The SPEAKER — Order! The member for Hawthorn will withdraw from the house for the period of 1 hour.

Honourable member for Hawthorn withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Lancefield bushfire

Questions and statements resumed.

Mr ANDREWS (Premier) — I thank the Leader of the Opposition for his supplementary question. To suggest that the government has not taken full and absolute responsibility for the errors that occurred — errors that should not have occurred — in that community is simply wrong.

The Minister for Environment, Climate Change and Water has attended numerous public meetings. I have travelled there on a number of occasions, and I will continue to go back. The local member has been there to thank and support those in her community who fought so hard against those fires, as I have. As I understand it, the Leader of the Opposition is simply wrong.

Honourable members interjecting.

The SPEAKER — Order! The Premier will resume his seat, and the member for Eltham is warned.

Mr Guy — Speaker, on a point of order, on relevance, it is, as the Premier said, a serious issue. I asked a clear and straightforward question around the timing of compensation to people in Lancefield and when they will be paid, and, respectfully, the Premier has not addressed that part of the question.

The SPEAKER — Order! The Premier has 14 seconds.

Mr ANDREWS — As I am advised, there are 58 claims that have been lodged, and I think 15 of those are being actioned this very week, so payments will be made this week. The rest of those claims will be dealt with as quickly as possible. We take responsibility, and we will make good. That is what a good government does.

Ministers statements: Monash Freeway

Mr ANDREWS (Premier) — I am very pleased to rise to update the house on work that our government is doing to deliver on the projects that our state needs, the projects that Victorians voted for a year ago, projects that will deal with congestion on our roads and congestion on our public transport system.

On Sunday I announced some \$400 million to deal with congestion on the Monash Freeway, a corridor that carries some 200 000 cars in the south-east each and every day; additional lanes in each direction between EastLink and Clyde Road; and an extension to Australia's biggest managed motorway in our nation. That is exactly what we are going to deliver. That will mean a safer Monash Freeway, a less congested Monash Freeway, more time spent at home with your kids and less time spent in traffic.

This is also about creating jobs and opportunities for our state. Those opposite did not lift a finger for the Monash Freeway. Do you know what? According to the business case on this, there will be \$4.20 back for every \$1 you invest. It is a bit better than 45 cents back on every \$1 you invest. But of course it does not end there.

Honourable members interjecting.

Mr ANDREWS — This morning I was very pleased to announce that an expression of interest for early works on Melbourne Metro rail will be out to market tomorrow — a \$200 million to \$300 million program of early works critical to delivering the Melbourne Metro rail project, starting construction in 2018, with more jobs, better public transport and less congestion. This is a government that is getting on with it, a government that is delivering the things it said it would do. Those opposite, as usual, are talking amongst themselves — irrelevant and in opposition.

Lancefield bushfire

Mr BATTIN (Gembrook) — My question is to Minister for Environment, Climate Change and Water. Noting that the minister told this house on 8 October:

I give an absolute guarantee that the Grand Final Friday had no impact on staffing decisions —

at the Lancefield controlled burn, how can the minister continue to claim that the grand final parade public holiday had no impact on staffing decisions when there were just 12 staff at this controlled burn on the grand final public holiday compared with as many as 30 the day before?

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I thank the member for his question. It is unfortunate that the member has not really read this report, because this is a report that was led by an amazing group of investigators who have been very frank, transparent and open. It has been informed considerably by extensive consultation with the local community there, from face-to-face interviews to telephone calls, community meetings and a survey. The community has a real sense of understanding of and has had input into both this report and the recommendations.

I spoke a few weeks ago when this was first raised, when the fire first broke containment lines, and I assured this house that there were no decisions made as a result of Grand Final Friday, and I stand by that completely. If the member had read this report, if he actually took the time to read it, he would see that it is really important, because these are systemic issues that have been there for a number of years now about how planned burning is managed, particularly in that region but in other parts of Victoria as well. These are systemic issues that we are now addressing.

What this report says is that they did not do the risk assessment appropriately and that resourcing is subject to risk assessment. If you get the risk assessment wrong — —

Mr Battin — On a point of order, Speaker, in relation to relevance, it is a very simple question in relation to the staffing. There were 30 staff the day prior to the grand final public holiday and only 12 staff to protect the community on the day of the grand final public holiday.

Ms Allan — On the point of order, Speaker, the member opposite raised a matter of relevance in regard to the minister's answer. She could not have been more directly and clearly relevant to the question that was asked. She was asked very clearly about resource levels on Grand Final Friday in relation to the Lancefield fire. Not only was she answering it directly but she was also referring to sections in the report, which clearly the member opposite has not bothered himself to read. I suggest you rule this point of order out of order.

Mr Clark — On the point of order, Speaker, this was a specific question about staffing on the grand final public holiday. The minister has now had about a minute and a half to set context. She now needs to turn to answering the specifics of the question that was asked.

Honourable members interjecting.

Mr Pakula — On the point of order, Speaker, the member for Gembrook may struggle with complex answers to simple questions — —

The SPEAKER — Order! The point of order?

Mr Pakula — On the point of order, what the minister is providing is a detailed — —

Mr Guy interjected.

The SPEAKER — Order! The Leader of the Opposition will allow the Attorney-General to make his point of order in silence.

Mr Pakula — That would be nice. Thank you, Speaker. The Minister for Environment, Climate Change and Water is providing to the member for Gembrook a detailed and complex response around staffing levels on the day that goes directly to the question that he asked, and it is not simply about what day of the week it might be.

The SPEAKER — Order! The Chair does not uphold the point of order.

Ms NEVILLE — What is clear from the report is that the risk assessment was incorrect — no question about that. They underestimated the risk, and that went to the question of resources — that is, staff who were available. But let us review: this planned burn commenced on Wednesday, 30 September. It initially broke containment lines on the Saturday — not Grand Final Friday; the Saturday afternoon — and it broke containment lines and burnt about an extra 70 hectares. It then was contained by the Sunday morning. It then broke containment lines on the Tuesday, and at that point additional resources were put in.

There is no question that the whole burn was under-resourced, which is what the report says, and it was under-resourced because of the fact that they got the risk assessment incorrect. That is what the report is very clear about. It is not about Grand Final Friday at all. The risk was low on Grand final Friday. As the chief fire officer said last week about our staff, on the release of this report;

We make decisions about resourcing based on risk. Our staff work 24 hours a day, 7 days a week, public holidays, weekends, when it is required.

Unfortunately the risk assessment was incorrect, and we have accepted the recommendations. The changes we are making are about fixing that.

Supplementary question

Mr BATTIN (Gembrook) — I ask the minister: given that the independent report has revealed there was an officer in charge present on Wednesday and Thursday but no officer in charge on grand final parade public holiday, will she now apologise for misleading this Parliament and the community?

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I appreciate that the member had pre-prepared that supplementary question, as it obviously did not take account of my answer. The report is absolutely clear here. Appropriately, when the fire was lit there was a burn officer in charge — —

Honourable members interjecting.

Mr Battin — On a point of order, Speaker, in relation to relevance, and the relevance is in relation to the officer in charge on grand final day. It is vital that it is noted there was an officer in charge on the Wednesday and on the Thursday. The question we are asking is in relation to the Friday. The Premier is more interested in calling me a dill across the table, and that is fine. However, it is an important point for Lancefield residents, and rather than being abusive, sitting — —

The SPEAKER — Order! There is no point of order.

Ms NEVILLE — The normal practice, as I understand from the chief fire officer, is that a burn officer in charge is there absolutely at the ignition. Because of the initial risk, they were there for two days. They assessed that the fire was not high risk — incorrectly, as the report has shown. There was no burn officer in charge on the Friday. That is actually not unusual.

Mr Battin — On a point of order, Speaker, an answer must be factual when you are putting it to the house. In the answer in relation to the officer in charge being there the minister stated that it was not likely. The report said it was very likely that this would jump containment lines, and still they ignored that advice.

The SPEAKER — Order! The member knows well that is not a point of order and it should not be an opportunity to repeat the question. There is no point of order. The minister to continue and to conclude her answer in the next 16 seconds.

Ms NEVILLE — The report says they underestimated the risk, that led to decisions about resourcing that were incorrect. As the chief fire officer has said time and time again, our staff work seven days

a week, on public holidays and on Christmas Day if required. They are there to support our community.

Ministers statements: public transport initiatives

Ms ALLAN (Minister for Public Transport) — I am very pleased to provide new information to the house on yet another initiative — another step in how the Andrews Labor government is building up Victoria's public transport system and how it is getting on with delivering the Melbourne Metro rail tunnel project. Just this morning the Premier and I released details of the expression of interest that will go out tomorrow on a critical early works package that will see the relocation or protection of around 150 utilities across the alignment of the project — and this is critical. These are absolutely crucial works worth hundreds of millions of dollars and expected to create around 100 jobs.

They are crucial early works that can be started in 2017 and completed in 2018, so when we want to start major construction on the twin 9-kilometre tunnels and the five station boxes, we can hit the ground running, because we do not have a moment to lose. We do not have a moment to lose because just as those opposite are chattering amongst themselves, they ignored this project for four long years. They left it sitting on the shelf and abandoned this project. They left it languishing when we know Infrastructure Australia told them, so many people around the state and country told them, that this is the no. 1 infrastructure project for this state. The Andrews Labor government is starting it and intends to deliver it, because it will unclog our transport system.

I also want to touch on the announcement made yesterday that we are placing an order for 20 new E-class trams. Speaker, you might ask: how many trams were ordered in the period 2011 to 2014? If your answer was none, you would be absolutely correct. Those opposite did not order one single tram for Victoria's tram network.

Honourable members interjecting.

Lancefield bushfire

Mr BATTIN (Gembrook) — My question is to the Minister for Environment, Climate Change and Water. I refer to the independent report into the Lancefield controlled burn which discloses that a request by an experienced officer in charge to undertake low-level preliminary burning prior to the main burn to reduce the chance of the fire escaping during that main burn was rejected, and that an experienced officer in charge

expressed concern about the burn being undertaken without additional resources. Why did the minister ignore these dire warnings by experienced fire officers and allow this fire to proceed?

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I would be really pleased to offer the member a briefing in relation to how planned burn sign-offs occur. We do around 600 to 900 planned burns a year. In fact the report shows that we need to strengthen the process of the decision-making. With the increase in the planned burn hectare target, it was never done at the same time, so we are putting in place a clearer system of accountability, of risk assessment, of peer review to make sure that one person cannot sign off a planned burn from start to finish. Unfortunately that is what occurred in this particular case. I am not blaming anyone, but there was a failure of systems — a systemic failure of systems — in this particular case.

It is an interesting question about resources, because members of the Lancefield community, which I have visited a number of times, have said to me they want to see more resources out in local communities. I can tell you, Speaker, in the last government 900 staff were sacked in the environment department — 900 staff! So if you want to talk about under-resourcing, if you want to talk about resourcing — —

Mr Walsh — On a point of order, Speaker, on the issue of relevance, there was a very clear question about why the minister ignored advice from senior fire officers, not the issues she is now debating.

Ms Allan — On the point of order, Speaker, the question went to the issue of resources for this particular planned burn that was undertaken. The minister was once again — as she has done in previous answers — providing comprehensive and detailed information to the house. The member opposite would be best served apologising for sacking 900 staff in the area rather than taking this point of order.

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 the period of 1 hour.

Honourable member for Eltham withdrew from chamber.

QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS

Lancefield bushfire

Questions and statements resumed.

Mr Battin — On the point of order, Speaker, to support the point of order in relation to staffing and the comments about previous staffing levels, this government has been in power for 12 months now, with no plan to re-employ staff. Why would you light the — —

The SPEAKER — Order! The member for Gembrook will resume his seat.

Mr Battin interjected.

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

Ms NEVILLE (Minister for Environment, Climate Change and Water) — That is why in the last budget, we put in an additional \$25 million on top of the \$100 million a year in order to enhance the staffing and resources for planned burning. I have been clear all along, as this report is. There were significant mistakes made by the team about risk assessment on the day. That led to poor decisions about resourcing and whether this fire should have been lit.

As I was asked last week by the media, should this fire have been lit? I am not a fire expert, but my reading of this report shows that it should not have been lit. It should not have been lit; there were substantial mistakes made, systemic mistakes made. We are getting on with the job of putting in place the reforms that are necessary to ensure that this very critical tool in reducing bushfire risk is as safe as it can be for our communities.

Supplementary question

Mr BATTIN (Gembrook) — Due to risk assessments, the prior government cancelled planned burns in the past, with the minister. Given the minister has the power to veto any controlled burn across Victoria, can the minister inform the house how dire circumstances must be and how many warnings must be received before she exercises her responsibility?

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I will offer a really intensive briefing with the chief fire officer for the member, because these are decisions rightly being made by

people who are experts on these decisions. There is a lot of pressure — should we cancel the planned burn because there is smoke, which affects wineries, for example? I am not sure that anyone wants the environment minister making decisions about community safety without the advice of the chief fire officer and the fire officers on the ground.

What we have said is that we need clearer accountabilities, and that is why we are making the chief fire officer position, which has never had this power, to have the power in relation to each and every planned burn.

Ministers statements: Victorian Industry Participation Policy

Ms D'AMBROSIO (Minister for Industry) — I am pleased to provide information to the house about this government's achievements in regard to the Victorian Industry Participation Policy (VIPP). I will table the VIPP annual report later today. The annual report shows that the coalition government during its term, between July and December 2014, declared not one strategic project to be built using government funds — not one. In contrast, between December 2014 and June this year the Andrews Labor government declared six strategic projects setting strong local government requirements.

The annual report shows that our local content policy generated around \$1.1 billion in new industry orders, creating 1000 new jobs and 197 new local apprenticeships. The report clearly shows that the Andrews Labor government is revitalising Victoria's economy through industry participation policy, creating new jobs and a more vibrant economy.

The SPEAKER — Order! The minister should not refer to that report in detail, nor should she, as the minister may be aware, table that report in the way in which she put it. There are other procedures, and I am happy to work with the minister. The minister shall refer to generic and general comments in relation to the report. The report will not be tabled.

Ms D'AMBROSIO — Since being elected this government has declared 13 strategic projects under the Victorian Industry Participation Policy — 13 strategic projects setting strong local government targets, including 15 new schools, the upgrade of Latrobe Regional Hospital, the CityLink-Tullamarine Freeway widening project, and the list goes on. Our record is in stark contrast to that of those opposite, who failed in a timely fashion to declare when they were in government strategic projects that actually delivered

real investment and real jobs growth. This government has done 13 projects in less than one year, which is more than that government ever did in more than four years of being in government. After four years of inaction, this government is getting on with it.

Perinatal emotional health program

Ms SHEED (Shepparton) — My question is to the Minister for Mental Health. The federal government ceased funding for the national perinatal depression initiative from July 2015. Mothers in my electorate will no longer be able to access the local perinatal emotional health program after 31 December because I understand the state government's support will also end. This program provided for the early detection and prevention of postnatal and antenatal depression, providing mothers with better and easier access to support and counselling.

Will the minister confirm that the Andrews Labor government's commitment to the perinatal emotional health program at Goulburn Valley Health will continue beyond December 2015, and will it continue to fund at a minimum its current contribution to that important initiative?

Mr FOLEY (Minister for Mental Health) — I thank the honourable member for Shepparton for her question. I am sure I join all members of the house in stating what is clearly a fact: when it comes to mental health and wellbeing there is no more important early intervention than that of perinatal mental health services right across our state. So it was with some distress that we learnt in the week before the end of the last financial year that the federal government wrote to all jurisdictions unilaterally cancelling the long-term — since 2009 — national perinatal mental health partnership, which impacted not just on the honourable member for Shepparton's electorate but all electorates right across our community.

On a number of occasions we have raised with the federal government the need to reinstate that program. That is why we wrote to every perinatal mental health service across the state recommitting our support for that service and recommitting our support to continue to fund that program, a commitment that stands today.

Since that time the federal government has, sadly, continued to restate its position that it does not see support for that program. However, since the change of Prime Minister, the federal Minister for Health has made it clear that she will, in the very near future — before the end of the year — be putting a mental health policy into the public realm. I use this occasion to call

on the federal Minister for Health to use that opportunity to reinstate the commonwealth's commitment to support perinatal mental health services not just in Victoria but right across Australia — not just in Shepparton but in every community right across this state.

Since the arrangements the honourable member referred to occurred, we have seen cuts to not just the emotional health program but also payments withdrawn from the PANDA telephone counselling service, a 24/7 support service for vulnerable mothers right across the nation. Support has been withdrawn there. We have seen withdrawals of support for early parenting centres, and we have seen withdrawals of funding from health networks for health training registrar positions. In all of these areas the frontline delivery of services counts most when women and newborn children are at their most vulnerable in community situations involving mental health.

Our position continues to be that if the commonwealth government returns to the table to reinstate the 2009 long-term national partnership on mental health, particularly perinatal mental health, this government's commitment is in the current budget to be supported, and that commitment stands.

Supplementary question

Ms SHEED (Shepparton) — Medical professionals and the Shepparton district community have for years been lobbying for the establishment of a mother-baby unit in our region to support families of newborns. It has been ignored by successive governments. Given that the Andrews Labor government now supports this concept of an emotional health program, will it support the establishment of a mother-baby unit in our region such as exists in Melbourne and other regions to ensure that services of this kind are continued?

Mr FOLEY (Minister for Mental Health) — I thank the honourable member for her supplementary question. As the honourable member knows through her own leadership of the Goulburn Valley Health Community Advisory Group, the work that is being done in planning the range of services not just in perinatal mental health and community mental health but right across the board is very important. It is very important because, as I released last week, we have seen the implications of the botched re-commissioning of community mental health that the former government delivered in 2014 create all sorts of problems.

In terms of how mother-baby units are developed and supported right across the state, there are a number of

investments underway right now in regional Victoria. I have to concede, as the honourable member knows, that that is not in the Shepparton area. However, I am more than committed to working with the honourable member to make sure that the work she is leading has —

The SPEAKER — Order! The minister will resume his seat.

Ministers statements: sentencing reform

Mr PAKULA (Attorney-General) — I rise to inform the house that today I have written to Emeritus Professor Arie Freiberg, the chair of the Sentencing Advisory Council, asking the council to provide swift advice to government about the most effective way for Parliament to provide sentencing guidance to the courts for serious offences.

Last week the Court of Appeal dispatched the Napthine government's baseline sentencing scheme, described it as 'incapable of practical operation' and remarked that it had an incurable defect. We have seen the member for Hawthorn — who is not here — indulging in faux exasperation, but he has had nothing on the tantrum thrown by the member for Box Hill, who in a frenzy of attempted legacy protection has cast blame in every direction, but if the member for Box Hill is looking for someone to blame, he need look no further than the —

Mr Hodgett — On a point of order, Speaker, I draw your attention to sessional order 7, which asks ministers to provide an update on new government initiatives, programs and achievements, not to attack members of the opposition. I ask you to bring the minister back to his statement.

Mr PAKULA — On the point of order, Speaker, I am providing information to the house about a reference I have given to the Sentencing Advisory Council and reflecting on the fact that the former member has put out a blog attacking the Court of Appeal.

The SPEAKER — Order! The Attorney-General will come back to making a minister's statement.

Mr PAKULA — I simply make the point that in the design of this scheme, the former government ignored all the advice it was given, including the advice of the chief Crown prosecutor, who described baseline sentencing as the worst legislation ever seen in the statute books of this state.

Honourable members interjecting.

The SPEAKER — Order! The Attorney-General will come back to making a minister's statement now.

Mr PAKULA — Happy to do so, Speaker. I simply make the point that the Andrews government will now have to clean up this mess. The Sentencing Advisory Council will advise the government on the best legislative scheme, the offences that should be included in it and the penalties that ought to apply. We will get the best advice. We will receive it by April next year, and unlike those opposite, we will pay some attention to it.

Water policy

Mr WALSH (Murray Plains) — My question is to the Minister for Environment, Climate Change and Water. I refer the minister to the Premier's latest thought bubble, this time to build the south–north pipeline. Will the minister now make public the engineering advice she has received and the estimate cost of reversing the north–south pipeline.

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I thank the member for his question, and I know he has been shopping this around to the media today. Basically I think the previous Minister for Water's view of water was that if it rained in your community, good luck to you, and you had a bit of water; if it was dry anywhere else, well, too bad. That is why the Premier, the Minister for Agriculture and I spent two days out in some of our communities that are feeling it the hardest in terms of drought, just as I have been doing over the last few months, including up in the north, including along the Murray and including in the west and central Victoria.

As part of that discussion with communities, what we are looking at is how do we enhance — —

Mr Walsh — On a point of order, Speaker, on the issue of relevance, the minister has now had three-quarters of a minute to set the context, and I ask you to bring her back to answering the question about what engineering advice she has had and what the cost will be of reversing the north–south pipeline.

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

Ms NEVILLE — The member talked about the north–south pipeline, a pipeline that he disliked all the time he was in government, but what he misunderstands always is the issue of what the water grid is. The water grid is made up of infrastructure, it is made up of water rules and it is about paper trades as much as anything, which is why last week, as part of

the drought tour, we announced that Melbourne retailers would retain their share and their entitlements of water in the north to support our northern communities — communities along the Murray in the Shepparton region. That is about how we best utilise our water grid. That is exactly what we are doing; how do we best do that?

Mr Walsh — On a point of order, Speaker, I restate my previous point of order. The minister has obviously ignored your advice, and I ask you to bring her back to actually answering the specific question about engineering advice and the cost to reverse the north–south pipeline.

Ms Allan — On the point of order, Speaker, as you are aware, there is a long-established practice that preamble and introductory comments form part of the answer. In his introductory comments to the question the former failed water minister referred to the Premier and he also referred to the north–south pipeline, which quite rightly the minister is responding to as part of explaining how it supports the water grid. The failed former minister might not like the answer, but he has no standing under the standing orders, and his point of order should be ruled out of order.

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

Ms NEVILLE — We are out talking to communities about the water grid and what we need to do to enhance water security in our communities, whether it is in the north, whether it is in the west or whether it is in central Victoria. Are things off the table? No, because we want to consider those things. We want to consider all options, whether it is extending the Wimmera–Mallee pipeline or whether it is looking at options for the Macalister irrigation system, for which we announced \$20 million last week.

Unlike those opposite, who do not believe in business cases, who like to announce any amount of dollars, we are going through a process with the Victorian community, assessing costs and cost benefit, to see how we can best deliver water security for as many communities in Victoria as possible.

Supplementary question

Mr WALSH (Murray Plains) — I again refer the minister to the comments of the Premier about reversing the north–south pipeline and substituting desalination water into the Melbourne system. If the minister will not make public the engineering advice, will she now tell Victorians who will pay \$5000 per

megalitre that the desalination water costs — struggling irrigators or Melbourne families?

Ms NEVILLE (Minister for Environment, Climate Change and Water) — The honourable member knows what it costs Victorian communities, because he saw millions of dollars of Victorian taxpayers money lost through the Office of Living Victoria, with nothing delivered.

Honourable members interjecting.

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

Ms NEVILLE — Those opposite opposed every single centimetre of every single water pipe that we put in the ground when we were last in government, and they are doing it again. They are not committed to — —

Mr Walsh — On a point of order, Speaker, on the issue of relevance, it was a very simple question: who is going to pay \$5000 per megalitre? Is it struggling irrigators or is it Melbourne families?

The SPEAKER — Order! The minister will respond.

Ms NEVILLE — If it were not for our investment, there would be no water in Bendigo and there would be no water in communities like Horsham and Ararat. Those opposite opposed that investment every step of the way. We are committed to looking at all options for the infrastructure that Victorians have invested in to get the best outcome for drought communities, and that is what we are doing.

Honourable members interjecting.

The SPEAKER — Order! Has the minister concluded?

Ms NEVILLE — Yes.

The SPEAKER — The minister has concluded her answer.

Mr Clark — On a point of order, Speaker, I draw your attention to sessional order 11(2), which empowers you to determine that an answer to a question was not responsive to the question. I submit that neither of the answers to the substantive and the supplementary questions were responsive. The substantive question related to making public engineering advice and estimated costs, and the supplementary question related to the \$5000 megalitre cost and who was to bear it. I submit the minister has

not responded to either of those questions, and I ask you to apply sessional order 11(2).

Ms Allan — On the point of order, Speaker, I ask that you reject the point of order made by the member opposite, who is now using the sessional orders that he initially opposed. The question that was put by the failed former water minister went to issues around the north–south pipeline, it went to issues around desalination and substitution, and it went to water available for metropolitan Melbourne. The minister in her answer addressed all of these issues. To go further, the Leader of The Nationals made a claim that had no basis in terms of an alleged cost for the movement of water around the water grid. The minister has comprehensively, as she has done all day, answered these questions, and I ask that you rule the point of order out of order.

Mr Guy — On the point of order, Speaker, in supporting the point of order of the manager of opposition business can I just, for your information, restate to you clearly that the question was around who is going to pay the \$5000 per megalitre of desalination water costs. The minister never, ever, in her response to the supplementary question referred to any part of that question put, and I respectfully it put to you that, given the minister never referred to any part of that question put, therefore the point of order raised by the manager of opposition business should be upheld.

Mr Pakula — On the point of order, Speaker, both the question raised by the Leader of The Nationals and the points of order that have been raised subsequently are based on a false premise, which the minister has exposed — the premise being that somehow a decision has been made to send desalinated water north of the Divide. The minister made it very clear in her answer that no such decision has been made, that business cases are being assessed and that a decision will be made based on the best information.

For the member for Box Hill to now claim that the minister has been unresponsive, when she has made all of that perfectly clear, is an absolute nonsense. She has answered the question based on what information she can provide, which is that the premise of the question is clearly false and that business cases are being carried out. She can do no more than that.

Mr Walsh — On the point of order, Speaker, to support the point put forward by the manager of opposition business, if sessional order 11(2) is to mean something to this house, it needs to be — —

Ms Allan — You opposed it. You can't love it now!

Mr Walsh — They are the rules. If sessional order 11(2) is to mean anything, the communities of northern Victoria deserve a straight answer from the minister. She has not provided an answer to either the substantive or the supplementary question, and I urge you to uphold the point of order raised by the manager of opposition business.

The SPEAKER — Order! The Chair is happy to review the supplementary question and answer. The Chair will report back at a later time.

Ministers statements: travelling con men

Ms GARRETT (Minister for Consumer Affairs, Gaming and Liquor Regulation) — I rise to inform the house of a new campaign that Consumer Affairs Victoria is running, which is targeted at travelling con men. I would hope that those opposite would take great interest in this ministers statement, as they have shown a complete lack of interest in roads, public transport, local jobs and indeed timely and forensic analysis of information, because if they had, they would have popped up to Lancefield last week and seen that the Minister for Environment, Climate Change and Water's press conference is probably still going — she answered every conceivable question under the sun! It was a marathon — but I digress.

For those opposite, who served up another nonsense question time, I would urge them next time to ensure that they look at the work that the minister is doing — —

Mr Clark — On a point of order, Speaker, the minister has now been speaking for more than 50 seconds, but she has still not come to inform the house, in accordance with sessional order 7, about new government initiatives, projects or achievements. I ask you to bring her back to compliance with sessional order 7.

The SPEAKER — Order! I ask the minister to now come back to making a statement.

Ms GARRETT — And so I do. I inform the house of a new campaign that Consumer Affairs Victoria is running, which is targeted at travelling con men. As we head into the summer season it is very important that we understand this is a great time of year to be festive and relaxed, but it also brings dangers from scam artists. Just like flies at a beach barbecue, they swarm when people have let their guard down. They are more than a pest; they can bring real heartache.

We know that while we like to enjoy summer, so do these con men. They like to travel, be they a scam artist

who has travelled from overseas or one from interstate — for example, Tasmania. These dodgy operators are very good at what they do, and they take your money right from under your nose. There is nothing that can spoil a party more than a con man or a scam artist. These shysters are hard to catch, and that is why we are calling on all people to be vigilant.

We have a campaign, we have a website, we have information translated into other languages; I encourage everyone to look at it.

CONSTITUENCY QUESTIONS

Bayswater electorate

Ms VICTORIA (Bayswater) — (Question 6494) My constituency matter is for the Minister for Public Transport. Dozens of constituents have contacted my office over the past several weeks to discuss the level crossing removal in Bayswater. A so-called 'community session' last week was about telling us what is happening, not asking for input. Like all the other locals, I received a flyer several months ago saying that consultation was to take place, but none of us knows a single local who was consulted — private citizen or business owner. Quite frankly, the session was a waste of time.

There were no workable solutions around the loss of car parking — at least 45 spaces from the station and 15 from the busy Mountain Highway shopping strip. So my question is: can the minister advise how much it will cost a future government to reinstate the existing two extra lanes on Mountain Highway, as traffic will increase in the area after her plan reduces our highway from six lanes to four, including the cost to businesses from the loss of car spaces and loss of access? We want the crossings gone, but we do not want parking chaos and additional traffic congestion. I say to the minister that this is not a satisfactory outcome, and I ask for her urgent intervention to rectify this mess.

Pascoe Vale electorate

Ms BLANDTHORN (Pascoe Vale) — (Question 6495) My question is for the Minister for Public Transport. The question I have for the minister is: can she provide me with an update on the proposed changes to the tram network and in particular the proposed changes to routes 55, 1 and 6?

Already in almost one year we have seen many more improvements in public transport than we did in the four years under the previous government. In the district of Pascoe Vale in particular we are very excited

that the metro rail project should improve services on the Upfield line and that the Glenroy and Coburg crossings will be removed. In particular, we are very excited that we have recently announced a new bus service, which will extend bus services between Coburg and Pascoe Vale stations.

Many of my constituents also use the tram services, and I ask the minister for an update on the consultation sessions that are occurring in relation to the future of tram services. In particular customers were asked to have their say on changes designed to avoid overcrowding as well as to move major — —

The DEPUTY SPEAKER — Order! The honourable member's time has expired.

Lowan electorate

Ms KEALY (Lowan) — (Question 6496) I direct my constituency question to the Minister for Agriculture. I have been speaking to many food producers across the Lowan electorate regarding the impact of the poor season on their business. Low soil moisture compounded by low rainfall and recent early high temperatures have resulted in poor yield crops producing low-grade grains, pulses and legumes. As a result many food producers are unlikely to cover the expenses of this year's crops.

It is not only the food producers that are impacted in a poor season. Agriculture is the backbone of our economy in rural communities, so when the agricultural sector is struggling, so too are local small businesses.

Many of my constituents have expressed extreme disappointment that the recently announced drought package does not include shire and water rate relief for our food producers and small businesses. I therefore ask the minister to explain to small businesses and food producers in western Victoria why the government has not provided rate relief as part of the drought support package.

Essendon electorate

Mr PEARSON (Essendon) — (Question 6497) My constituency question is to the Attorney-General. The Moonee Valley Legal Service plays a wonderful role in our community by providing support to many residents who would otherwise be unable to afford legal representation. The centre is an independent, community-managed, non-profit organisation run by a board of management and provides free legal advice and casework to residents living in the City of Moonee Valley. The centre provides a generalist service;

however, it also focuses on family, multicultural and financial counselling issues.

Last week the Moonee Valley Legal Service celebrated its 30th anniversary with a function at the old Moonee Ponds courthouse. It was a wonderful evening of reminiscence and celebrations. The services manager is Lauren Hills, who has performed a great role in advocating on behalf of the service and her clients. I therefore ask the Attorney-General to visit the Moonee Valley Legal Service and meet with Lauren and her team.

Narracan electorate

Mr BLACKWOOD (Narracan) — (Question 6498) My constituency question is to the Minister for Regional Development and is in regard to a press release issued last week headed 'Putting government back to work for Gippsland'. Constituents in my electorate of Narracan are seeking details of the \$34 million announced in the release for a regional skills and training package and the \$25 million for upgrading 'first and last kilometre' routes in regional Victoria. This same release was issued to every regional area, including Gippsland, Barwon, Great South Coast, Mallee, Ovens Murray, Wimmera South, Loddon Campaspe and Central Highlands, with exactly the same funding amounts.

Can the minister detail if she is deliberately misleading the regions by suggesting they will each receive \$34 million and \$25 million for each program respectively or if those amounts are to be shared across all regions to which the release was issued?

Narre Warren South electorate

Ms GRALEY (Narre Warren South) — (Question 6499) My question is to the Minister for Roads and Road Safety and concerns the intersection of Pound and Shrives roads in Hampton Park. I ask the minister to provide an update on works to upgrade this notoriously dangerous intersection — an intersection that the previous government refused to upgrade despite the regular accidents and lengthy delays local residents were forced to endure. Instead it is the Andrews Labor government which has provided \$5.2 million to fix this intersection, an announcement it made within its first 100 days in office. Local residents were thrilled by this announcement and now regularly contact my office requesting updates on this important project. Many took part in my community-led campaign to have this intersection upgraded, and I ask the minister to provide them with an update on this very important project.

Ringwood electorate

Ms RYALL (Ringwood) — (Question 6500) My constituency question is to the Minister for Education. The minister visited Norwood Secondary College where he met with principal Andrew Sloane, school council president Cathie Wright and me on behalf of the school community and my constituents. We raised the concern that the school had recently already gone through the probity process of selecting an architect to undertake the school's master plan and that the education department was insistent that the school go through that process again. The minister agreed at the time that he would look into this, because it did indeed seem excessive to duplicate this activity in such a short time. Since the visit, the education department has gone to invitation to tender, taking the school and all involved through the same process that they have already been through recently — a waste of both time and money.

Will the minister now intervene promptly to ensure that Norwood Secondary College can use its already selected architect and get on with the job of the master plan so that the time wasting stops and no more money is wasted?

Yan Yean electorate

Ms GREEN (Yan Yean) — (Question 6501) My question is also to the Minister for Education. The minister is aware that the town of Beveridge is growing rapidly. Within a decade Beveridge and its neighbour town Wallan are expected to grow to more than 35 000 residents — or bigger than Mildura. Beveridge Primary School is well over capacity, and planning is needed for greater student growth. Shamefully, on the Liberal Party's watch the \$850 000 school upgrade funded by Labor in 2010 was cancelled despite the enrolment growth.

Can the minister advise what the department's plan is to cater for future growth in student numbers in Beveridge and advise what future land can be purchased to secure a new and improved site for Beveridge Primary School?

Ripon electorate

Ms STALEY (Ripon) — (Question 6502) My question is to the Premier. The Premier promised to create 100 000 new full-time jobs in two years. He further promised to specifically create 440 local jobs in Stawell. Yet one year into his term not a single job has been created in Stawell from his failing Back to Work scheme and the north-west employment region,

including Stawell, has lost 16 200 full-time jobs according to the Australian Bureau of Statistics. I ask: why has the Premier cruelly broken his promise to the people of Stawell and failed utterly to create jobs in Stawell?

Carrum electorate

Ms KILKENNY (Carrum) — (Question 6503) My constituency question is for the Minister for Environment, Climate Change and Water. Can the minister provide an update on the Labor government's commitment to create an independent advisory committee to look at how best to protect Kananook Creek in my electorate of Carrum? As the minister knows, the future of Kananook Creek was under threat by inappropriate development under the former government. That is why we made a strong commitment to create an independent committee that will consult with the community and provide advice on how to protect the environmental and community value of this beautiful creek and wonderful community asset. I know the local community is very keen to hear about the progress of the Kananook Creek independent committee and I ask the minister to provide an update for them.

Mr Katos — On a point of order, Deputy Speaker, with regard to constituency questions, I have raised this point of order before. Again, today we have members who are not asking questions. The member for Pascoe Vale asked the Minister for Public Transport for an update with regard to public transport; the member for Essendon asked the Attorney-General to visit a community legal service; the member for Narre Warren South asked the Minister for Roads and Road Safety for an update on the progress of an intersection upgrade; and the member for Carrum asked the Minister for Environment, Climate Change and Water to provide an update on the progress of an advisory committee being formed. That is not the purpose of constituency questions. The purpose is for members to ask questions of ministers in the same manner in which questions without notice are asked. I ask you, Deputy Speaker, to review these constituency questions.

The DEPUTY SPEAKER — Order! I uphold the point of order. I will be having some discussions with the Speaker over the next couple of days about constituency questions and this matter will be part of those discussions.

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

Introduction and first reading

Mr MERLINO (Minister for Education) — I move:

That I have leave to bring in a bill for an act to amend the Education and Training Reform Act 2006 to provide 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, to change the membership requirements of the council of the Victorian Institute of Teaching and for other purposes.

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

Mr MERLINO (Minister for Education) — There are two main changes to the act proposed in this bill. One is to deliver on the government's election commitment to return representation to the make-up of the board of the Victorian Institute of Teaching. The second major change is, as I have outlined, to provide the Victorian Institute of Teaching with the power to suspend the registration of a teacher if there is an unacceptable risk of harm to children.

Motion agreed to.

Read first time.

BAIL AMENDMENT BILL 2015

Introduction and first reading

Mr PAKULA (Attorney-General) — I move:

That I have leave to bring in a bill for an act to amend the Bail Act 1977 in relation to terrorism-related offences, serious offences, failure to answer bail and children, to amend the Children, Youth and Families Act 2005 in relation to the commencement of criminal proceedings against children and youth offending information, to make consequential amendments to certain acts and for other purposes.

Mr CLARK (Box Hill) — I ask the Attorney-General to provide a brief explanation of the bill additional to the long title.

Mr PAKULA (Attorney-General) — I thank the member for Box Hill for raising that matter. This bill will modernise the Bail Act 1977 and bring it up to date in regard to those matters that confront the Victorian community in this day and age. It will amend the Bail Act as it relates to those charged with terrorism-related offences under Victorian law, as it relates to those who

have previously absconded while on bail and as it relates to children.

Read first time.

Motion agreed to.

ASSISTED REPRODUCTIVE TREATMENT AMENDMENT BILL 2015

Introduction and first reading

Ms HENNESSY (Minister for Health) introduced a bill for an act to amend the Assisted Reproductive Treatment Act 2008 to enable persons born as the result of the use of gametes donated before 1 January 1998 to obtain information about donors without consent, to provide for the lodgement of contact preferences, to further provide for the keeping of the central register and the voluntary register, to make consequential amendments to the Births, Deaths and Marriages Registration Act 1996 and for other purposes.

Read first time.

CONSUMER ACTS AND OTHER ACTS AMENDMENT BILL 2015

Introduction and first reading

Ms GARRETT (Minister for Consumer Affairs, Gaming and Liquor Regulation) — I move:

That I have leave to bring in a bill for an act to amend various consumer acts, the Property Law Act 1958 and the State Trustees (State Owned Company) Act 1994 and for other purposes.

Mr NORTHE (Morwell) — I ask the minister for a brief explanation of the bill.

Ms GARRETT (Minister for Consumer Affairs, Gaming and Liquor Regulation) — The bill makes a number of technical amendments to these acts.

Read first time.

Motion agreed to.

OCCUPATIONAL LICENSING NATIONAL LAW REPEAL BILL 2015

Introduction and first reading

Mr PALLAS (Treasurer) — I move:

That I have leave to bring in a bill for an act to repeal the Occupational Licensing National Law Act 2010 and for other purposes.

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

Mr PALLAS (Treasurer) — The bill will give effect in Victoria to a decision of the Council of Australian Governments with regard to no longer proceeding with a national occupational licensing system. It also seeks to disestablish the National Occupational Licensing Authority.

Motion agreed to.

Read first time.

PETITIONS

Following petitions presented to house:

Sanctuary Lakes

To the Legislative Assembly of Victoria:

The petition of the residents and lot owners of Sanctuary Lakes draws to the attention of the house the desire of residents and lot owners to have Sanctuary Lakes recognised as a suburb within the City of Wyndham.

Sanctuary Lakes has been an identified locality for 20 years as it has seen the development of various housing estates, a shopping centre bearing the Sanctuary Lakes name together with many of the shops and the post office within the centre also using the Sanctuary Lakes name, the Sanctuary Lakes Hotel and the Sanctuary Lakes golf links of championship standard. Within the proposed boundaries, the current population of around 9500 will grow to over 11 000 within two to three years.

The rapid growth of new housing developments within the City of Wyndham is well known. There is an increasing requirement for localities such as Sanctuary Lakes to be better identified, to develop and preserve their community identity rather than be merged as part of mega suburbs.

The petitioners therefore request that the Legislative Assembly of Victoria supports the recognition of Sanctuary Lakes as a suburb.

By Ms HENNESSY (Altona) (2307 signatures).

Special religious instruction

To the Legislative Assembly of Victoria:

The petition of residents in the Brighton 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, Labor said it would not scrap SRI during school hours in Victorian government schools. Daniel Andrews, the Premier, and James Merlino, the Deputy Premier, 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 allow students attending government schools to attend SRI during school hours, as has been the case in Victoria for decades.

By Ms ASHER (Brighton) (38 signatures).

Special religious instruction

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the support in our community for the role of special religious instruction in government schools, despite changes in recent years in relation to requirements for parents to actively opt-in and for schools to demonstrate sufficient demand and resourcing.

The petitioners therefore request that the Legislative Assembly of Victoria take note of this support and affirm the commitment by all parties and members to ensuring that special religious instruction remains part of our school system under the current arrangements of 30 minutes per week during normal class time.

By Mr D. O'BRIEN (Gippsland South) (17 signatures).

Special religious instruction

To the Legislative Assembly of Victoria:

This petition of residents in the Lowan electorate draws to the attention of the house that the government has scrapped 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 next year they will break their promise and will only allow SRI to occur outside of school hours or during lunch breaks.

The petitioners therefore request that the Legislative Assembly of Victoria ensures that the Andrews government reverses its broken promise and allows students attending government schools to attend SRI during school hours.

By Ms KEALY (Lowan) (424 signatures).

Special religious instruction

To the Legislative Assembly of Victoria:

The petition of St Luke's UCA, Highton, residents in the South Barwon electorate, draws to the attention of the house that the government is to scrap 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 Mr KATOS (South Barwon) (197 signatures).

State Emergency Service Emerald unit

To the Legislative Assembly of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the house the desperate need for a new unit for the Emerald State Emergency Service. The Emerald SES is one of Victoria's busiest units, as the principal responder for road rescue, storm and flood incidents in the fast-growing Cardinia shire municipality. The current facilities at the unit are outdated and restrict opportunities to train and attract more volunteers and provide improved emergency service response to the community.

The petitioners therefore request that the Legislative Assembly of Victoria urges the state government to provide funds for a new unit for the Emerald SES station to help protect the local community.

By Mr BATTIN (Gembrook) (974 signatures).

Leongatha South landfill site

To the Legislative Assembly of Victoria:

The petition of residents of Victoria, primarily residents of South Gippsland, draws to the attention of the house the proposed development of a quarry at Whitelaws Track, Leongatha South, by Veolia as a landfill for the disposal of commercial, industrial and domestic putrescible waste from primarily south-east Melbourne and the Mornington Peninsula, which could irreversibly contaminate the surrounding water catchment, compromise agricultural production and the local economy, as well as cause a disproportionate and unjust impact on the people of South Gippsland.

The petitioners therefore request that the Legislative Assembly of Victoria protect Leongatha South from becoming a landfill for south-east Melbourne by removing the Whitelaws Track site from the list of potential sites pursuant to the *Statewide Waste and Resource Recovery Infrastructure Plan*.

By Mr D. O'BRIEN (Gippsland South) (515 signatures).

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) (849 signatures).

Tabled.

Ordered that petition presented by honourable member for South Barwon be considered next day on motion of Mr KATOS (South Barwon).

Ordered that petition presented by honourable member for Lowan be considered next day on motion of Ms KEALY (Lowan).

Ordered that petitions presented by honourable member for Gippsland South be considered next day on motion of Mr D. O'BRIEN (Gippsland South).

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

Alert Digest No. 15

Ms BLANDTHORN (Pascoe Vale) presented *Alert Digest No. 15 of 2015* on:

**Aboriginal Heritage Amendment Bill 2015
Drugs, Poisons and Controlled Substances
Amendment Bill 2015**

Kardinia Park Stadium Bill 2015

**Public Health and Wellbeing Amendment (Safe
Access Zones) Bill 2015**

**Terrorism (Community Protection) Amendment
Bill 2015**

together with appendices.

Tabled.

Ordered to be published.

DOCUMENTS**Tabled by Clerk:**

Auditor-General — Report on the Annual Financial Report of the State of Victoria, 2014–15 — Ordered to be published.

Financial Management Act 1994 — 2015–16 Quarterly Financial Report for the State of Victoria for the period ended 30 September 2015

National Health Funding Pool — Report 2014–15

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

Banyule — C73

Campaspe — GC35

Gannawarra — C30, GC35

Glen Eira — C141, C142

Greater Bendigo — GC35

Greater Shepparton — GC35

Horsham — C63

Loddon — GC35

Melbourne — C266

Moira — GC35

Moorabool — C65

Moreland — C71

Port Phillip — C97

South Gippsland — C105

Stonnington — C177

Strathbogie — C32

Surf Coast — C109

Swan Hill — GC35

Whitehorse — C130, C174

Yarra — C133

Statutory Rule under the *Tobacco Act 1987* — SR 128

Subordinate Legislation Act 1994:

Documents under s 15 in relation to Statutory Rules 124, 126, 129, 130, 134

Documents under s 16B in relation to the *Transport (Compliance and Miscellaneous) Act 1983* — Driver Accreditation Application, Test, Course and Renewal Requirements

Victorian Industry Participation Policy — Report 2014–15.

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

Firearms Amendment (Trafficking and Other Measures) Act 2015 — Whole Act — 1 December 2015 (*Gazette S349, 18 November 2015*)

Local Government Amendment (Improved Governance) Act 2015 — Part 1 and ss 6, 7, 9, 11, 64, 65, 77, 90 and 91 — 18 November 2015 (*Gazette S349, 18 November 2015*).

ADOPTION AMENDMENT (ADOPTION BY SAME-SEX COUPLES) BILL 2015

Council's amendment

Returned from Council with message relating to amendment.

Ordered to be considered next day.

ROYAL ASSENT

Message read advising royal assent on 18 November to:

Children, Youth and Families Amendment (Aboriginal Principal Officers) Bill 2015

Gambling Legislation Amendment Bill 2015

Justice Legislation Amendment (Police Custody Officers) Bill 2015

Prevention of Cruelty to Animals Amendment Bill 2015

Victorian Energy Efficiency Target Amendment (Saving Energy, Growing Jobs) Bill 2015

Wrongs Amendment Bill 2015.

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

Aboriginal Heritage Amendment Bill 2015

Drugs, Poisons and Controlled Substances Amendment Bill 2015

Kardinia Park Stadium Bill 2015.

LAW REFORM, ROAD AND COMMUNITY SAFETY COMMITTEE**Reporting date**

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

That the resolution of the house of 5 May 2015 be amended to extend the reporting date for the Law Reform, Road and Community Safety Committee's inquiry into fuel drive-offs to no later than 31 March 2016.

Motion agreed to.

BUSINESS OF THE HOUSE

Standing and sessional orders

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

That so much of standing and sessional orders are suspended on Thursday, 26 November 2015, so as to allow:

- (1) the sitting of the house to be suspended at the conclusion of statements by members;
- (2) the Speaker to take the chair at 10.30 a.m., interrupt business, and the house to proceed in accordance with paragraphs (3) to (11);
- (3) the house to invite Ms Rosie Batty to attend on the floor of the house at 10.30 a.m.;
- (4) Legislative Council members to be admitted onto the floor of the house at 10.30 a.m. and to remain until the conclusion of Ms Batty's address;
- (5) the Speaker, Premier and Leader of the Opposition to each make a welcoming address;
- (6) Ms Batty to give an address;
- (7) at the conclusion of Ms Batty's address, and after Legislative Council members have left the chamber, Kristy McKellar, Joumanah El Matrah, Muriel Bamblett, Graham Ashton, Annette Gillespie and Rodney Vlasis to be admitted onto the floor of the house to each make an address;
- (8) at the conclusion of all the addresses in paragraph (7) and after all guests have left the floor of the house, a minister to move a motion to take note of the addresses;
- (9) the Speaker to interrupt business at the time designated for the allocation of time under the government business program;
- (10) the Speaker to interrupt business at 5.00 p.m. for the adjournment under sessional order 3;
- (11) questions without notice and constituency questions to be omitted.

I will make a few short comments on this motion. I firstly thank all members in the chamber for their cooperation in allowing this motion to be both moved by leave and considered immediately. It provides for a special day of sitting on Thursday, 26 November. The Minister for the Prevention of Family Violence and Minister for Women will shortly make a contribution with further detail about what will be happening in the lead-up to this day and about its intent, but in brief the motion provides for members of both chambers to hear from Ms Rosie Batty, this year's Australian of the Year, who is well known as a powerful advocate for change in the area of prevention of family violence.

Given there are a number of prevention of family violence activities taking place this week, including White Ribbon Day, it is an appropriate time for the house to pause in its deliberations on legislation. We can still do our normal business — I will come to that in a motion concerning the government business program — but we will pause to hear from Rosie Batty and others who together bring to this issue and debate a range of different experiences and backgrounds. They represent different organisations. They will help to broaden and deepen our understanding of this critical issue. That will be followed by an opportunity for members of Parliament to debate these important issues and put forward their views.

For most of this year the Royal Commission into Family Violence has been undertaking its important work, initiated by the government. In 2016, when that report is received by the Parliament, there will be a range of quite significant issues to be considered by all members of Parliament and the broader community. Some of those issues will challenge us. Some of those issues will confront us. This is a very complex area of public policy. It is absolutely vital not only that a light is shone on this area but that something is done to stem the rising numbers of family violence incidents we are seeing reported.

This will be a significant day for the Parliament. This opportunity is not unique; in my experience in the Parliament over 16 years there have been similar occasions where an issue has been of such significance that we have paused in our legislative duties to broaden and deepen our knowledge. Anticipating responses from other members, I understand that this proposition has support across the chamber. I appreciate that, and I thank all members for it. I am sure it will be an important and solemn day, and a critical one, as we continue to work as a community to address issues around the prevention of family violence.

Mr CLARK (Box Hill) — The coalition parties welcome the fact that the government has accepted our proposal to broaden the range of speakers from whom the chamber will hear. We all expect that Ms Rosie Batty will make a very valuable contribution to the day, as she has in so many other contexts. Many members have had the privilege of hearing her speak and express her very passionate and considered views. During my time as Attorney-General I had the privilege of meeting with her quite soon after she had taken up this cause. She made some very incisive and valuable suggestions and observations at that time, as I am sure she will do on Thursday.

However, it will be very worthwhile to have other speakers joining Ms Batty in making presentations to the chamber. Clearly family violence is a multifaceted challenge. There are many different perspectives and there is a range of information that can inform the house and the community. It is therefore welcome that there will be speakers such as Ms Kristy McKellar, who has been a passionate campaigner for the rights of family violence victims; Ms El Matrah; Ms Bamblett; Chief Commissioner Ashton; Ms Gillespie; and Mr Vlasis, all of whom have great experience in relation to family violence matters and will bring different perspectives and further information to the house.

It is important that we make the most of this opportunity, with the bulk of Thursday being set aside for it. We do not want this simply to be an occasion on which there is talk that leads nowhere. We want this to be an occasion on which the presentations to the house and the contributions of members reinforce movement towards better outcomes in preventing family violence and helping and protecting victims. We want to learn more about what has been working, what has not been working and how we can do things better. Hopefully it will help to focus all of us and the rest of the community on achieving results that make people's lives better. We will be facing a challenge when discussing these issues on Thursday because of course the royal commission has not yet reported, and so it is going to be important that we draw on other available material and ensure that we make the most of the day that will be set aside.

It is, however, disappointing to the opposition that the government has not taken up the other proposal that we put forward — namely, that the house sit this Friday in addition to Thursday. Setting aside a day to address family violence matters means that we should be allocating a day on Friday to continue with the ordinary business of government — not only the legislation before the house but all the other business that this chamber regularly considers. This chamber is, of course, where the government needs to be accountable to the community, where the ministers need to respond to questions and to issues that are raised and where ministers should have an opportunity to inform the community about what they are doing. It should not be a case of either/or. We should be able to set aside a day to consider matters of family violence but then provide also for a full day's business — the business that would otherwise have taken place.

Accordingly, I move:

That the following words be added to the motion:

'That the house sits for an additional day on Friday, 27 November 2015, with the completion time for the government business program to be extended accordingly and the business for that day to be as set out in sessional order 17(3)'.

The amendment is designed to ensure that while we set aside Thursday, which as I understand it is a day when Ms Batty is available and now other speakers are available, nonetheless we also continue to provide the full opportunities that would otherwise have been available for the ordinary and ongoing business of this house to be conducted; to allow time for examination of government legislation; to allow for question time and constituency questions, which of course are important parts of the business day where the community can scrutinise what the government is doing and where the government can be accountable to this house; and, who knows, maybe the government will at some stage decide to honour its election commitment for consideration in detail of legislation. We may even reach the non-government business items on the business program. We do believe that while it is worthwhile to spend a day addressing the very serious and important issue of family violence, we should also ensure that there is time for consideration of the other important matters for which this Parliament convenes.

I conclude where I began by welcoming the fact that the government has accepted the opposition's proposal that we in this chamber hear from a range of speakers who can each contribute a valuable perspective and information to the day. We hope that this day is positive and constructive and points the community to ways that will lead to better outcomes when it comes to preventing family violence and to protecting and supporting victims.

Ms RICHARDSON (Minister for the Prevention of Family Violence) — I very much support the motion brought before the house by the Leader of the House because it gives a format to the historic event that will take place during the parliamentary sitting day on Thursday. We all know that family violence is a national crisis — in fact a national emergency. So far this year 78 women have lost their lives as a consequence of violence, and the community is rightly looking to our Parliament and to community leaders to address this crisis that is taking place in our homes.

The cross-party support that this issue is enjoying is precisely what this issue needs. Issues of concern to Victorians have in my view been best dealt with when we have had bipartisan support for them, so I very much welcomed the discussions we had last week with the manager of opposition business, and the shadow Minister for Women and I also met last Friday to talk

about the format of the day. I welcomed the suggestion around increasing the number of speakers that we could have on the Thursday of this sitting week.

This event is all about providing additional perspectives for members of the house, so that when we go to debate the take-note motion we can have those perspectives in mind when we are considering the crisis that is family violence and what we do to address the harm. Rosie Batty will be first up, our Australian of the Year, and she will provide a unique insight. I have heard her speak at many forums; her presentations are very powerful. Kristy McKellar is a family violence survivor and a fierce advocate for reform on behalf of victims. Joumanah El Matrah is from the Australian Muslim Women's Centre for Human Rights, and she will talk about the impact of family violence on our culturally and linguistically diverse communities in particular and the way in which our system's response is not as sophisticated as it should be. Muriel Bamblett will be known to many members of the house as the CEO of the Victorian Aboriginal Child Care Agency. She has been an Aboriginal leader and advocate for many years, and she has a particular focus, obviously, on children and family violence. The other speakers will be Chief Commissioner of Police Graham Ashton; Annette Gillespie, who is the CEO of the crisis line for women, Safe Steps; and Rodney Vlasis, who is from No To Violence and the Men's Referral Service, and he will provide a unique perspective and much-needed perspective on perpetrator accountability and male violence against women.

This event is part of a broader initiative that the government will be officially launching tonight, the Victoria Against Violence campaign, so it is very timely that the house will pause to debate these issues. I also take this opportunity to highlight that there will be other opportunities for the Parliament to hear from victims as part of a Victims' Voices Project that will be held on 3 December here at Parliament House. It will obviously take place outside sitting hours, but nonetheless all members of Parliament are of course welcome.

With respect to the extra sitting day proposed by the manager of opposition business, the conversation and discussion that we had last Friday about extra sitting hours was in the context of the upper house and that perhaps the upper house could sit on the Friday, with the joint sitting extended to allow upper house members to attend.

I am confused by the suggestion today that the Assembly meet on Friday in addition to what was discussed last week. I think what is being proposed by

the Leader of the House — her original notice of motion as amended — meets the requirements of covering all aspects and giving all members an opportunity to hear the different perspectives and then debate the motion before the house. There will be other opportunities to debate the family violence issue. Clearly when the royal commission releases its report in February next year there will be a great many recommendations that will impact upon legislation in this state, and we will be required, as members, to debate these issues quite extensively I imagine in 2016 and perhaps even leading into 2017.

I very much commend both sides of the house, and in particular I commend the Leader of the House for bringing the amended proposal before us today. I very much look forward to the debate on Thursday involving all members and, most importantly, to seeing the harm of family violence addressed once and for all.

Mr WALSH (Murray Plains) — I rise on behalf of The Nationals to support the motion put forward by the Leader of the House in an amended form but also to support the amendment proposed by the manager of opposition business. The discussion that has taken place so far on how business on Thursday will work better has been productive. If you go out into the vestibule you will see that the emblem in the middle of the room says that in the counsel of many there is safety, and that can be extended to say there is also wisdom. I think that can equally be applied to the discussions that have happened between the opposition and the government on this issue. From the opposition's point of view, I thank the member for Bayswater; Georgie Crozier, a member for Southern Metropolitan Region in the other place; and obviously the manager of opposition business, for the ideas they have put forward to make Thursday a better day than what was originally planned.

We all know what the issues around family violence are, and we all recognise the need to do something to improve the outcomes, particularly for women and children. I look forward to not only hearing the speakers who will be presenting on the floor of the chamber but also to the discussion that will come after that and, as the minister has just said, the royal commission report next year. I think it is incumbent on all of us in this place to look to making sure there are solutions, there are outcomes and there are improvements, particularly for women and children in this situation.

To come back to what the manager of opposition business was talking about, I would like to see the government support his amendment for us to sit on Friday. While Thursday is a critical day to do the things

that have been talked about by a number of speakers, we also have responsibilities as members of Parliament. This week there are five pieces of legislation on the program. We currently have only two days to deal with those. A normal business week usually has five or six pieces of legislation on the program. Why do we not show some commitment to our role and come back to sit on Friday not only so that there is time to debate the pieces of legislation appropriately but also so that there is an opportunity for members to raise adjournment issues, make their members statements and ask their constituency questions — and for the government to be accountable in another question time for the week, as would be the case in a normal sitting week?

I support the motion put forward by the Leader of the House, but most importantly I also support the amendment put forward by the manager of opposition business that we should sit on Friday. I know some people are shaking their heads in wonder about that, but I think it is important that we do that. I think it would send the very important message to the people of Victoria who elect us and send us to this place that we are serious about our role, not only because of the business that would be conducted on Friday but by the fact that we are prepared to come back here on Friday and carry out our normal duties.

Ms GRALEY (Narre Warren South) — I rise to support the motion moved by the Leader of the House and commend her on bringing this motion to the house in her name but undoubtedly also with the support of the Minister for Women and Minister for the Prevention of Family Violence, whose office and department have worked so hard to bring this special and significant event — indeed this historic event — to the Parliament of Victoria.

I note that the manager of opposition business has moved an amendment to the motion. From listening to the minister speak and seeing the reaction of the Leader of the House, this has been a bit of a surprise. In the spirit of bipartisanship that has been shown around this issue and the fact that we have been collaborating on how the occasion will take place, even including, as the previous speaker just said, suggestions from the opposition about features of the event, this is a strange amendment given that the feeling around this occasion has been very supportive and very collaborative.

I note though, as the Leader of the House said, that we have had a really busy business program this year, and we have always had ample opportunity to speak on bills. I think our hard work and the endeavours of the government to make sure that Parliament has been a very busy, workmanlike place has meant that we have

got through a considerable amount of legislation that has enabled the government to deliver on many of its election promises, which has been a hallmark of this first year in government. We work in a situation where we can fill our days up, and if we continue to work hard in the next two days we will be able to manage the five bills before the house, as well as all fully participate in what is going to be a historic event.

As the minister has said, there has been assembled an array of experts on this issue taking into account different backgrounds, different sectors and different experiences, and I think we all look forward to having this knowledge, this wisdom, this research and this information provided to the house. The fact is, as so many other speakers have said, that family violence is a very complex issue and we do not have all the answers to it. We have a royal commission underway, and that is an important step in the right direction. We do, however, need to hear from other people, who have much to tell us.

I know from my own experience in my electorate that we have record rates of family violence. Indeed the other night I was watching *Call Me Dad*, a feature length documentary that is going to appear on the ABC on Thursday night, with the minister, and I recommend it to everybody. It was a bit confronting for me, because one of the first scenes was of a counselling group in my electorate for men who had committed family violence; there were scenes from my own electorate. As I said, we have a very high incidence of family violence in the City of Casey. To see men talking about this issue and trying to come to grips with the decisions they had made — the awful decisions they had made — in being involved in family violence was nevertheless a very confronting experience.

Thursday will be an opportunity, again, for all of us to listen and learn. Yes, it will be confronting. Yes, it will be complex. Yes, we will still be asking questions after this historic sitting, but it is a very important step in making inroads into bringing down these rates of family violence. As one of the counsellors said to one of the men, 'You make a choice to undertake family violence'. On Thursday we will all have a choice to take part in this occasion — and I hope we see everybody in here — and after the sitting we will also have choices to hopefully support the government's agenda in the future about how we tackle this issue. We have had bipartisan support so far, and I hope in the future that esprit of collaboration and working together to solve one of society's greatest problems continues after Thursday. I commend the motion.

Ms VICTORIA (Bayswater) — I rise to speak in favour of this motion. I appreciate the sentiment of the motion before the house today, and obviously I also support the amendment of the manager of opposition business to the effect that we should probably sit on Friday. I will get onto that in a minute.

It is always positive when discussions are held around family violence. Anything we can learn as citizens and as members of the public and, even more importantly, as lawmakers in this state is incredibly important. It is even more important that we have tangible outcomes when we have those sorts of discussions. We know there are many reasons for family violence. Sometimes it is about power. Sometimes it is as a result of substance abuse. Sometimes it is due to external pressures — perhaps the bills are not being paid and that type of thing — but ultimately it usually comes down to a power imbalance. Women are often talked about as the predominant victims of family violence, and we know that statistically that is true, but we cannot take away from the fact that there are other victims and survivors of family violence. I will get onto those in a moment.

Earlier I mentioned the imbalance of power in a relationship. One of the best ways to empower a woman is to ensure that she has financial backing — whether that means she gains work or has support around her — to give her independence. When I was Minister for Women's Affairs in the last government I was very proud to have initiated and overseen quite a few great programs that focused on making sure that women had that sort of support around them, which gave them opportunities. Sometimes it is about creating those opportunities. We did things like skills training, management training — with board training, obviously, and that type of thing — and also entrepreneurial mentoring for those who were more inclined to work independently.

I was also really proud of the achievements of our government under Mary Wooldridge, who is now a member for Eastern Metropolitan Region in another place, when she was Minister for Community Services, and I am also proud of the major investment that has just been given by the Turnbull federal government. Coalition governments, state and federal, have been very proud proponents, if you like, in this space, and those measures were things I was very proud to be part of. I am sure the current government in Victoria will, in the interests of bipartisanship, acknowledge all of those achievements of the coalition and the fact that Victoria has made major leaps forward in this space.

I am certain that every MP is aware of the prevalence of family violence. We are encouraged to participate in activities at Parliament around White Ribbon Day. Also, I think tomorrow there will be a picture on the front steps, and everybody is encouraged to wear orange, which of course is the United Nations symbolic colour of domestic violence. I am, however, a little confused about the symbolism of the washing line coming into Parliament. That could of course be perceived as sexist or demeaning, so I would love to hear more about that. We are of course eagerly awaiting the outcome of the Royal Commission into Family Violence, which will hand down its report in February of next year. As the minister said just before, hopefully the commission will help us find solutions, and I am sure its findings will be things we will talk about for many months if not years to come.

I am glad the government has accepted the coalition's suggestion that the Parliament have the opportunity of hearing about this issue from multiple perspectives, not just one perspective. The government has now invited various speakers, which is a change from the original plan. I am glad the government came on board with that. We need to be able to understand specific views of various groups. Certainly in my role as shadow Minister for Aboriginal Affairs I know that Aboriginal Australians are over-represented in family violence statistics, and it will be very interesting to hear from that section of the community.

I also want to go back to a point I made before, and that is the acknowledgement that children and men are often victims, but they tend to be the quieter victims or the ones we do not hear as much about — although I am sure that all members of Parliament have received the same sorts of emails that I have, especially from men's victims groups saying 'Don't think we don't suffer'. Certainly on talkback radio quite often we hear men ringing in, saying 'Please don't ignore us', so it is really important that this Parliament hear the men's perspective as well. Certainly we do not want to have children in here talking about this, but we need to learn from groups that deal with children who are victims, and indeed ultimately survivors, of family violence situations. We need to be able to raise awareness of the fact that it is not just women who are victims of domestic violence. We need to know about this so that we can then understand and help with their needs.

I am sure that the government will make it clear that this day of discussion is going to have some sort of tangible outcome, because obviously we want to be able to change the lives of victims and survivors, and there is no point in just talking if there is no actual change as a result of it. I look forward to hearing about

what those tangible outcomes of Thursday's discussion might be.

Again, I support the motion of the manager of opposition business that we should sit on Friday. Certainly there are plenty of issues in my electorate, and my constituents expect I will come in here and raise them on their behalf. There are lots of important issues within the state to debate, and I certainly think we need to be given that opportunity to come back and spend another full day of parliamentary time, especially so close to Christmas, before we go off on a break and then have no opportunity for up to a couple of months to bring those issues before the house. Whilst obviously I appreciate the sentiment of the government's motion, I also very much appreciate what the manager of opposition business has put before the house.

Mr BROOKS (Bundoora) — It is a pleasure to join this debate on the motion moved by the manager of government business and the amendment moved by the manager of opposition business. I want to make a few brief remarks. I point out that this motion does something important. It brings to the forefront of debate in this place one of the most depressing issues in our community. It is vitally important that this Parliament debate and discuss the issues, the challenges and the opportunities that are most relevant to the Victorian people. I applaud the fact that through the Leader of the House, and the Premier in particular, the government has put forward this proposal to suspend the usual business of the house to allow someone of the stature of Ms Rosie Batty, as well as so many other experts in the field of family violence, to address the house.

I am sure we will hear much more about and from Ms Rosie Batty on Thursday, but it is important at this opportunity to remark upon the incredible strength of that woman to do the work that she has done, after suffering such an incredible tragedy, to bring family violence to the very forefront of all of our minds and in fact into the very heart of Victorian democracy.

It is important also to note that we have been able to work collaboratively with the members opposite to ensure that a number of other people are able to have the opportunity to address members of this house and members of the Legislative Council who will be in the chamber. They include Kristy McKellar, a victim of family violence and a very brave woman who is actively working to change the justice system; Joumanah El Matrah, who is a voice for Muslim women; Muriel Bamblett, who is well known to people in the area of Aboriginal child welfare; Graham Ashton, the Chief Commissioner of Victoria Police, who has taken over the very strong approach to combating

family violence that was initiated by his predecessor; Annette Gillespie from Safe Steps Family Violence Response Centre; and Rod Vlasis, a very important voice in this area, adding perspective in terms of males saying no to violence, which men in this place need to take heed of and act as leaders in.

This Thursday will be a great day because we will step away from the traditional operation of this house, where sometimes, dare I say, the debate and question time stray from the issues that Victorian people would want us to debate and have questions asked about and, it is probably fair to say, the manner in which they would expect these issues to be dealt with. Having Rosie and those esteemed individuals I just mentioned come into this place, given the spirit of collaboration that has been outlined in terms of the sitting of the day, will set the tone for a mature, reasonable debate throughout the rest of Thursday until we conclude business.

In relation to the amendment that has been put forward proposing that we sit on Friday, the house getting to all of the other important parts of its business is a discussion that needs to be had, and if we find that at the end of this year we have put bills through that the community rightly feels we have not debated sufficiently in this place, we will be judged accordingly on that performance. My perception, from talking to people in the community about the way in which government is getting on with its legislative program, is that people are very happy with the fact that we are getting on with the job. I commend the motion that has been moved in the house.

Ms SHEED (Shepparton) — I rise to support the motion moved by the manager of government business and the amendment moved by the manager of opposition business in this house. To some extent it is with emotion and a heavy heart that I speak on this matter, because it has been on the radar of my life for most of my career as a practising lawyer. I hope to take the opportunity to speak further on this issue on Thursday when members of the house have the opportunity to do so and to share many of their own experiences and the knowledge they have.

In my life as a lawyer I have seen such a transition when it comes to the way family violence is dealt with. It used to be that you would hear people refer to it as 'just a domestic' and if you telephoned the police, it would be regarded as 'just a domestic'. Over the years things have become much more sophisticated. There has been a growing understanding of it, but there has also been an incredible complexity associated with it that nobody has known how to address. The royal commission into this topic is so opportune, if not a little

late. Nevertheless it is happening. I so hope that it comes up with some solutions, some answers and some understanding of the relationships between men and women, because there are fundamental issues at play here and it is so important.

It is clear that everyone in this house supports the motion and that everyone welcomes the opportunity to treat it so seriously and to give it the time that it needs on Thursday. I support the motion, but I also support the amendment. I say that because there is always a lot of business before the house and there is not always the opportunity for people to be able to speak fully on many of the issues relating to the bills before the house. I try to take a consistent approach to transparency and to the processes being followed as best I can, and in that regard I think all those who wish to speak on important matters before the house ought to have the opportunity to do so. Again, I say that I support both the motion and the amendment.

The ACTING SPEAKER (Mr McGuire) — Order! The Leader of the House has moved a motion to set up arrangements for Thursday. The member for Box Hill has moved an amendment to that motion seeking to insert some additional words. I will deal with the member for Box Hill's amendment first.

House divided on amendment:

Ayes, 38

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	Sheed, Ms
Dixon, Mr	Smith, Mr R.
Fyffe, Mrs	Southwick, Mr
Gidley, Mr	Staley, Ms
Guy, Mr	Thompson, Mr
Hodgett, Mr	Tilley, Mr
Katos, Mr	Victoria, Ms
Kealy, Ms	Wakeling, Mr
McCurdy, Mr	Walsh, Mr
McLeish, Ms	Watt, Mr
Morris, Mr	Wells, Mr

Noes, 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	Noonan, Mr
D'Ambrosio, Ms	Pakula, Mr

Dimopoulos, Mr	Pallas, Mr
Donnellan, Mr	Pearson, Mr
Edbrooke, Mr	Perera, Mr
Edwards, Ms	Richardson, Mr
Eren, Mr	Richardson, Ms
Foley, Mr	Sandell, Ms
Garrett, Ms	Scott, Mr
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

Amendment defeated.

Motion agreed to.

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, 26 November 2015:

Drugs, Poisons and Controlled Substances Amendment Bill 2015

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

Justice Legislation Further Amendment Bill 2015

Road Legislation Amendment Bill 2015

Transport Accident Amendment Bill 2015.

We have just concluded a lengthy debate about the changed arrangements for Thursday, and I thank all members of the house for supporting those changed arrangements because they will obviously change the normal practice for this week. We will need to conclude government business before the adjournment on Wednesday evening. There are five bills on the program for this week. In a number of instances they are about delivering on key election commitments that the government very clearly has a mandate from the Victorian community to deliver. Whether it is a reform of the TAFE and university governance area or amendments to transport accident legislation, they are commitments that Labor made to bring in legislation, and that is exactly what the government is doing with this government business program.

There are other important issues that need to be addressed, particularly in the Drugs, Poisons and

Controlled Substances Amendment Bill 2015, which go to the ongoing work in this field that covers a number of different portfolios, and we need to continue to work very hard as a government and as a society to address those issues. Given we have just passed the motion about the joint sitting and the changed arrangements for Thursday, I will not go into those in detail. I confine my remarks to the government business program that is before the house.

Mr CLARK (Box Hill) — As the Leader of the House has indicated, effectively the business program needs to be dealt with over two days, even though the guillotine still applies at 5 o'clock on Thursday, because, as previously discussed, the house has agreed to set aside the bulk of Thursday for consideration of matters relating to family violence, and the house has rejected a proposal that we should sit on Friday. Given that, the opposition does have some concerns about the government business program as it stands. Time will tell as to how it unfolds. I do not want to relitigate the matters that we have dealt with in debating the previous motion and amendment, but it would have been better had we sat on Friday, not only to allow more time for the government business program, but to allow for questions without notice and constituency questions, and all the various other aspects of business that have been dispensed with for Thursday.

With the actual business program itself, some of the bills before us are likely to raise matters of contention. A number of them would benefit from consideration-in-detail discussions. If the house were to properly set aside the time that one would expect for consideration in detail, it is not clear that we would be able to do justice to the bills before the house in the time that is available. As I have remarked on many previous occasions, the government has comprehensively broken its election promise to make consideration in detail a standard part of debate on bills in the Assembly, and we have had no indication from the government of any attempt to remedy that and to commence to honour that promise.

If time were to be devoted to consideration in detail, there are many aspects of the Drugs, Poisons and Controlled Substances Amendment Bill 2015, a bill relating to ice measures, and indeed the broader issues of ice arising from that bill, that would benefit not only from extensive second-reading debate but from consideration in detail. There are many aspects of the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015 that need to be examined, including the impact that those changes may have on the governance of TAFE and universities. The Justice Legislation Further Amendment Bill 2015

makes a wide range of reforms to various aspects of the legal system. While the matters that it deals with are not likely to be politically contentious, it is very important that we get them right. I know from my former responsibilities as Attorney-General that a number of the matters dealt with in this bill are quite vexed and complex, and that is another bill that would benefit from extensive consideration in detail.

The range of amendments in regard to road legislation is always important, so that we make sure that matters affecting roads and road safety are scrutinised and, again, that we get those right, because they can impact on safety and many other aspects of people's daily lives. Last, but certainly not least, the Transport Accident Amendment Bill 2015 has measures that will have some potentially significant effect on the operation of the Transport Accident Commission system. Thus the opposition has grave reservations about the business program the government has put forward.

Mr PEARSON (Essendon) — I rise to make a brief contribution in relation to the government business program. It is a solid program that is before the house. There are, as the previous speakers have outlined, five bills on the agenda to be dealt with today and tomorrow. In terms of the business program it is a bit of a mix this week between bills that are designed to honour the government's election commitments, and in particular I refer to the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015, which is a key issue that formed part of the election campaign last year, but there are a number of other bills that are fairly minor in scale and scope. They are fairly technical bills, and I would not anticipate that some of those bills would take up much of the time of the house.

If you look at the Road Legislation Amendment Bill 2015, the Transport Accident Amendment Bill 2015, the Crown Land Legislation Amendment (Canadian Regional Park and Other Matters) Bill 2015 and the Land (Revocation of Reservations) Bill 2015, you see that they are all fairly straightforward pieces of legislation. Of course members are entitled to scrutinise those bills and to make comments that they think are relevant and pertinent in relation to each of them, but I would imagine that many members would look at most of those bills and think that they were fairly narrow in scope and that it would be quite easy for them to be examined, scrutinised and dealt with accordingly.

It is a solid work program, but I think it is certainly achievable. I think the allocation of two sitting days to get through five bills, particularly these five bills, is

very reasonable. It is also important that the house has the opportunity to take note of the events that will take place on Thursday. It will be an important opportunity for all members of this house to listen to both Rosie Batty and other practitioners with expertise in the field of family violence. It is important for members of the house to be able to spend time to cogitate and reflect on the scourge that is family violence and to find ways in which we can, as a house, make a contribution. We need to think about some of the issues we wish to deal with, discuss them and tackle the issue. I think Thursday will be a really good opportunity for the house, as one, to consider the scourge of family violence and to determine what members think will be an appropriate way forward.

As I said, I disagree with the manager of opposition business: I think that five bills in two days, particularly these five bills, is entirely doable from the point of view of the house. It is a solid workload, but I think we have great capacity to work through it together. Again it is about that balance between honouring the commitments that the government was elected on — the mandate that the government received in relation to the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015 — and dealing with the run-of-the-mill legislation to ensure the smooth operation of the state. Some of it is legislation that would arise in any event, on any day or on any occasion, regardless of who sat on the Treasury benches. It is a solid program; it is a good program. I commend the government business program.

Ms BLANDTHORN (Pascoe Vale) — I am pleased to rise to speak on the government business program again this week. The program we have before us shows quite clearly that this is a government that acts — that this is a government that is getting on with it and is putting forward a detailed and progressive agenda that we can take forward as a government. This is a detailed and progressive agenda, just as we had in the last sitting week. We are indeed getting on with it. We have had almost been 365 days of the Andrews Labor government, and we have seen quite clearly in the actions of the government that it is delivering on the commitments that it said it would. This government business program goes to that. We heard those opposite last week complain that they did not have enough time to debate legislation, yet they had four years to do something.

Mr HIBBINS (Pahran) — I rise to speak very briefly on the government business program. The Greens will not be opposing the program in this instance. There are five bills before the Parliament this week, three of which I think are largely technical. I

think members will be making contributions on those, and hopefully we can move through them expeditiously. There are two major bits of legislation, one of which is the Drugs, Poisons and Controlled Substances Amendment Bill 2015.

We have put forward a request that we go into a consideration-in-detail stage on this bill. We have not had a response either way, and I would hope that the government does take it into a consideration-in-detail stage because we have had that happen with precious few bills. In this bill there are a number of proposed changes and increased penalties for existing offences, as well as I believe the creation of new offences. It would be most appropriate for the minister to respond to questions regarding each clause of that bill. I strongly urge the government to move expeditiously through the largely technical bills and progress to a consideration-in-detail stage on the Drugs, Poisons and Controlled Substances Amendment Bill 2015.

The other major bill is the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015. The Greens will not be opposing the government business program in this instance.

Mr KATOS (South Barwon) — I rise to make a contribution in the government business program debate. There are five bills this week and a take-note motion on the speech that will be made by Ms Batty on Thursday. For the benefit of the member for Essendon, the Crown Land Legislation Amendment (Canadian Regional Park and Other Matters) Bill 2015 is not on the government business program this week. I just thought I would make the member aware of that.

There are five bills and the take-note motion on the program, and the manager of opposition business earlier certainly did want to amend the initial motion to extend the sitting to Friday. There is a lot of important legislation that needs to be debated, and members should be given the opportunity to do that. It is disappointing that that motion has not gone through. This means we also miss a question time, which means there will be less scrutiny of the government than usual on Thursday. That could have been made up for on Friday.

As I said, we have been hoping for a consideration-in-detail stage. We keep saying, and I think the manager of opposition business is sick of saying, that the commitment made by the Labor Party to make a consideration-in-detail stage standard practice in this house has not eventuated. We are still at only two bills for the entire sitting year that have gone into consideration in detail, which is greatly

disappointing considering it was a solemn commitment made to the people of Victoria that this house would scrutinise bills in a more fulsome manner.

I am certainly looking forward to Ms Batty's speech on Thursday and the subsequent take-note motion, when members of this house will be able to speak about this very important issue of tackling family violence. With that, the opposition will not be opposing the government business program.

Motion agreed to.

MEMBERS STATEMENTS

Warrandyte electorate police numbers

Mr R. SMITH (Warrandyte) — The Andrews Labor government is the first Victorian government in decades not to commit to additional police numbers. While the coalition government delivered over 1900 more police in its four years in office, this year has seen police numbers decline. As a result, more and more communities, including the Warrandyte community, are starting to voice their concerns that local community safety is declining and that there just are not sufficient police to deal with growing crime and antisocial behaviour.

The Bellarine community is one that has been calling for more police. Local Superintendent Darryl Clifton is on the record as saying that policing on the Bellarine was working effectively and would remain unchanged. Fortunately for locals in the Bellarine area, unlike my community, they live in a marginal Labor electorate. The Premier has insisted that additional police are moved to the Bellarine to support his Labor colleague, but with the Premier's focus purely on politics it seems the same attention will not be forthcoming to the Warrandyte community, because he deems it to be in a safe Liberal seat.

The Minister for Police and the Chief Commissioner of Police are both telling me that the other one is responsible for allocating additional police in Warrandyte, and as they continue to fob off my constituents it is Warrandyte's community safety that is compromised. Local Warrandyte police are highly respected by residents; they do an outstanding job with the resources they have. I say to the Premier that it is time to add support for those police, to listen to my community and to stop playing politics.

Sunbury electorate government achievements

Mr J. BULL (Sunbury) — This Sunday, 29 November, marks the one-year anniversary of the

Andrews Labor government, and what a first year it has been. This government is committed to getting on with delivering the things Victorians voted for and repairing the damage done by those opposite. There have been many achievements across the state, but I only have 90 seconds to speak — less now — so I will focus on local achievements.

These include \$10 million for new sound barriers at Gowanbrae; \$3 million for a new science wing at Sunbury College, as per our election commitment; \$2 million of additional equity funding for schools in the Sunbury electorate; \$2.3 million to upgrade Riddell Road, one of Sunbury's major arterial roads; reinstating a 100-kilometre-an-hour speed limit on an outbound section of the Calder Freeway from Keilor to Taylors Lakes; \$1.1 million into local schools throughout Sunbury for important maintenance work; the first ever youth advisory council in Sunbury's history; \$12 000 in new funding for Sunbury West Primary School that will allow the school to develop an outdoor exercise space on the school grounds; \$15 000 for a final design for the Gap Road and Horne Street intersection; the extension of Airport Drive, giving more options to get into the airport; important local community forums on the prevention of family violence; ambulance services in Sunbury; public transport in Sunbury; accepting in full the recommendations of the Sunbury Hume transition auditors report, preventing Sunbury ratepayers from receiving an increase of 14.5 per cent and 8.5 per cent rate rises every year after that; as well as \$70 000 for an additional student wellbeing officer at Sunbury College.

Happy anniversary to all members on this side of the house.

Karmai Community Children's Centre

Mr D. O'BRIEN (Gippsland South) — There is a bright future ahead for children and families in Korumburra as the first sod was turned on Friday on the new Karmai Community Children's Centre to be built with funds raised by the community and grants from all levels of government, thanks to South Gippsland Shire Council; my predecessor, Peter Ryan; and the federal member for McMillan, Russell Broadbent. There will be 120 places for kinder, and child care will be available once building is complete this time next year. The facility will also host maternal and child health services. Well done to Rebecca Marriott and her dedicated band of volunteers for their years of lobbying to see this project come to fruition.

Macalister irrigation district

Mr D. O'BRIEN — Speaking of lobbying, no opportunity was lost when Acting Prime Minister Warren Truss visited last week to see works on the Princes Highway east and the Macalister irrigation district. With the Leader of The Nationals and member for Murray Plains and the Minister for Environment, Climate Change and Water also in the region, the spotlight was well and truly on the Wellington shire. While the minister came with an announcement about funding for the Macalister irrigation district upgrade, it was unfortunate to say the least that she is tying it to Labor's dud port of Melbourne lease.

Gippsland South electorate hospitality awards

Mr D. O'BRIEN — It is true that I have had an occasional beer and a feed in many Gippsland pubs, so I am pleased someone else has recognised their excellence. Well done to the Star Hotel in Sale, the Criterion Hotel in Sale and the Middle Hotel in Korumburra for their wins at the Australian Hotels Association awards last week. Gippsland South, the most beautiful electorate in the state, truly has some fantastic hospitality venues as well.

Bushfire preparedness

Mr D. O'BRIEN — Well done to our volunteer firefighters for containing a bushfire last week at Devon North. It is a timely reminder for residents to prepare for the fire season, which is now well and truly upon us, and get their fire plan in order. The government's policy to dump hectare-based targets for fuel reduction burns is a disappointing retreat, and while the idea of a risk-based approach is good in theory, I am concerned that in practice it will lead to a reduction in planned burns.

Macedon electorate government achievements

Ms THOMAS (Macedon) — It is almost one year since I was elected to this place, and I am very proud of what has been accomplished in my electorate for the people of Macedon. Under the leadership of the Premier this government has not wasted a minute, and I am particularly proud of our achievements in realising the vision of Victoria as the education state.

In Macedon we have seen more than \$24 million go to our local schools. A total of \$11.5 million is available to build a brand-new primary school for 350 students in Kyneton as part of the government's commitment to develop an education precinct in Kyneton. Central also to this commitment is the allocation of \$5 million for a

trades hub at Kyneton Secondary College, that will service students from across the Macedon Ranges and pave the way for TAFE to return to my electorate. We have provided Daylesford Secondary College with \$10 million to complete the rebuild of the college, a project begun by the former Labor government and abandoned by the Liberals. Kinders in Gisborne and Romsey are being upgraded. The New Gisborne Primary School art room is being replaced. It burnt down in 2011, and the former Liberal government failed to lift a finger to replace it. And importantly, there is \$550 000 in equity funding in the 2016 school budgets for those who need it most.

I have held open forums to enable parents and students to contribute to our vision for the education state, and I have been a welcome visitor at government, Catholic and independent schools and kindergartens across my electorate. I campaigned on a commitment to rebuild our education system after the neglect of the previous government and to advocate for country kids, and I am delighted to stand here knowing I have kept my word.

Cr Natalie Thomas

Ms VICTORIA (Bayswater) — A new mayor has been elected in Maroondah. After 10 years of continuous and tireless community service as a councillor, I warmly congratulate Her Worship Cr Natalie Thomas and wish her a wonderful year ahead.

Cr Tony Holland

Ms VICTORIA — Sincerest congratulations to Cr Tony Holland, who has just been elected as mayor of Knox council, a position he has truly earned. I wish His Worship a fruitful and enjoyable year.

Volunteer firefighter cancer compensation

Ms VICTORIA — Over the last couple of weeks I have publicly signed the presumptive legislation pledge with my Country Fire Authority volunteers. Together we stand shoulder to shoulder to ensure that all firefighters are treated equally and with dignity.

Melbourne East Netball Association

Ms VICTORIA — How fantastic it was to see hundreds of young netballers receive certificates and medallions of participation, an initiative of the Melbourne East Netball Association. Congratulations to president Kylie Spears and the other organisers on one of the most well-run events I have ever been to. Netball is not just alive and well in my area, it is thriving.

The Nappy Collective

Ms VICTORIA — Along with multiple drop-off points across Melbourne, my office was proud to be a receiving centre for a fantastic project called The Nappy Collective. My sincerest thanks go out to the dozens of people who dropped off their new but unwanted leftover nappies, from local parents to even our lovely new Bayswater pharmacist, Tam. These will now be distributed by the organisation to lots of other organisations to help those who find even the most basic and essential of items, like baby nappies, a strain on their budget.

Jerry's Girls

Ms VICTORIA — The Production Company has again brought joy to Melburnians with its latest offering, *Jerry's Girls*. Congratulations to Jeanne Pratt, Ken Mackenzie-Forbes, Rachel Taylor and the magnificent team of 11 — and a half! — leading ladies.

Government achievements

Ms KILKENNY (Carrum) — One year in, and what a difference the Andrews Labor government has already made. Victoria has become the fastest growing economy, overtaking New South Wales for the first time since 2008. Contrast this to four years under the Liberal government, with cuts, inaction, indecision and lifelessness. Well, finally, Victoria has come alive again.

The Andrews Labor government is delivering on its promises, with the biggest investment in education; massive investment in health care, jobs creation, tourism and major events; and a revolutionising of our public transport network and infrastructure to transform Melbourne and Victoria.

I am proud to be part of a government which is taking action to address family violence with the first ever Royal Commission into Family Violence, family violence leave provisions and respectful relationships education. We know that family and domestic violence stems from gender inequality, and this government is putting equality back on the agenda. Nearly half of all government members are women — the most female members in Victoria's history. Under the Andrews Labor government half of all judicial and public board appointments will be women, and this government appointed Victoria's first female governor.

While the federal Liberals are denying the rights of same-sex couples, the Andrews Labor government is legislating adoption equality for same-sex parents.

This government has invested nearly \$4 billion into education funding, the biggest investment in education in this state's history, because this government understands the vital role education plays in helping children and young people to achieve their full potential. I am very proud to be part of the Andrews government — a progressive government that is doing lots of work for the state and for the people of Carrum.

East–west link

Mr WELLS (Rowville) — In this, the anniversary week of the election to office of the Andrews Labor government, this statement condemns it for totally misleading Victorian voters prior to last November's state election by claiming that a Labor government would not pay a dollar more in compensation for axing the east–west link. With the latest revelation that the total amount of taxpayers money wasted on the cancellation of the east–west link project, including compensation to the financiers and construction consortia involved, is now approaching \$1 billion, which is approximately half of the total estimated state government funding contribution actually required to build the link, Labor's claim rings hollow and is now in complete tatters.

Not only has the Andrews Labor government been caught out in misleading Victorians with its financial recklessness and irresponsibility; it has totally trashed Victoria's reputation and standing within the international investment community. Despite its false claims prior to the election that no compensation would be paid for 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 nothing at all to show for it.

Bentleigh electorate government achievements

Mr STAIKOS (Bentleigh) — It has been nearly 365 days since the election of the Andrews Labor government — 365 days of getting on with it in my electorate of Bentleigh. In less than a year we have funded and commenced the removal of level crossings at Centre Road, McKinnon Road and North Road to ease congestion, run more trains and get people home safer and sooner. We invested a record \$18.6 million in rebuilding schools in Bentleigh after four years of

neglect, we funded \$9.6 million to continue rebuilding Bentleigh Secondary College and design work is underway on the redevelopment of the fast-growing McKinnon Secondary College — a \$9 million investment funded by this government. We are rebuilding our TAFE system after the savage cuts of the former government, investing \$8 million in a new student hub at Holmesglen's Moorabbin campus. We invested a further \$4 million in Holmesglen to get almost 1400 people skilled up in growing industries.

We are upgrading Brady Road and Bentleigh West kindergartens, thanks to a grant from the Andrews Labor government. We have made walking to Bentleigh West Primary School safer with the introduction of a 40-kilometre-per-hour speed limit and signalised pedestrian crossing. We have invested in new facilities at Ormond Primary School and Southern Autistic School. Finally, \$16.2 million has been invested to provide new cancer diagnostic facilities at Moorabbin Hospital, ensuring patients can access fast, higher quality diagnostics and care without having to leave the local area. The Andrews Labor government has honoured every commitment it made to the people of Bentleigh last year, and it is proud of it.

Swinburne Prahran Community Children's Centre Co-operative

Mr HIBBINS (Prahran) — On Sunday I went to the Swinburne Prahran Community Children's Centre Co-operative (SPCCCC) fete. It was a fantastic event with a great turnout, and it was terrific to see so many members of the community coming together to support the centre. I was very happy to snaffle the baby hamper in the raffle. Rest assured, it will be put to good use. Congratulations to the organisers and families who turned out make it such a successful day and raised funds for the centre. Particularly well done to the children for hand delivering the promotional flyers along Chapel Street in Windsor. They were very persuasive in convincing local shops to display their signs.

I previously visited the SPCCCC as part of Book Week. The children chose two books for me to read to them. They were *The Wonky Donkey* and *There Was an Old Lady Who Swallowed a Mozzie*. The children asked me questions about what I do and why I like books. I love reading and I love books. Thank you to all the children and staff at SPCCCC for being so friendly. The Swinburne Prahran Community Children's Centre Co-operative is an invaluable asset for Prahran families and our community. It makes Prahran livable for young families, and my hope is that those families stay in Prahran.

Education funding

Mr RICHARDSON (Mordialloc) — It gives me great pleasure to rise, leading up to the end of the first year of the Andrews Labor government, to reflect on the government's contributions to education in our community. One fundamental commitment that we made leading into the 2014 election was to increase funding to Mordialloc College, a \$4.5 million investment that would set up the college for the future in its first stage, delivering a performing arts centre, a year 8 learning centre and basketball stadium. I want to pay tribute to Michelle Roberts, the principal of Mordialloc College, and her team, who have undertaken this fantastic initiative. Cheltenham Secondary College will receive \$7 million, and Parkdale Primary School, a fantastic school, has received its final stage upgrade.

One of the most fundamental commitments we made leading up to the election was the restoration of Gonski funding. All members of this place will be aware that their schools, particularly regional and rural schools, received more funding to support their teachers, their staff and their students going into the future. It is about equality, it is about fairness and it is about setting up our young people for the future and empowering them with the skills to meet the needs of a changing economy. After a year of the Andrews Labor government the most fundamental element has been the restoration of Gonski funding. It has provided a significant benefit for our state, and I look forward to working on that into the future.

Orbost Snowy Rovers Football Netball Club

Mr T. BULL (Gippsland East) — Last week I had the pleasure of attending the official opening of the new Orbost netball court, funded by the Orbost Snowy Rovers Football Netball Club and the previous coalition government. With the addition of lights, night matches can now be played for the first time at this facility. It was a great effort by the club to contribute so much and by the locals who volunteered time and effort. It is particularly pleasing to see so many children now using the new facility.

Bairnsdale Clontarf Academy cricket tournament

Mr T. BULL — In the week just gone I joined the kids from the Clontarf Foundation and some Bairnsdale Secondary College staff for their limited overs cricket match at the school. Paul Carroll and the Clontarf team are doing fantastic work in the East Gippsland community, keeping young Indigenous men engaged in

their schooling and the wider community. Although my side lost the match, it was a great interactive environment, and I am sure that all at the school benefited greatly.

Maffra Show

Mr T. BULL — I recently had the pleasure of attending the recent 2015 Maffra Show, which showcased some of the many benefits that living in rural Australia brings. It had a program of events that retained the connection with our rural past, including horseriding, woodchopping, a pet parade and cheesemaking, just to name a few. I congratulate the show committee, led by president Matthew Coleman and secretary Kellie Harris, on yet another successful year of this fantastic event.

Heyfield timber workers memorial

Mr T. BULL — I also had the pleasure this week of opening the Heyfield timber workers memorial. This memorial was funded by the coalition government and honours those who have lost their lives in the timber industry right across the state. It is a big industry in my part of our region which employs a lot of people, and this will be a fitting memorial to those who have lost their lives.

Ivanhoe electorate government achievements

Mr CARBINES (Ivanhoe) — To quote the Premier:

365 days ago, the Victorian people gave us the greatest privilege of all: the rare chance to make a real difference in the lives of Victorian families.

And we haven't wasted a single day.

In Ivanhoe, funding of \$11.5 million was allocated in this year's budget to Viewbank College for a new performing arts centre, classrooms and an administration building. A multimillion-dollar new eight-classroom development in conjunction with Catholic education at St Martin of Tours in Rosanna was also funded in this budget by the Labor government. The \$5.6 million Rosanna Golf Links Primary School project has now been put out to builders for tender — another great project that has got moving under this Labor government.

More than \$100 million has been made available in this budget to fund the Chandler Highway bridge duplication. Forty-kilometre-per-hour zones and flashing signals at East Ivanhoe Village Shopping Centre have been delivered by this government in this budget and are now operating. The Ivanhoe shopping precinct has been funded as well for

40-kilometre-per-hour zones. The Rosanna truck curfew trial is underway, implemented and operating every night, 24/7, in the Ivanhoe electorate. The extra 517 Viewbank bus service has also been funded and is operating in this term.

Under a Labor government we have reinstated the whooping cough vaccine that was cut by former Premier Ted Baillieu. We have continued to have budget surpluses. We have also made sure that we banned cattle in the high country. We have axed 99-year commercial leases for development in national parks; and we have also saved the wind industry by axing the restrictive planning laws made under the previous government.

Labor and Premier Andrews are getting on with the job.

Level crossings

Mrs FYFFE (Evelyn) — One year ago a commitment was made by the Andrews government to remove 50 level crossings. Crossings at Lilydale station and Mooroolbark station were on the list for removal. Rather than prioritising works on the basis of need, this government has prioritised those that fall into Labor-held seats. More worrying is that this government is so desperate to fund its \$6 billion centrepiece commitment that it has threatened to bypass the Parliament on the sale of the lease for the port of Melbourne to raise the \$6 billion needed.

While the government keeps re-announcing the same level crossing removals, constituents of Evelyn are worried that the metaphorical 'election commitment' train will never arrive at either Lilydale or Mooroolbark station. Under the Andrews government we are on the road to nowhere.

Paceline

Mrs FYFFE — On Friday, 13 November, I was at the Healesville Tennis Club to greet cyclists participating in Paceline's ride to raise awareness about heart arrhythmia, a condition that contributes to a significant number of strokes. Admirably, they rode 1200 kilometres from Canberra to Melbourne through rain and hail in an effort to raise awareness and encourage more people with heart arrhythmia to give blood to support medical research into the cause of the disease.

I urge anyone with an irregular heartbeat to register their willingness to donate blood for use in landmark research conducted by the Victor Chang Cardiac Research Institute and Murdoch Children's Research Institute.

Financial report 2015–16

Mrs FYFFE — It is very disappointing to see how Labor has ballooned debt in one year by up to \$673 million. As the shadow Treasurer noted, the 2015–16 *Quarterly Financial Report No. 1* was quietly put out on a Friday afternoon.

Frankston electorate government achievements

Mr EDBROOKE (Frankston) — It is with pleasure that I rise to make a members statement on what has been achieved in the Frankston community in the first year of the Andrews Labor government. Unfortunately, after four years of the Baillieu and Napthine governments, the only ribbons being cut were those on projects previously started by Labor.

The Andrews government has injected more confidence, opportunity and investment into the Frankston community in one year than in decades of Liberal state and federal governments staring at the same issues and doing nothing. By my count the Andrews government has injected more investment into Frankston in one year alone than any state or federal Liberal government has in decades.

We are working on major projects in harmony with the Frankston council. Let us have a look at our last year locally in Frankston. The Frankston transit precinct redevelopment task force started, and I was proud to be the chair of that. People in Frankston really showed us that they wanted Frankston to be a destination, not just a car park, and we handed down the Frankston redevelopment task force's recommendations over to the Ms Allan, the Minister for Public Transport, quite recently.

In May we had the largest ever education budget as part of the Education State, with \$800 000 budgeted for Frankston Primary School and \$4 million for Monterey Secondary College, as well as the Gonski funding. We have had the \$70 million redevelopment project launched just last week for Chisholm. Also, we opened the Frankston Victorian Football League football club.

Over \$150 000 was given to Peninsula Community Legal Centre to continue their vital programs, and we announced another much-needed ambulance branch at Karingal, as well as the removal of the terrible Overton Road crossing.

We are delivering on all of our commitments. We are putting people first in Frankston, and we are not missing a day.

Leadbeater's possum

Mr BLACKWOOD (Narracan) — Last sitting week I raised a point of order about the member for Melbourne misleading this house about the destruction of the Leadbeater's possum habitat. I take this opportunity to provide some factual information regarding measures taken to protect the possum and the latest survey results of its population.

The recent survey of the Arthur Rylah Institute for Environmental Research of possum numbers found 27 colonies across 66 locations. The possum has been detected living in the regrowth of the Ash Wednesday 1983 fires in Powelltown. It has been found to inhabit man-made nesting boxes placed in the wild. Artificial nest hollows drilled into mountain ash trees have also become the home of the possum in very recent trials. Zoos Victoria's captive breeding program supported by previous environment minister, the member for Warrandyte, has also had enormous success.

If more survey work was undertaken across the entire native forest estate and not just those areas set aside for timber production, which amount to less than 10 per cent of public native forest, then I am very confident possum numbers would indicate that the possum is not in danger of becoming extinct.

Greens members

Mr BLACKWOOD (Narracan) — The member for Melbourne and the member for Prahran have shown no respect for the traditions of this house by choosing not to attend the chamber for the prayer at the start of each day. They chose not to take their place in the house for the Speaker's statement about the significance of Remembrance Day. They have proven that they have no respect for this house, no respect for the Australian digger, and no respect for the livelihoods and families of the 23 000 timber workers in this state.

Buninyong electorate government achievements

Mr HOWARD (Buninyong) — This year has been a very active year for the Andrews government. On coming to office just under a year ago, we said that education would be our no. 1 priority.

Schools in my electorate have seen, when receiving their budgets for next year, that this has meant substantial additional needs-based funding being delivered as part of an additional \$5.6 million of funding across the state. This sees some of the smaller

primary schools in my electorate, like Magpie Primary School, receiving \$112 640 in extra funding, with larger schools, such as Phoenix P-12, receiving an additional \$728 707, which will make a big difference to the learning outcomes of so many students.

In terms of major projects, I was pleased to be at Eureka Stadium last week with the Minister for Regional Development to see extensive earthworks already underway and schematic designs unveiled for the new stadium which will make the upgraded facility of a standard which will see AFL games played in Ballarat in the 2017 season.

I was also pleased recently to go to Meredith to advise the Meredith Country Fire Authority brigade that it would receive voluntary emergency services equipment program funding to upgrade its fire station, as will Elaine Brigade, with voluntary emergency services equipment program funding also going to projects for the Ballarat, Maude and Smythesdale fire brigades. Ahead of this fire season, I met with the Bungaree brigade on Sunday to hand over the keys for a new \$350 000 fire tanker built in Ballarat, with more on order to support Ballarat jobs.

The Andrews government is delivering at all levels in so many ways for the communities across the Buninyong electorate.

Morwell electorate government performance

Mr NORTHE (Morwell) — It has been a very disappointing 12 months for the Morwell electorate under the Andrews government. There have been a few promises with no outcomes, and lots of talk but very little action. One of the biggest concerns for our region is unemployment. We all remember, prior to the election, the Premier talking big; 100 000 new full-time jobs would be created in the first two years, and the now government's return-to-work program was the shining light on how this would be achieved.

The figures show that this has been an almighty failure, and this is verified in the Morwell electorate where not one job has been created under the Premier's return-to-work program and, worse, in addition to this failure the Andrews government has also completely abolished the coalition's \$15 million Latrobe Valley Industry and Infrastructure Fund.

It is difficult to fathom how the current government could do this when the fund was able to support many local businesses to grow and expand while creating new employment in the region and leveraging substantial

private investment at the same time. It seriously is a disgrace on the part of this government.

Of course this government has also abolished the very successful Putting Locals First program that supported the council and the community in bringing to fruition a number of important community projects. Under the coalition a number of projects were delivered, including, for example, the Yallourn North town hall upgrade, the establishment of Gippsland Heritage Walk and improvements at the Morwell Rose Garden. Since the abolition of this program we are seeing no development in community facilities across the region and that is a crying shame and a blight of the Andrews government.

Eltham electorate government achievements

Ms WARD (Eltham) — I wish to thank my community — my hardworking, community-minded and friendly community — for their enthusiasm for and support of the Andrews government over the last 12 months. I am very grateful for the support of my community in helping me get on with delivering what is needed. After four years of coalition government, there is a lot that needs to be done.

I thank my community for joining with me in a strong campaign to get a new ambulance station for Eltham. I thank people in my community for their huge and positive attendances at community and business consultations for the Bolton Street upgrade. I thank them for their involvement in our Education State consultation and submission. I thank those involved in the St Helena-Eltham North sports precinct working group for their hard work and enthusiasm, and I join with them in being excited at the appointment of a project manager, with works due to commence soon.

Education is at the core of every Labor government. In my electorate we are getting on with the reopening of Greensborough TAFE and Banyule Technical School. I thank the many schools and their communities who have contributed towards making these fantastic commitments a reality. I thank the working groups of both for their hard work and great ideas. I thank the Montmorency Secondary College for the thoughtful and considered way it is beginning the rebuild of the school, along with its newly appointed architect. I also thank local advocates for pushing for new school bus services for St Helena Secondary College and Diamond Valley Secondary College, a need which the Andrews government has listened to and met.

I thank my hardworking State Emergency Service unit, which will soon be enjoying an investment of \$100 000

in upgrades for its building. I thank my dedicated and committed Country Fire Authority brigades for all they do for our community, and I look forward to seeing the new Research truck in the next few weeks.

I thank the people of my community for electing me as their member of Parliament, and I will continue to work my hardest with the Andrews government to deliver for my community, including \$3.8 million for the Eltham Leisure Centre and \$2.5 million for the Eltham Community and Reception Centre. I thank my community for all the support it has given me and my government. I look forward to doing great work with them in the future.

Yan Yean electorate government achievements

Ms GREEN (Yan Yean) — Almost a year ago I was given the great privilege of being elected a fourth time to represent my community as the member for Yan Yean. There is no greater honour. As we head towards one year of the Andrews Labor government, I want to recognise the wonderful volunteer leaders in my community who work hard every day to make the suburbs and towns in my electorate better places to live for their families and for each other. I believe Yan Yean typifies the stark contrast between the failings of the former Liberal-Nationals government and the hard work of the one-year-old Andrews Labor government.

For four years Yan Yean, like the rest of Victoria, suffered from cuts to services and a terrible rise in unemployment. Growing suburbs and satellite towns were left to grow rapidly without much-needed investment in infrastructure and services. It takes longer to build a house than to knock one down, but the Andrews government is getting on with it. In only one year my constituents are seeing the tangible difference between us and those opposite. I am delighted to say that campaigns such as Mernda rail, Mernda Needs a Police Station, the Doreen and Mernda Secondary School Alliance and the Yan Yean Road upgrade — causes in which my community was involved during the dark days of the Baillieu and Napthine governments — are now seeing results.

Last week I was joined by the Minister for Police to announce the new site for the Mernda police station. A fortnight ago I was joined by the Minister for Education to turn the sod for the Mernda Central P-12. New school upgrades are budgeted for and underway in Wallan, Doreen and St Helena. Yan Yean Road and Mernda rail works have started, and community consultations are ongoing.

Government achievements

Mr CARROLL (Niddrie) — I rise today to mark the first anniversary of the Andrews Labor government and its wealth of achievements for the great state of Victoria. Since coming to office last November, after four years of coalition inaction and false promises, we have been getting on with the job and not taking our mandate for granted. From cracking down on puppy farms to ending the attacks on our paramedics, this government has stuck to its promises. The most important infrastructure project is now underway — the Melbourne Metro rail project. It will be a vital valve release for our overstretched public transport network. As the Premier himself has said:

Melbourne Metro rail will be a part of our future.

And deadly level crossings will be a part of our past.

The Andrews government has set a shining example for Australia with the establishment of the Royal Commission into Family Violence, which will assist us in tackling an issue that has for too long been in the shadows. In addition we are legalising medicinal cannabis to help those with serious illnesses live with the decent quality of life they deserve.

In my own electorate of Niddrie one of the most run-down schools, Essendon Keilor College, is finally getting the \$10 million it deserves. I have been working closely with principal David Adamson. I look forward to seeing the Niddrie campus rebuilt, new science rooms at the Keilor East campus and a new performing arts centre at the Essendon campus. The appointment of an architect is imminent. I am looking forward to delivering on this key achievement in the Niddrie electorate.

There is also the CityLink-Tulla widening project, and the removal of the Buckley Street level crossing, which I am working to deliver with the member for Essendon — an outstanding local member. The Melbourne Metro project will see important new train lines delivered. This will be an outstanding achievement serving the people of Melbourne's north-west. I look forward to the next three years of the Andrews government.

Government performance

Mr KATOS (South Barwon) — The first anniversary of the Andrews Labor government is coming up this Sunday, and it is not something we want to celebrate in South Barwon electorate. The jobs that were going to be created by Bay West were an absolute lie. The Back to Work scheme has only created 10 jobs

in the Geelong region. Armstrong Creek West primary school is still unfunded. The east–west link has been torn up. The second West Gate Bridge for people in Geelong is gone. The member for Lara and the member for Bellarine are up to their eyeballs in the Labor rort scandal. There is nothing happening in Torquay or Armstrong Creek whatsoever under this government.

BUSINESS OF THE HOUSE

Address of Ms Rosie Batty

Mr NOONAN (Minister for Police) — I move:

- (1) That:
 - (a) the Legislative Assembly invites members of the Legislative Council to attend in the Legislative Assembly chamber on Thursday, 26 November 2015, at 10.30 a.m. to hear an address by Ms Rosie Batty;
 - (b) the lower public gallery on the non-government side of the house is taken to be part of the Legislative Assembly chamber for the duration of the address to provide additional seating for members of the Legislative Council;
 - (c) the Speaker of the Legislative Assembly will chair the address, and the conduct of proceedings will be in accordance with the standing and sessional orders of the Legislative Assembly.
- (2) A message be sent to the Legislative Council informing them accordingly.

Motion agreed to.

EDUCATION LEGISLATION AMENDMENT (TAFE AND UNIVERSITY GOVERNANCE REFORM) BILL 2015

Second reading

Debate resumed from 21 October; motion of Ms NEVILLE (Minister for Environment, Climate Change and Water).

Ms RYAN (Euroa) — I welcome the opportunity to contribute to the debate on the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015 and, as shadow minister for training, skills and apprenticeships, to put on the record the position of the Liberal and Nationals parties. At the outset I thank staff from the Department of Education and Training, who took the time to brief me on this bill — with great professionalism, I might add.

This bill amends the Education and Training Reform Act 2006 and the eight Victorian public university acts

to change governance arrangements for TAFE boards and university councils. The government's claim is that this bill will make TAFE institutes and universities more democratic, independent and representative of the communities they serve. It is the opposition's belief that in reality this bill will weaken the governance of TAFE institutes and universities and that it is yet another example of this government being driven by its union masters instead of by the people of Victoria.

This bill is not about the principles of good governance. It is not about ensuring TAFEs or universities are sustainable or democratic. It is about repaying the unions for their efforts in campaigning for those opposite at last year's election. It is about ensuring Labor maintains control of student politics. It is a regressive step and a regressive bill, which the coalition opposes.

The first purpose of the bill is to amend the Education and Training Reform Act in relation to the constitution of boards of TAFE institutes. In effect this makes a number of changes to the governance of Victoria's 12 TAFE institutes. It reintroduces chief executive officers to TAFE boards, with full voting rights, and it requires TAFE institutes to hold elections so that there is at least one director elected by staff.

I should point out that there is no maximum for the number of staff who can be elected directors. While one is the minimum, the bill gives the minister the power to fix how many directors must be elected by staff of the institute through an order in council or a ministerial order. This allows for the blatant politicisation of TAFEs by the minister. It has been suggested to me that Labor's expectation is that there will be three directors appointed in this way, and I suppose we will have to wait and see. Only time is going to tell on that front.

The bill provides for an increase in the number of board directors, from 9 to a minimum of 10 and a maximum of 15. The government's contention that returning CEOs and staff to TAFE boards restores accountability, transparency and good governance is quite simply ludicrous and is counter to the advice of Victoria's Auditor-General. In fact it jeopardises the sanctity and the integrity of TAFE institute boards. This bill places no requirement on directors elected by staff to have any kind of competency or skill. In his second-reading speech the minister stated:

... position descriptions and selection criteria must be developed for all board vacancies; all chairpersons must maintain a skills matrix to inform vacancies and assist succession planning; ministers must be afforded the opportunity to select the strongest candidate for each vacancy, based on a position description that reflects the skills and

experience required by the board and all appointees must be selected on merit.

But those conditions do not apply to directors who are elected by staff. Those appointments are not based on either merit or skill; the only prerequisite is that they are elected by an institute staff member. There is every likelihood that this will result in the appointment of people who are out of their depth or who are union officials driven by a particular agenda.

Mr Richardson interjected.

Ms RYAN — I note that under the government's legislation there is not a requirement — the member for Mordialloc might be interested in this — for that director to be a member of staff. Instead the only requirement is that they be elected by staff, so perhaps the member for Mordialloc should go back and read the bill more closely. As we all know and as history tells us, the people who will end up taking these roles are likely to be union representatives who already have the machinery to run elections and the membership base to garner votes.

Honourable members interjecting.

Ms RYAN — Well, it has not really helped the governance of the sector traditionally, has it? This opens the door to personality-driven politics rather than considered governance in the best interests of the entire institute, including staff and students. It is disappointing that constructive suggestions from the sector which recognised the imperative of a skills-based model have been rejected by this government. The government could have ensured some adherence to the principles of a skills-based board by ensuring prospective candidates were filtered through a skills matrix, and indeed that was suggested by the sector. But the government did not do that because it has made promises to unions which it is now required to keep.

The coalition has serious misgivings about how this decision to return staff representatives to TAFE boards will play out. The government cannot define what constitutes a conflict of interest for a staff member who has been elected as a TAFE director.

Honourable members interjecting.

Ms RYAN — Perhaps government members should do an analysis of staff members on TAFE boards around the state, because they may not find that they exist. Would they, for example, be required to remove themselves from a discussion about an increase in student contact hours? Would they be required to declare a conflict of interest during a discussion about

enterprise bargaining agreement (EBA) negotiations? What if they are a representative of a union which is directly involved in those EBA negotiations? Labor cannot answer those questions, and I think the feigned shock of those opposite just shows how insignificant they consider this issue to be.

The government's only response to these questions is that each individual TAFE and board will be required to make a judgement call on what constitutes a conflict of interest. There are concerns in the sector that this will result in the board being bypassed on issues like remuneration and staffing and that it will force the creation of executive committees, which will see small groups of people making monumental decisions about the direction an institute is going to go in.

The government's policy to place staff representatives on boards also raises questions about the governance of other public sector entities. The reintroduction of chief executive officers to TAFE boards presents very obvious conflicts. It is the board's role to apply a critical lens to staffing, expenditure and even the capability of the chief executive officer. Those conversations cannot take place without fear or favour when the chief executive officer is sitting as a director on the board. The Secretary of the Department of Premier and Cabinet does not sit around the cabinet table to put up their hand and vote on decisions made about the public service. That is the role of the executive.

Perhaps the best comparison is between hospitals and TAFE institutes. Both bodies deliver very important services to the Victorian people. They are both funded in a similar manner, but unlike TAFEs the chief executive and the staff of a hospital do not sit on that organisation's board. The question must be asked why the government therefore deems it appropriate for staff and for student representatives to have an as-of-right position in an educational setting but not in other public organisations such as hospitals. The very evident answer is this: like so many of the decisions which we have seen made by this government, these are the dues that Labor must now pay to the unions which campaigned for the government. This piece of legislation makes it very clear that it is not the minister who is calling the shots here; he is but a puppet of the National Tertiary Education Union and the Australian Education Union.

I want to touch on the motivation behind the very sensible governance changes that the coalition made in 2012, which this bill seeks to reverse. Those changes came about after a series of round table discussions with TAFEs and universities. In fact they were reforms

that at the time were very strongly supported within both sectors. The introduction of the Education Legislation Amendment (Governance) Bill in 2012 was preceded in October 2011 by an Auditor-General's report which raised serious concerns about the governance of TAFEs operating in a new demand-driven system. For the benefit of members opposite, I remind them that it was Labor — when Minister Herbert was the Parliamentary Secretary for Education no less — that introduced that model.

In 2008, while the member for Bendigo East and Steve Herbert, the Minister for Training and Skills, were at the helm of training in this state, the Labor government released the Securing Jobs For Your Future policy. Perhaps some members of this house who are new in this term of government might take the time to look up that policy because it changed TAFE institute funding from fixed allocations of state funding, a block-based funding model, if you will, to a demand-driven model — a model which tied funding directly to student enrolments. Under Labor's model, if student numbers dropped so too did funding.

It is an inconvenient truth that the government and those members on the opposite side of the house would no doubt rather forget and one they most certainly forgot when they ran around before last year's election promising to restore \$1.2 billion to TAFE — money which, I might add, appears to have disappeared. There seems to be no commitment now from the minister to restore that \$1.2 billion worth of funding. Members on the other side of the house are silent because they all signed the pledge committing to investing an additional \$1.2 billion in TAFE, but we shall wait and see.

When the Auditor-General undertook his 2011 review of TAFE governance, he made a comment about how Labor's changes had affected the operations of TAFE. This is what he said:

The new contestable model of vocational education and training provision requires TAFE institutes to combine private sector behaviour, such as entrepreneurial pursuits, with public sector requirements for accountability.

One of the recommendations from that report was that Skills Victoria, which, as we know, no longer exists but which was responsible for the oversight of the Victorian training system at the time, develop its workforce capabilities in contemporary business practices and business acumen to meet the demands of TAFE sector governance. The Auditor-General was critical of the government's failure to clarify the roles and responsibilities for TAFE sector governance with the increase in autonomy of TAFE institute boards in the contestable environment. This included establishing

the nature or significance of events which should trigger its examination of TAFE institute board governance processes, observation of board decisions or intervention of board decision-making.

It is worthwhile taking the time to outline the impetus for that 2011 report by the Auditor-General. It found that in 2010 Holmesglen TAFE, which was under the leadership of Bruce Mackenzie — the same person whom the government has now appointed to lead the review of its system-wide review of the training sector — entered into a high-risk financial arrangement which was not prudent and resulted in an impairment of \$3 million of public money. That was a finding from the highly critical report of the Auditor-General which led to these reforms.

The legislation introduced in 2012 under the coalition helped to equip TAFE boards to deal with the commercial realities and risks which resulted from Labor's decision to move the Victorian training sector to a contestable and demand-driven model. Given that the Auditor-General has pointed to the risks TAFEs are exposed to when they do not have the skills required to deal with the commercial drivers of Labor's model, I find it bizarre that the government is now willing to fly in the face of that advice by seeking to appoint people to boards who do not necessarily possess any of those skills but who instead are there only by virtue of the fact that they have been elected by the staff of an institute. I reiterate that they do not need to be a member of staff of that institute; they are simply to be elected by the staff of the institute.

It is also somewhat ironic that Labor is making grand statements about governance when most TAFE boards around the state are now running on empty because the minister has refused to make any appointments to those boards. Most TAFE boards throughout Victoria are down to a handful of directors — four or five people sitting on most of those boards. There is immense frustration in the sector at the moment among those board members who are trying to keep large multimillion-dollar organisations afloat, particularly at a time when we know TAFEs still have not recovered from the legacy of Labor's last term in government, when it changed its system to a demand-driven model.

Mr Richardson interjected.

Ms RYAN — I challenge the member for Mordialloc to prove his calculations, because the coalition increased funding to TAFE from \$800 million in 2010 to \$1.2 billion in 2012. He is wrong.

On the issue of Labor's failure to appoint members to boards, the membership of subcommittees at TAFEs around Victoria, such as the audit and risk committees, are down in some cases to one or two directors, leaving TAFEs exposed to absolutely unacceptable risk. I again refer to the findings of the Auditor-General, and this time from last year. In his 2014 audit snapshot of TAFEs, the Auditor-General stated:

Due to the financial challenges of the sector, strong governance is required. Our audits found there is an opportunity to improve risk management practices and performance reporting to enhance the management and oversight of TAFEs.

Labor is ignoring the Auditor-General's advice through its failure to appoint board members to manage these risks, and now by throwing the principle of skills-based boards on the scrap heap. It is leaving them exposed and even more vulnerable through this legislation. Those on the other side of the house are repeating the same mistakes they made when they introduced a contestable funding model and failed to adequately equip the sector and adequately equip TAFEs to deal with those changes, which then led to the problems that TAFEs have found with financial sustainability.

In addition to increasing the minimum size of a TAFE institute board from 9 directors to 10, adding staff-elected directors and returning the chief executive officer to the board of the institute, clause 5 of the bill provides that at least half of the directors must be appointed by the minister and that the remaining directors must be appointed to the board by cooption. This replaces the process of 2012 which saw the minister appoint a number of directors after taking advice from directors already appointed to the board. Again we see a double standard here, as ministerial appointments and those coopted by TAFE boards must continue to bring knowledge or skills in areas like management, finance or corporate governance. Clause 6 also provides for the board to elect its own chairperson.

Now Labor claims that these changes are restoring power to TAFE but in fact they are cosmetic at best. The reality is that the government will continue to retain control of the boards given that the minister has retained the power to appoint half of their elected directors and has retained the right of veto to refuse to appoint someone as chair that he does not like. The boards are required, once they have elected a director as chairperson, to notify the minister in writing of the proposal to make that appointment. After receiving notification from the board of the board's intention to appoint a chair, the minister has 20 days in which to object to the appointment in writing. The minister has

also retained the right to suspend or remove a chairperson from office if exceptional circumstances exist.

I have some concerns that this is an entirely subjective issue since there is no definition given for what constitutes an exceptional circumstance. The only requirement of the minister is that he apply the principles of natural justice. This means that the only recourse for a director or a chair who is removed from office by the minister is to challenge that decision through the judicial system under the Public Administration Act. I think that in reality it is going to be highly unlikely that a director who has been removed from office will go to the length or expense of that process or expose themselves to the public nature of it in order to pursue justice if they felt that there had been wrongdoing. So the practical effect of these changes is that the government can purport to give TAFEs greater power and responsibility while continuing to exert control over directors.

As I mentioned earlier, the bill also amends various university acts in relation to the constitution of councils of universities and makes related consequential amendments. This will see one or more members elected by and from the staff of the university and one or more persons elected from the students at the university. University councils under this bill will return to a size of between 13 and 21 members, which is very similar to the size they were prior to the coalition's changes in 2012. Councils will be composed of the chancellor, vice-chancellor, the president of the academic board or a substitute, at least four government-appointed members and at least four council-appointed members as well as elected staff and students.

It is important to note that the reforms brought in by the coalition in 2012 were welcomed by the vast majority of Victoria's universities. In fact they were made at the request of a number of those universities. The changes allowed universities to bring their university councils down to a size that was in line with the norms of the corporate world.

At the time the chancellor of Monash University, Dr Alan Finkel, who I note last week or the week before announced his retirement from Monash and the fact that he is taking up a senior position with the federal government — on which I congratulate him — said that the changes would give universities greater flexibility in their size and composition and 'allow for a healthy mix of skills'. Dr Paul Hemming, the chancellor of what was then the University of

Ballarat — now Federation University Australia — also had no concerns. He said:

Staff and students will still be strongly represented on campus through other means.

We have recently introduced a vibrant student senate, and our head of academic board will still be a member of our council.

The university also prides itself in having regular information sessions between the vice-chancellor and staff members.

Nothing in the coalition's 2012 reforms prevented staff or students from sitting on their institute's governing body if they had the necessary skills or experience. As the law currently stands, councils and boards decide how they wish to engage their stakeholder groups, and if they wish to recommend staff or students for appointment, they are free to do so. This has occurred — at Deakin University, for example, which in 2013 expanded its university council to include staff and student representatives.

I believe that in reintroducing the direct election of staff and students to university councils the government has failed to introduce measures to ensure that the size of councils or the matters of the necessary skill sets or conflict of interest issues do not compromise good governance. The government could have opted, for example, for elections to return a pool of candidates from which a council could assess each candidate for the most suitable match. That would have given the opportunity for the government to deliver on its election commitment but also to acknowledge and respond to the concerns of universities.

Universities have a responsibility to ensure that they have the right skills mix on their council. They need to have a gender balance and include stakeholder representation of, for example, Indigenous students or staff or those from culturally and linguistically diverse backgrounds. The universities now feel hamstrung in considering these issues if a position is filled by direct election.

Universities have reasonable, relevant expectations when these organisation are dealing with billion-dollar budgets and given they are responsible for the education of thousands of students. I do think there should have been more consideration as to the balance of skills and the council's role as the university's governing body.

The bill makes a number of other minor and technical amendments to rectify several issues, including some spelling mistakes, which I will not go into. I note that this week the government rejected the opposition's

proposition to sit on Friday in order to ensure that debate time was not limited.

I conclude by saying that Labor's record on TAFE is getting worse by the day. It has dumped its promise to invest an additional \$1.2 billion into TAFE.

Honourable members interjecting.

Ms RYAN — I know those on the other side of the house do not like to be reminded of this, but after the half-yearly training market data was hidden for months and then released, it showed that enrolments are now at a five-year low. It has only taken a year — —

Ms Edwards interjected.

Ms RYAN — Just to remind the member for Bendigo West — and this seems to be a message that does not get through to those on the other side of the house — it was those opposite who opened the TAFE system to a demand-driven model, which tied funding to enrolments.

TAFE's share of the market has declined further under this government, and that is in direct contradiction to the minister's promise that he would grow enrolments in this state. Now, just to add one final plank to Labor's platform, it is weakening the governance and increasing the risk for TAFEs and universities when those organisations require stability. The coalition does not believe these changes improve the governance of TAFEs or universities.

In concluding, I refer to the comments of my Nationals predecessor in this portfolio area, Peter Hall, the former Minister for Higher Education and Skills, when he introduced the coalition's governance reforms in 2012. At the time he said:

It takes very specific skills to oversee a large public educational institution, and selecting people with the right skills and experience to excel in the job is vital.

We believe local people with the right governance skills should be on TAFE boards and university councils ...

After three years, the coalition's position has not changed.

Ms GRALEY (Narre Warren South) — It is a pleasure to speak on this bill this afternoon and to follow the member for Euroa, whose incredible rewriting of history follows in the footsteps of most of those on the opposition benches as they seek valiantly to put a spin on their time in government. Try as she will, there is no walking away from the fact that our TAFE sector was extraordinarily badly served by a

coalition government when coalition members were in power.

In his second-reading speech the minister said — and I will quote from his conclusion:

... the bill will amend the ETR act and the eight Victorian public university acts to change the governance arrangements for TAFE boards and university councils, to implement election commitments to make them more democratic, independent and representative of the communities they serve.

In the current Minister for Training and Skills we have a minister who has eloquently expressed exactly what he is seeking to achieve with this bill: the democratisation, the independence, the representative nature of boards and the fact that boards are supposed to serve the communities they work in.

The minister is of course very passionate. I remember that word ‘passion’ in terms of a previous Minister for Higher Education and Skills, Peter Hall, talking about his passions, emotions and feelings. Yet those passions, emotions and feelings did not stop him from gutting the TAFE sector. We will not be lectured by the member for Euroa, when Nationals members of Parliament sat around the cabinet table and allowed the minister — and I know he was awfully upset and on the brink of tears — to go down the path of disadvantaging and discouraging thousands of students and staff from taking up TAFE courses and disenfranchising a whole lot of people such as staff and students by preventing them from being on the boards of their institutions.

It beggars belief that we should all feel sorry about what happened in regional Victoria. I would like to remind those opposite that they did this to regional Victoria with the complicit agreement of members of the coalition cabinet, including poor old Minister Hall, the bleeding heart. In fact we know that those cuts to regional TAFE probably hurt the regional areas even more than they did in metropolitan Melbourne, where I saw before my very eyes in my electorate the trauma that the cuts have inflicted on a whole generation of young people and their families. It is tragic.

Being on a board is a very important role to undertake, and it comes with significant responsibilities. It is not only about doing the work of managing the finances, but is also, very importantly, about representing the communities that the boards serve. I do not think those opposite understand that communities and universities have people with the skills to put up their hands and be on these boards.

I resent the patronising tone of some of the contributions of those opposite when a similar bill was

in the house and again today. We have been told that somehow students and university staff, people with high Australian tertiary admission rank scores and research backgrounds, are not sufficiently skilled and not sufficiently independent in their thinking to make a contribution to the boards of universities. I know last time a similar bill was before the house there was some alarm in the university sector about what the government was doing — and rightly so. I went back to the contribution to debate I made when the previous incarnation of this bill was before the house. I referred to an academic, Colin Long, who said:

The government’s changes to university governance arrangements not only remove elected representatives —

God forbid, why would you want to remove elected representatives? —

they provide the state government with unprecedented ability to interfere in the running of universities.

That was the view of the university sector, and that is why students, staff and university chancellors were saying at the time to the previous government, ‘Listen up. Take notice. We can run our boards. We can get people on our boards from our own environments and our own communities, people who have the skills, the qualifications, the right attitude and the passion to make a contribution to the running of universities and TAFEs’. It was really appalling to think that for some reason this was not acceptable to the members of the then government. No, they wanted to poke their noses in, point their fingers at and lecture the university sector in that obsequious, patronising tone. They wanted the sector to repeat their mantras about what was happening in the training and university sector.

I do not blame the university and TAFE sectors for putting up their hands and saying that they did not like that, because at the same time those opposite were ripping the guts out of both sectors. They had every right to be alarmed and concerned about the way the previous government was treating them.

One of the things that this bill does very well is it makes sure that TAFEs are oriented towards the needs of their communities. I have Chisholm TAFE in my electorate. It is a very well-run TAFE due to the expertise, I believe, of the CEO, who made some very serious decisions when the cuts were imposed on her by the previous government. She has tried to hold the ship together as best she can. She has done a very good job of that and has even made sure that there is some selection of courses still being made available at Chisholm. We have been very concerned that local students have not been taking up these TAFE courses

like they used to, so it was important that this government sought to reverse that.

Irrespective of the attempts by the member for Euroa to rewrite the former government's history, the fact of the matter is that with the TAFE rescue package and by working collaboratively with the TAFE sector, students, teachers and community representatives this government is turning the TAFE sector around. We are trying to get students back into these institutions, and we are trying to support staff. The changes to the governance arrangements will make sure that those policies are in tune with what is needed to again make the TAFE sector a really successful, enterprising, dynamic and, more importantly, inclusive institution for students to attend.

I want to draw attention to the fact that the university sector is a very important sector. In fact I am very keen on telling other people that Victoria is the smartest state in Australia. We have some excellent universities, and I agree with representatives of the university sector that we have to make sure that our universities remain world class. When the previous government was in power there was an open letter of criticism indicating that our universities are not in the business of selling education and that they require representation by diverse communities that have a real interest in the activities of the university. The changes brought by the minister are sensible and much needed. They will set the TAFE sector on a course of being successful, inclusive and representative in the future.

The bill represents another election commitment delivered in the government's first year of office. More importantly it delivers improved governance arrangements for TAFEs and university boards and sets them up to succeed, and all Victorians want that to happen.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to rise to contribute to the debate on the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015. Having dealt with the TAFE and university sector, from the outset I wish to place on the record my congratulations to board members and staff within those institutions on their work. I will start by asking those opposite to tell me and to tell Victorians which TAFE board is not acting appropriately under the current regime and legislation. Those opposite are quick to lecture, but they will not stand up in this house and explain to Victorians which TAFE boards they believe are not doing an appropriate job.

When the then opposition announced it was going to make these changes I was in conversation with a number of people who worked in and served on boards in the sector, and these changes were met with dismay by them. You need only look at the comments recently made by representatives of the Victorian Vice-Chancellors Committee, who said that whilst there were a range of views on this, all universities agreed that further state government intervention in this area was unnecessary and undesirable. That is the commentary coming from the university sector.

I will start by saying that the issue of governance is critical in any organisation. The whole point of governance is that you have people who sit on a board determining policy, and then you have people who work in the administrative wing of the organisation to implement that policy. I make the point that that is exactly what we are doing in this chamber. We are elected officials developing policy for the state of Victoria. Once Parliament enacts legislation, that policy — now law — is handed to the departments to implement. We do not have the secretaries of the departments sitting in this chamber determining positions on policy that affect their respective portfolios. The Secretary of the Department of Education and Training, Gill Callister, is not sitting in this house determining policy; the policy is being determined by us as elected members of Parliament.

That is exactly what we also see in local governments. The CEOs of the local governments do not sit on the council; the councillors make the policy decisions, and the CEO implements the policies. With regard to health boards, we have elected members of health boards, but the CEOs of the respective health organisations does not sit on those boards. So I ask this logical question: if this government has seen fit to put the CEOs on the boards of TAFEs and universities, can we then assume that the CEOs of respective health organisations around the state will also sit on health boards? I ask the obvious question. If the answer is no, then why not? Why is it okay for the CEO and staff in an education setting to sit on a board, but it is not appropriate for the staff and CEO of a health organisation to sit on its board? What is the difference? The logical extension is to apply the same logic to local government.

The reason we do not is that we know that once a CEO is sitting on the board there is obviously an opportunity for a blurring of the lines. Do not take it from me, Acting Speaker, that that is something that may occur; in fact that is something that did occur, and it occurred in the TAFE sector. This was a matter dealt with by the Victorian Auditor-General last year. It related to a situation that occurred in 2008 under the former Labor

government with respect to Box Hill TAFE. In the situation at Box Hill the CEO sat on the board and had voting rights while the board was making a decision about the salary package of the CEO — —

An honourable member interjected.

Mr WAKELING — The comment was made, ‘The CEO should have walked out’. What happened? I will tell you what happened. A contract was negotiated with the CEO, which was then handed to the minister’s office to be ticked off. They sat around the table and organised a side agreement with the CEO which provided an additional four weeks of paid leave of absence per annum after two years of service; one fully paid overseas trip per year for self-directed professional development; access to purchasing Box Hill-supplied home office equipment at market value after five years of service; in the event of the CEO’s retirement, retention of his motor vehicle as a retirement gift; and access to Box Hill’s IT systems and networks for a further five years beyond the contract term and subject to the institute’s network policy. In effect what happened was that the board, in concert with the CEO, came to an arrangement to provide the CEO with conditions that went well beyond what was acceptable. From a governance perspective where was the separation? There was no separation because the CEO was a voting member of the board.

In any other organisation you would have a board of elected representatives making determinations of policy and of the CEO’s employment. Separate to the operation of that board you would then have an appointed CEO who would be responsible for the administration of that organisation and the appointment of his or her directors. Accordingly they would then employ staff within the state. That is what happens.

People think this is an absurd position, but that is exactly what happens in the operation of the state. The secretaries of the respective departments in this state do not sit around the cabinet table. I am sure that the Secretary of the Department of Premier and Cabinet may well sit in the room providing advice — and I will stand corrected by the minister at the table, the Minister for Housing, Disability and Ageing — but I am sure that the Secretary of the Department of Premier and Cabinet does not sit at the table of ministers, making decisions about the operation of his or her department, because under a governance arrangement that this government has in place, and which has been the practice of all governments, the policy direction is determined by the board. In this situation the board happens to be government ministers. That is exactly what the issue is here.

One needs to ask the logical question: what is it that the boards of the respective universities and TAFE institutions have done in the past 12 months, two years, three years or four years to warrant the changing of their board structure? If those opposite could stand up in this house and roll out the litany of mistakes that these board members have made which meant that the only way to fix the operation of those boards was to make the CEO and a staff member sitting on them a requirement, then I would be interested to hear those arguments. But we have not heard that from those opposite because they know there is no logic to that argument.

We do not have health representatives working in respective hospitals sitting on the boards as of right, and we do not have the CEOs of the respective health organisations sitting on the boards as of right, because they sit separately from the board. They provide advice to the board, and they provide information to the board, but ultimately the board makes the decisions regarding governance. That is the clear reason, when you look at this whole issue, that this has nothing to do with governance, this has nothing to do with the operation of TAFEs within the state and this has nothing to do with the operations of a university within the state. In fact, we had a previous speaker stand up in here and actually praise her local TAFE. She did not stand up in this house and talk about her TAFE in the sense that it needs to change its board structure; she actually praised her local TAFE. This has got nothing to do with the operations of TAFE. This is pure politics. This is clearly something for which the government cannot provide an explanation.

Ms EDWARDS (Bendigo West) — I am pleased to rise to speak on the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015. The member for Ferntree Gully talked about political legislation, but there was nothing more political than the legislation the coalition introduced in 2012 that changed the structure of TAFE boards and university boards, changes that were purely and simply about power and control of our TAFEs and universities by the then government and nothing else — although there might have been the issue of preventing CEOs, staff and students from speaking out against the cuts that it inflicted on our TAFEs; it might have been about gagging them.

This bill is about democracy. It is about making sure that those who are directly involved in the education of so many young people — that is, the students and the teachers at our TAFEs and universities — have a say in the provision of that education. It is simply about

reintroducing democracy into a sector that had been forced into a situation where it had no control.

This bill also allows for a governance change that gives back a voice to those who are invested in education, to students and to staff. I acknowledge the work that has been done over the past year of the Andrews Labor government by the Minister for Training and Skills. He has set about with great rigour repairing the damage that was done to our TAFE sector under the Baillieu and Napthine governments. This bill is just another bill before the house that fulfils the government's election commitments. It restores elected staff and directors and the CEO to TAFE boards, and as I said, in 2012 the former government passed legislation that removed elected staff, students and CEOs from TAFE boards — a case of ensuring that there was no-one in the sector who would speak out against the former government's \$1.2 billion cuts to TAFE.

The former government also removed TAFE supplementary funding and changed the funding model so that they were paid as non-TAFE providers are paid. It is no surprise that the former government was driven by ideology and chose to prioritise commercial practice and efficiency ahead of the educational and social functions of TAFE. The TAFE sector is a public education provider and cannot and should not be driven on the basis of commercial factors alone. The governance changes in this bill mean that TAFE boards will remain fit to govern large public entities, and they ensure that TAFE boards understand the issues affecting staff, students and the community. Staff have a significant interest in TAFEs, and decisions made by TAFE boards should and must take into consideration their views.

During my time in opposition and as the cuts to TAFE by the former government began to hit home to staff and students, there were many staff who contacted me to raise their concerns, mostly anonymously because of fear of retribution for speaking out, and then there was the flow-on effect to the families of those staff members who lost their jobs. I also remember being in the house back on 20 March 2013, when *Hansard* shows that former Premier Denis Napthine said:

We have rejected the recommendation to merge TAFEs in regional and rural Victoria. I make it very clear that we have rejected that recommendation, because I believe and the government believes that having local management, local input and locally based TAFEs is really important to make sure those TAFEs deliver the right sort of training, that they are in touch with local industry and that they provide the training that local people need. We have rejected the recommendation to merge country TAFEs.

Then came the announcement of the forced merger of the Bendigo and Kangan TAFEs. And what did that mean for those TAFEs, apart from the fact that the former Premier obviously could not lie straight in bed? According to the 2013 Kangan TAFE annual report, 52 courses were cut; 157 staff were cut; students were slugged with increased fees; there was a reduction in investment in building repairs, maintenance and equipment; there was a massive drop in student numbers, with 65 fewer 15 to 24-year-olds and 165 fewer 25 to 64-year-olds enrolled; and both campuses were operating in deficit.

Nevertheless, since coming to office one year ago the Andrews government has been getting on with restoring the damage done to our TAFE sector by the Liberals and The Nationals. There has been a \$2.2 million boost to the Bendigo Kangan TAFE from the first \$20 million of the emergency TAFE Rescue Fund; a \$5.38 million back-to-work grant with exciting partnerships with local health and automotive industries; and the cuts that destroyed individuals, families and TAFEs across regional Victoria are slowly but surely being repaired. This bill is just another step in that repair.

While those opposite might like to object to this bill on the basis of the fact that it is actually just reversing some legislation that it put in place in 2012 and making boards across TAFEs and universities much more democratic and giving students and staff a voice, the fact is that the Andrews Labor government is delivering yet another key election commitment to restore student and staff representation on university and TAFE councils and boards. It is what we said we would do, and we are getting on with it. I commend the bill to the house.

Mr HIBBINS (Prahran) — I rise to speak on the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015. I will preface my comments by saying that there has been a bit of back and forth, a bit of counterclaim between government and opposition, on who is to blame for TAFE, which is a good reason we need a different perspective in this place. It really is a pox on both their houses when it comes to what has happened to our TAFE system. I will get to that in a bit.

This bill amends the Education and Training Reform Act 2006 in relation to the composition and means of appointment of boards of TAFE institutes and councils of universities. It will ensure that at least one elected student and one elected member of staff is on every university council and one elected staff member is on every TAFE board, and a CEO. In addition, TAFE

institute boards will be able to appoint their own members and elect their own chairperson. The appointment of board members will be in line with the government's commitment that 50 per cent of all appointments to boards be women. The bill will make other amendments to various acts in relation to the constitution of councils and universities, and it will make related technical and consequential amendments. The Greens will be supporting this bill.

Back in 2012 the Greens opposed the then government's Education Legislation Amendment (Governance) Bill 2012, which abolished staff and student representation on university councils and TAFE boards as well as abolishing the right of boards to elect their own chairpersons. In Parliament Sue Pennicuik, a member for Southern Metropolitan Region in the other place, raised serious concerns about this bill and the increasing corporatisation and commercialisation of universities and TAFEs. Those amendments to the governance structures of TAFEs and universities acted to reduce transparency and accountability and were unnecessary, undemocratic and counterproductive.

Universities and TAFEs are not big businesses selling education and research projects. They are some of our oldest and most trusted public institutions, and their autonomy is critical to the proper functioning of our education system. While it is clear that higher education and TAFE institutes are complex entities —

Ms Ryall — A lot of money.

Mr HIBBINS — that deal with large sums of money, as pointed out by the member for Ringwood, they also provide much more than that. They must ensure that the education needs of students and staff are met and are given consideration in any decision-making process. It is absolutely vital that universities and TAFE boards represent the diverse communities that have an interest in their activities.

The best outcomes for our TAFEs can only be met by having staff and student representation on the governing bodies. It is a pity that the government's bill does not provide an elected student representative on TAFE boards. It is also in the interests of universities to have elected staff and student representatives on councils.

Chris Nyland, an international business expert at Monash University, has cited public concern about regular reports of universities sacrificing standards and English language requirements in order to attain full-fee-paying international students. This is just one example of the systemic problems caused by financial

pressures, and it is a situation where staff and students can be an important counter voice to those of others. Staff and students should have the right and opportunity to take part in governing bodies and to criticise the functioning of higher education institutes, including their own.

This reform of course is important because we need strong and active voices in our TAFE system. This is at a time when our TAFE institutes have had millions of dollars cut from their budgets, which has resulted in staff losses, campus closures and courses being lost. This of course all began under the failed marketisation policies initiated under the former Labor government. Those policies have been an absolute disaster for TAFE and for the vocational education and training (VET) sector. It was not just an adjustment difficulty, as some have tried to spin it, but a fiasco — an absolute fiasco. These reforms that deregulated our VET system were implemented in 2008 and turned it into a demand-driven system and turned our vocational education and training system into a market where entitlements followed the student rather than having a capped number of course places on offer. The big question of course is: why? Why did we even need to do this? That still has never actually been explained.

These changes led to a budget blowout, with a big jump in the number of private providers and enrolments, with some offering second-rate and low-quality qualifications that would not even be recognised out there in the workplace. What did the coalition government do in response? It did not change the marketisation approach and it did not reverse it; it threw fuel on the fire by cutting hundreds of millions of dollars from TAFE budgets. It put our TAFES, these institutions that go to such great lengths to ensure that they are providing courses for their communities, on an equal footing with registered training organisations (RTOs) — for-profit private providers, some of whom are basically operating out of their bedrooms. These RTOs are not putting in the same commitment to course quality or their local communities.

Now, incredibly, this government is sticking to the same policy — there is no change. It is incredible. This policy has led to a massive shift of funding away from our TAFEs towards these for-profit public providers. At one stage TAFEs held 70 per cent of the market share; that has dropped to well below 50. TAFEs were formerly in a strong financial position; they are now in a weak financial position. The federal government's VET FEE-HELP scheme has only added to the problems. Every month we see examples of this get-rich-quick scheme that our training system has become — shonky operators and profit-driven

providers are popping up to cash in on this government-created market and signing people up to inappropriate courses that the vast majority will never complete, leaving them saddled with debt. These providers are offering freebie incentives such as iPads and laptops, using brokers to target vulnerable communities and making off with taxpayers money and not delivering what they are supposed to.

We had this happen in Prahran at our local public housing estate. When I raised it with the Victorian minister he said it was a matter for the federal government and the federal regulator. When I raised it with the federal regulator it said the RTO was not held accountable because they used a broker. The system is a mess, and there is no accountability. There is clearly a business model that benefits for-profit providers, that lifts course fees and that reduces training quality to increase providers' profit margins, some by well over 30 cent.

The government's response has been to tip money into regulating a broken system whilst having a funding review, all the while sticking to this market-based approach to vocational education and training funding. The opposition, would you believe, is still sticking to its failed policy, arguing that it was an adjustment that was the problem rather than the marketisation itself, but the TAFE Structural Adjustment Fund was not put in place until 2013, two and a half years after the coalition won office and one year after it announced its own cuts.

There was concern that the coalition did not get a good TAFE story out there; that is because there was none. The solution — the response to this crisis — is clear. There is \$1.2 billion of recurrent funding for vocational education and training. The lion's share — the majority — around 60 to 70 per cent, must be returned to TAFEs and be guaranteed to TAFEs. TAFEs must be at the centre of our vocational education and training system. The federal government must stop allowing for-profit providers to access the VET FEE-HELP scheme. It must ban the use of private brokers to sign up students. Training quality must be mandated. Subsidised courses must have a mandated number of hours of course delivery to prevent RTOs from offering courses in ridiculously short time frames or cutting corners on practical course delivery.

Finally, we have the Victorian Training Guarantee, which puts a limit on the number of subsidised courses that a student can access at a qualification level, meaning that students have to be constantly going up a qualification, regardless of what type it is, in order to access a subsidised course. Our workforce is constantly changing. New industries are popping up and others are

changing. It is imperative that workers are able to train and retrain regardless of the level of qualification. The Victorian Training Guarantee is placing a barrier and its limit on subsidised places for students is placing a barrier on workplace participation.

The Greens support this bill, and we welcome student and staff representation back on TAFE and university boards, but our TAFEs and our VET system are in crisis. They cannot be fixed by tinkering around the edges or regulating a broken system, but rather the government has to change the system, end the failed experiment with marketisation and restore funding for our TAFEs.

In Prahran of course we have Melbourne Polytechnic. Formerly Swinburne offered TAFE courses at the site it now occupies. The cuts came in, and of course Swinburne left. Melbourne Polytechnic has moved in. It is focused on the creative industries. They offer good courses down there, but like all TAFEs they are under pressure. It is certainly my vision to see that campus back up and running as a thriving centre for education in Prahran. It will make the Prahran community all that much better. The key is that we need to restore the lion's share of the \$1.2 billion in recurrent vocational education and training funding. We need to guarantee that and restore that to our quality public TAFE system.

Mr McGuire (Broadmeadows) — The former coalition government gutted TAFE. In my electorate it cut \$25 million in funding to the Kangan Institute, then merged it with Bendigo TAFE. This was all about gaming the system for political ends instead of delivering what government should be doing in the public interest — the greatest good for the greatest number. And it could not have happened at a worse time. This was when the Ford Motor Company announced that it would end its manufacturing — and that will happen in less than a year. Then Holden and Toyota fell like dominoes. We had the then federal Treasurer, Joe Hockey, taunting Holden, and since it has gone. At the most critical time, when we needed to have responsible government, to have a coordinated strategy to deal with the three tiers of government and to bring this to fruition, that is what the coalition government did.

This is part of what happens when we have the convergence of two coalition governments, because then the federal coalition government cut the automotive transformation scheme, so that denied the industry another \$800 million. The then federal minister for industry made the point that the government wanted to use the money for higher priorities; yet we still have not seen that. So what does

this aggregation of having two coalition governments at the same time mean we have ended up with? We have ended up with an area where we have the legacy of the coalition government's unemployment equal to that of Greece, youth unemployment of more than 40 per cent, twice as many Muslim families living side by side with Christian refugees in the poorest community in the state.

When the then Prime Minister, Tony Abbott, went to the Australian Security Intelligence Organisation to do a photo opportunity around national security, the media actually focused on where the potential recruitment hotspots were, and it showed up Campbellfield, which is also the national headquarters of the Ford Motor Company. So we have had this convergence of events that needs to be addressed in the national interest. We need enlightened federalism. We need an enlightened way of coordinating the three tiers of government to stop these situations occurring. If you will not do it because it is in the best interests of the public and because it is the right thing to do, and you want to be a bystander on industries and jobs and not a participant, you would at least think you would do it for national security reasons. What higher priority is there?

The evidence is in; no-one has ever argued the case against me. So we need to have this coordinated strategy of enlightened federalism that actually looks at how we can achieve these things. The federal government has to actually want to be a participant rather than a bystander — it needs to actually join with all of the strategies the Victorian government has put forward to address this. We need access to the money, the \$800 million, that has been taken away. We need it to be put into the different programs, the job creation programs and the bigger businesses that we can bring, to actually help these communities. This is a critical, vital and urgent issue, and it cannot just be played off with wilful blindness or political bias, as it has in the past. You cannot just say, 'This is a safe Labor seat, so goodbye and good luck'. We need a return to responsible government, not just gaming the system for ultimate ends, which has happened for too long and which is no longer a viable proposition with the new forces that we have to confront within the community.

I use this contribution to make this call to the Australian government and to the new Prime Minister. I encourage whoever is the next Prime Minister to look at innovation and how we actually build community industry and to take regional views into account. We have Bill Shorten, who is out there first of all staking out the ground for innovation. Now the new Prime Minister, Malcolm Turnbull, says that he wants to be part of this as well. There are opportunities, but TAFE

is critical to this. It is critical to giving the key training that we need to actually help participation.

When it comes down to it, one of the investments we are going to have to make in how we deal with the community is an investment in attitude, education and opportunity. A job is one of the best antiradicalisation strategies, and using and engaging with the community is also one of the best national security strategies. I think this is a wonderful piece of legislation. I support this and all the efforts of the minister to try to fix this sector.

Ms RYALL (Ringwood) — I rise to make a contribution to debate on the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015. The purpose of the bill is to make a number of amendments to the governance arrangements of both universities and TAFEs. Specifically it seeks to undo important governance arrangements in the Education and Training Reform Act 2006 in relation to the constitution of boards of TAFE institutes. It also seeks to undo important government arrangements in various university acts in relation to the constitution of councils of universities. In addition, it also makes a number of minor amendments to those acts.

I note that in 2012 the Auditor-General welcomed the governance changes that were made in relation to the governance of TAFE and their oversight and accountability. Obviously that is something that is very, very important. Interestingly this bill seeks to reverse those changes. So on one hand you have the Auditor-General welcoming the governance changes that were made, and on the other hand you have this government introducing a bill that seeks to reverse those changes. One would have to question why. The bill reverses those changes to governance and re-introduces staff membership of TAFE councils and student and staff membership of university councils.

Interestingly, but not surprisingly, when we look at this government we cannot see a prerequisite skill other than that people will be publicly elected. I have no opposition to people being on boards or councils if they have the appropriate experience and education in governance and they have been seen to have applied those skills previously. I do not have a problem with people who can meet specified criteria, but in this instance there are none.

In addition, what is lacking in the bill is clarification on what constitutes a conflict of interest for a staff member on a board. The government in all its wisdom will leave it up to boards to determine what a conflict of interest

is, so we may end up with a staff member who is also involved in enterprise bargaining agreement negotiations or student contact hours on a board. At what point must they declare a conflict of interest and absent themselves from discussions?

Boards require requisite experience and knowledge in order to ask the necessary questions of CEOs. The Australian Institute of Company Directors on its website talks about what corporate governance is. It says it:

... encompasses the rules, relationships, policies, systems and the processes whereby authority within organisations is exercised and maintained.

Those are particular words, including that authority is 'exercised and maintained'. My question is: if a CEO is on a board, who is exercising and maintaining the authority over the CEO? You could end up with a situation where a CEO has authority and oversight of themselves, and that does not make sense. It certainly does not make sense in the world as we know it in relation to governance. We can learn a lot from the private sector both here and in the US in terms of the development of governance and how it operates.

For the information of government members, a CEO manages the operations of an organisation. They then report to their board or council. How does that happen when the CEO is a member of that board or council? I do not know a commercial organisation in this country that would say that is a good move. Where is the accountability for a CEO who is a board member? I would like to talk to anybody in the commercial world who thinks that would be a good move.

On 14 November 2012 when the former government brought the legislative changes into the house, which were subsequently enacted, I said:

TAFE institutes and universities are complex multimillion-dollar entities that require strong governance and a broad spectrum of experience with significant depth to make sure appropriate responsibilities and accountabilities are applied.

Mr Richardson interjected.

Ms RYALL — I am quoting from my speech in November 2012. I said:

It is time to move to modern governance models. The public, knowing that billions of dollars of its money goes into funding our educational institutions, expects strong governance with highly experienced and qualified people overseeing the stewardship of their funds.

Honourable members interjecting.

Ms RYALL — It is interesting that those opposite think that the oversight and authority being exercised over billions of dollars in funds is a joke. I find it hard to believe. I continued:

People expect a strong council or board to use its collective experience and judgement in the administration of these funds.

In relation to TAFE boards, it was Labor that made the change to a competitive model ...

Labor put TAFEs into the competitive world. It put them into a commercial environment and said, 'Compete'.

Ms Ward interjected.

Ms RYALL — I think I heard the member for Eltham say they destroyed it in putting it out into the commercial environment. What I find bizarre is that TAFEs were pushed out into the commercial environment and now the government is trying to hamstring them again by putting on boards and councils staff and teachers who do not have any of the requisite qualifications under law in terms of governance. There is no requirement in the bill for them to have that in exercising their responsibilities on boards.

When Labor opened up TAFEs to commercial competition it left them without any understanding or knowledge of or experience in how to compete in a commercial world. Organisations need to have strong governance and systems and be nimble and efficient to work in the commercial environment when they are faced with competition. This did not occur, and TAFEs were not given the tools by the former Labor government — God help them! — to compete in a commercial environment. Labor dropped them on their faces, and the commercial realities kicked in.

Just as TAFE boards are now getting on top of learning how to operate in a commercial world, and doing a good job in being able to compete, this government wants to put the chokehold back on them, to restrict them and hamstring them again. It wants to wind back the clock on governance processes and take TAFEs back to a time when they did not have to compete, when the reality is that they have to compete, because Labor makes them compete. I am not opposed to competition; competition is good. It helps people to improve the way they do things, improve their efficiency and get better outcomes. I have no objection to that whatsoever, but to now hamstring TAFEs through governance processes as if they were not operating in that environment is just extraordinary.

We only need to look at Labor's history with its unions to understand that governance and administration of funds is not its strong point, and we are seeing that a lot in the media these days.

Mr Nardella interjected.

Ms RYALL — The member for Melton is not sitting in his seat, but he wants to make a contribution. I am sure he will be welcome to do that at some point in time.

The government wants to hamstring organisations that have now developed and have the appropriate skills, qualifications and board and council members. To undo that work is nothing short of disgraceful, especially when the Auditor-General welcomed the increased oversight in governance. It shows how much Labor is going backwards and taking Victoria backwards under its watch.

This legislation is a step backward; it is not a step forward. When trying to move our organisations towards an efficient process where they can compete effectively and where governance can be applied, oversight and authority can be monitored and the appropriate questions can be asked while making sure that the funds of those organisations hit the mark and their CEOs are accountable to boards, the only right thing to do is to oppose the bill.

Ms WARD (Eltham) — It is a great pleasure to stand up yet again — and I have lost count of how many times I have stood up in this place in the last 12 months — to talk about our government delivering on our promises and delivering for this community. I want to set the record straight for the member for Ringwood that it was her government, both B1 and B2, or N2 if you like, that set about destroying TAFE with the \$1.2 billion cuts. The fallout from these cuts continues today, and we are setting about rebuilding this incredibly important infrastructure in TAFE.

Between 2011 and 2014 total state government contributions to the TAFE sector declined by 36 per cent. It is incredibly difficult for any sector to compete with those kinds of cuts. TAFE institutes are now in financial turmoil thanks to those cuts. The sector has dropped from an operating surplus of \$101 million to a deficit of \$72 million, a massive 166 per cent deterioration.

Over the same time TAFE's market share has plummeted to 25 per cent of the total trading market and there are 30 000 fewer government-funded students, a 21 per cent decline. Yet those on the other side of the house want to pretend that they did great

things for TAFE. They did not. They should look at what they did to TAFE, they should look at their record, they should recognise the mistakes they made, they should own them and they should set about joining with us in working together to rebuild TAFE and give our community, our students, our people the skills and the training they need and deserve.

This legislation will amend the Education and Training Reform Act 2006 to ensure that there is one elected student and one elected member of staff on every university council and at least one staff member on every TAFE board, along with the CEO. This is important because TAFEs are not like hospitals, and I am surprised that those on the other side are not able to recognise that. It is especially important for a community like mine. In 2012 this legislation came in, and what happened in 2013? I ask the member for Yan Yean: what happened in 2013 to our TAFE? What did they do to our TAFE?

Ms Green interjected.

Ms WARD — They shut Greensborough TAFE. That is exactly right. If there had been staff and student representation on that TAFE board, they would have been able to explain to the board the terrible mistake they were making in shutting that TAFE, the mistake they were making in my community and how they were letting my community down. That was thanks to the influence of the previous government.

Ms McLeish interjected.

Ms WARD — The member for Eildon asks what we are doing about it. We are reopening it. If she actually got herself involved in the community she would see how hard we are working to reopen that TAFE. That is exactly what we have been doing throughout this year: we have been working with our community. In fact we have been doing something the other side does not know much about. Guess what we have been doing? We have been consulting with our community, we have been talking to them about exactly what it is they want to see, what it is they want and how we can create the best possible TAFE in Greensborough.

We know exactly what to do, thanks to the input of local residents, local students and local mums and dads, principals and school council presidents. They all want to know about the TAFE. They all want to participate in reopening this TAFE. They all want to have ownership of this TAFE. Why do they want that? Because they want a TAFE. They want a TAFE for the community of the north-east. They want to give their kids

opportunities, they want them to have skills and they want them to have training. This is something the Liberal Party and The Nationals obviously do not understand because they bleat on and on about how fantastic they were in TAFE. Guess what? They were not. They were not great when it came to TAFE. They let down this community, they let down the people of Victoria and they let down the people in the north-east. They let down the people in the seat of Eltham. I commend this bill to the house.

Mr CRISP (Mildura) — I rise to make a contribution to debate on the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015. The purpose of this bill is to make a number of amendments to the governance arrangements for universities and TAFE institutes. In particular it seeks to amend the Education and Training Reform Act 2006 in relation to the constitution of TAFE boards, to amend various university acts in relation to the constitution of councils of universities and to make a number of minor amendments to facilitate this.

The main provision in this bill changes the way TAFE institute board members are appointed, removed or suspended. The bill also provides for the election of a chair of a TAFE board. It gives the minister the right to object before the appointment is made and gives the minister and the board the power to remove or suspend a board chair, with the minister to exercise that power only in exceptional circumstances. This represents a considerable change to board structures, and I think it is the reason behind The Nationals in coalition opposing this bill.

The bill also establishes two new categories of membership on TAFE boards, providing that at least one is an as-of-right elected staff position. It includes the chief executive officer of TAFE as a full board member with voting rights and increases the maximum size of TAFE boards from 9 to 10 members. I know there has been considerable debate about how boards are structured and how they operate, and there are certainly some concerns around the governance model that is being applied with this bill.

The bill provides that at least half of the directors on a TAFE board must be appointed by the minister in addition to a minimum of one director, but no maximum, to be elected by staff and the chief executive officer. The remaining directors must be appointed to the board by cooption. This replaces a process where the minister appoints a number of directors after considering advice from the board. This, too, is a departure, and while I think its intention is well

meaning and could work, there are some significant risks in the checks and balances involved when deciding who ends up being coopted to a board.

The bill sets out a six-month transitional period from 16 July to allow the new governance model to take effect. Board positions will be extended until January 2017 to allow time for TAFE constitutions to be redrafted and elections held. The bill also amends eight university acts, allowing those universities to appoint elected staff and student members on university councils.

There is some comment that needs to be made, and it is around the governance models that are used, the governance models that work. The previous changes made in 2012 were welcomed by the Victorian Auditor-General as part of a suite of measures designed to improve the accountability and oversight of TAFEs. The government is moving away from a skills-based model by reintroducing staff and student members to university councils, with no prerequisite skills to provide the mix that might be needed to effectively govern these organisations.

There are also no clear guidelines around what constitutes a conflict of interest for a TAFE institute board member, and that is very significant. Those guidelines are going to have to be developed, otherwise I think we will find good people ending up in trouble. Other than being bound by the standards set out by the Victorian Public Sector Commission, the government is leaving it up to individual boards to determine whether a staff member will be required to declare a conflict of interest or not. Again I think this is putting good people at risk.

The government has also rejected suggestions from the sector that candidates be filtered by a skills matrix to ensure that they have the skills required. I do not think the government's claim that the bill makes TAFEs more democratic by adding more control to TAFE boards is necessarily correct. The control still lies with the minister, who retains the right to appoint half the board members.

It is fair now to talk about TAFE in Mildura. SuniTAFE in Mildura is an isolated TAFE, but it is a model for TAFE that has worked very well through difficult times. SuniTAFE has campuses primarily in Mildura and Swan Hill. I will talk about Swan Hill first because the member representing that area is at the table.

One of the things that TAFE has shown in Swan Hill is its ability to be very much in touch with industry. It has

the heavy automotive training area there, as well as the steel fabrication facility. The heavy automotive area deals with tractors and other machines and things that are vitally important across the Mallee cropping areas and some of the larger irrigation areas. It attracts considerable enrolments not only from the local area but also from beyond what would normally be considered SuniTAFE's catchment.

SuniTAFE is an example of a TAFE college that has picked a niche area and delivered high-quality training in a way that attracts students and competes effectively against the private providers. It also teaches steel fabrication, which is another well-considered course.

The other major campus is at Mildura. Again, although it is isolated, it has to be very much in touch with the industry it is servicing and the market and the community it is servicing. SuniTAFE has done this very well. This has put them in particularly good stead to compete against the private sector in the courses that it offers and the quality of the graduates it delivers. There is no doubt that all of us have been concerned over time with the variations in the quality and types of courses offered and the outcomes delivered as the private sector has become involved in training.

One of the strengths of SuniTAFE is in fact its training reputation. It is a brand that has a solid reputation in the Mildura region. When other training areas were off chasing rainbows, SuniTAFE was training apprentices. It stuck with its core business, and that has been strongly recognised in Mildura. SuniTAFE has weathered the storm of private competition particularly well, and I congratulate it. That only occurs with a huge team effort. It comes because its board is very much in touch with its local community and its local industry and it understands the needs and demands upon the local economy. It has to have a CEO and staff who are dedicated to the cause and a community that is supportive. It has to compete in an environment where its staff can be cherry-picked and it can be undercut, but again, it is the reputation that will carry it through in those difficult times when meeting competition head on.

We have a lot to be proud of in the Sunraysia region with our TAFE. I know it has had some interesting times with the unbundling of training and then the capping of training. SuniTAFE's future lies in servicing and understanding its community, and in taking up the opportunities that will occur in the community — and there are many in the Mildura region. There is still considerable interest in irrigated horticulture; there is an additional mine and a mine relocating. All of these offer training opportunities for TAFE to be involved in, as

they do for the private sector. They live and die by their reputation to deliver what the community needs and wants in this isolated environment which is north-western Victoria.

This bill puts these things somewhat at risk with the way that it fiddles with the governance model. The current governance model has worked well in my region. I have great concerns about the government's meddling with this model, because it is the key to and the heart of a TAFE college's survival in a competitive market and in a community that demands that certain skills be supplied.

Mr J. BULL (Sunbury) — It gives me great pleasure to contribute to the debate on the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015. This is a bill that yet again delivers on an election commitment, an important bill relating to the administration and governance of universities and TAFEs in the state. It is an important bill for students, and it is an important bill for equal and fair representation. The bill restores student and staff representation on university and TAFE councils and boards.

Those of us on this side of the house value the input of staff and students at education institutions across Victoria. We value their ideas and we value their feedback. We understand that for our educational institutes to be the best, we must make decisions in the best interests of students and staff and the TAFE and university as a whole.

Just last week I had the great pleasure of bringing eight students into Parliament House from the four secondary schools in my electorate. These students make up the Sunbury youth advisory council. They come from Gladstone Park, Sunbury Downs, Sunbury and Salesian colleges. They are talented, passionate students who want to make a difference in their community.

In relation to the bill, I want to touch on the reasons we formed the youth advisory council. For me it revolves around the notion, the idea, of understanding young people, helping young people to be the best that they can be, and asking them what are the areas that matter to them and how can they best buy into youth policy. Since forming the youth advisory council the students have met on a number of occasions and have shared many great ideas. As I mentioned, last week they toured Parliament House, and I thank Sarah for her tour.

I also thank the member for Yuroke, who has been involved with the youth advisory council, and the Minister for Youth Affairs. I know the minister met

with the council and was certainly impressed by the young people's ideas and their passion.

On the way home from Parliament House I was quite disappointed to hear some students saying they did not really think politics had much to do with them, that they did not think their opinions mattered. I told them that nothing could be further from the truth, that they were the next generation, that they were here to help shape the future.

In the context of this bill I believe these are very valuable lessons. This bill is designed to ensure that the views of staff and students are central to the operations of TAFEs and universities across the state, and restoring their role as representatives on councils and boards represents good governance.

We have already heard from a number of speakers on this side of the house that unfortunately the former government did not show respect to young people and to staff when it abolished their representation on the governing boards of these institutions. This bill reverses that mistake and repairs the damage done by those opposite. When we look at the damage done by those opposite, we see that it has been absolutely astounding and significant. TAFEs were forced into mergers, campuses were closed, courses were cut, fees skyrocketed, 3000 jobs were lost and there was a total of \$1.3 billion in cuts.

Higher education and vocational training institutes are large, complex entities that are responsible for large sums of money. While there must be concern with the business and financial outcomes, they must ensure that the educational needs and concerns of staff and students are considered in their decision-making process, hence the importance of this bill. Having staff and student representation on TAFE and university governing bodies will be fundamental in ensuring their role in the decision-making process. These are people who care greatly for the institutions in which they study and to which they belong. In my view, and in the view of members on this side of the house, they should be in these positions so they are able democratically to have their say.

The Andrews government has listened to university and TAFE staff and students who feel their voices were not being heard after the changes made by the former government. This government understands that decision-making authorities — from governments themselves to boards, councils and local organisations — are at their very best when they are made up of a diverse group of individuals. Boards comprising members of different ages, different sexes,

different backgrounds and even different football teams often result in the most robust and effective discussion and in essence a greater decision-making process.

The previous government viewed staff and students as merely special-interest groups. That is certainly not the view of the current government. Their input is vital in this decision-making process. This legislation will ensure that these boards make decisions that are not only in the best financial interests of the TAFE or university but also in the best interests of all those who are involved with a particular campus. With those comments I commend the bill to the house.

Ms STALEY (Ripon) — I rise to speak on the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015. I want to make some remarks around clauses 5 and 6 in particular. They are the clauses that change the make-up of TAFE boards. In doing so, I want to set the scene as to the particular expertise I believe I have to offer the Parliament in this debate.

I am a fellow of the Australian Institute of Company Directors. To hold that designation I am required to have had at least five years directorial experience with a significant organisation. It is the highest level of membership of the institute. I understand that I am the only current Victorian MP with that designation. I am also a graduate of the company directors course. Twenty years ago I was the first Liberal elected to the University of Melbourne council — the first Liberal elected to the council in 20 years. I was a student representative on the university council, so I have some experience in what you can and cannot do as a student representative.

Clause 5 increases the minimum size of a TAFE board; provides that at least half the directors must be appointed by the minister; adds a minimum of one director or any other greater fixed number of directors to be elected by staff; and adds the chief executive officer of the institute to the board. I believe all these provisions are flawed. They will not help to manage TAFEs properly; in fact they will lead to ongoing problems in the governance of TAFEs.

In terms of increasing the minimum size of a TAFE institute board, I refer to the Victorian Ombudsman's report of December 2013 entitled *A Review of the Governance of Public Sector Boards in Victoria*. It states:

The size of a board is a key element of board composition ... Consideration should be given to whether boards with membership over nine are appropriate.

This bill sets the minimum at 10. These are big boards, and big boards tend to lead to a few things happening: a couple of directors will be passengers, a couple will be pretty active and dominant and factionalism is created. It is not a good model.

Then we come to the provision that at least half of the directors must be appointed by the minister. People might be a bit surprised by this, but I do not mind this provision; it is all right. But having a minimum of one director — it could be one, two or three — being elected by staff members of the institute is a very old-fashioned and discredited model of governance. Current governance does not have representational groupings on boards. The reason the institute of company directors and other similar groups globally do not support such election of interest groups is because the board needs to act as one. These days boards do not actually have votes; if you were a member of a large company board, it would be extremely rare to have motions put and people voting. People come to consensus. Having elected members, whether they be staff or students, does not enable that process.

I have heard other members speak in their contributions about having students on boards. As someone who was a student representative on the University of Melbourne council for two years, I genuinely do not think that it is the most appropriate way to ensure that student representation is effectively heard. No matter how brilliant one is as the student representative, you are only one person, and you only have one set of views. I am sure those opposite would have a different view — particularly given my politics and their politics — as to the appropriate way to behave as a student representative on a council board. Particularly in these days of technology, there are many other ways to have student voices heard without having one person elected to a board.

Now I come to one of the really strong objections I have to this bill, and that is returning chief executive officers to institute boards. The most important job of a board is to hire, review and in some cases fire the chief executive. It is not considered good governance these days to have the chief executive as a member of the board. Boards need to spend a lot of time thinking about what their role is and what the role of the executive is. One of the most common things you see across all sorts of boards, whether they be profit, not-for-profit or government, is confusion on the part of directors as to their role and the division between executive and board roles. Having a chief executive on the board does not help that. It certainly does not help when you have an underperforming chief executive. I have been in situations where we have had to fire a

chief executive. That is always a difficult process — and I think it would be near impossible if the chief executive were a member of the board. That is setting TAFEs up to fail, because they will not be able to get rid of underperforming chief executives.

The bill also makes consequential amendments to other clauses, and one of them is around who is subject to the skills test. When boards coopt people and when the minister makes appointments there is a requirement that consideration be given to knowledge in various areas — in management, finance and corporate governance; the normal things that you would expect — but elected staff and elected student representatives will not be subject to those skills matrixes. That is a problem, and it goes against the legal framework for board governance as set down in recent High Court cases and other cases.

Fundamentally the current law is that a director of an organisation must be able to read a balance sheet. Everybody has to be able to. It is not just the finance guy or the finance woman; everybody on a board has to be able to read a balance sheet. That is what the law says. Under the bill the staff and student representatives are not subject to that requirement, yet they are subject to that aspect of the law, and this bill is flawed because of that.

The final thing I want to talk about is that this bill removes from the minister the right to appoint the chair of TAFE boards. Evolving governance means that the chairs of boards are getting more and more powerful. Electing the chair is certainly not something that the TAFE board should be doing. The minister is giving up a key lever of power in not being able to appoint the chairs of TAFE boards. The relationship between a chair and the CEO is a profound and fundamental relationship for good governance. I personally think, and the government has been strongly advised, that it should have kept that power. For all of these reasons I join with my colleagues in advising the house that I will be opposing this bill.

Mr RICHARDSON (Mordialloc) — It gives me great pleasure to rise today to speak on the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015. It is an important bill that not only delivers on a Labor election commitment but also restores the balance in terms of the make-up of governance for TAFEs and universities back to that of the previous model, putting it on par with various states across Australia. It goes without saying how important the TAFE sector is for our community. As members in this place will know, across Victoria and across my area in the south-east of Melbourne TAFE is

fundamental to skilling not only our young people but also young people who might be transitioning out of a particular industry. In particular in my area employees in the automotive industry and the component part manufacturers, who are subject to an uncertain future over the coming years, in the future may very well be relying on our TAFE sector to re-skill and find their next job.

It is important to put into context the comments of the lead speaker for the opposition, the member for Euroa, who tried to rewrite history in suggesting that the \$1.2 billion worth of cuts to the TAFE sector just did not happen, that they were some sort of mythical creature that came out of nowhere. That is not what the Victorian people concluded at the ballot box in 2014. If opposition members do not believe me, they should go to the Liberal Party's own party review entitled *Good Government for Victoria — Review of the 2014 State Election*. Produced in July 2015, this document tried to look at what went wrong over that period of time. Under the heading of 'Policies' — and it is a bit lean under that heading; I think there is about three-quarters of a page — it comes to a section that says:

Some decisions, however, aroused active opposition which became significant in the campaign, foremost among these being the TAFE decisions of the first budget and the unresolved industrial disputes.

That puts it in black and white. The coalition's own review acknowledges that the savage cuts in its first budget were one of the fundamental reasons it lost the election. If the member for Euroa, as a former advisor to former Premier Baillieu, does not understand that, then what hope do members on that side have of ever coming to terms with their callous decision to butcher TAFE over their term of government? If they cannot come to terms with that now, they never will.

But the opposition's failure goes a little bit deeper. I was doing a bit of a fact-finding mission, and I think I have cracked the code. I have come up with the reason the coalition in government put forward its legislation, the Education Legislation Amendment (Governance) Bill. It is a question of timing and a question of history. That bill came before the house towards the end of 2012, pre-Napthine but during the dying days of the Baillieu government. At the time, as the Liberal Party review concluded, it had lost the election potentially in mid-2012. But in the frenzy to try to stifle any opposition voices to the then government's damaging and destructive cuts and its erroneous policies, it tried to take people off these boards who held the view that the hundreds of teachers lost at Chisholm, the thousands of teachers and educators who had been looking after students across the sector for many years, might have a

representative on the board who would voice their opposition to that.

So in the callous, dark days of the Baillieu government, what did it do? It concocted this legislative change to try to stifle opposition voices. That is what I meant when I said 'cracking the code'. That is exactly what the former government's bill was about, because it went far beyond anything that any other state has done. With this bill the balance, as was reported in the *Australian* newspaper, will be restored and Victoria will be on a level playing field with other states and territories.

We can talk about governance and we can dance around the issues, but the fundamental thing was those changes, those cuts — a decision of the first Baillieu budget — were the overarching reason why TAFEs were under that kind of pressure.

Ms McLeish — On a point of order, Acting Speaker, I draw your attention to the content of the member for Mordialloc's speech. He has strayed quite a bit from the bill and he has confused two issues: the former government and this issue of governance.

The ACTING SPEAKER (Ms Halfpenny) — Order! My understanding is that he is responding to a previous speaker in terms of the context of this bill.

Mr RICHARDSON — I am happy to provide my speaking notes to the member for Eildon if she is up next and wants to have a bit of a history lesson, because what her mob did was an absolute disgrace to our TAFE sector. In terms of the context, the opposition can dance around all over the issues and dance around the fact that it cut TAFE and cut the sector. If the member for Eildon wants to talk about governance, I will ask: why was there an open letter from the universities? How many are listed on there? Not 10, not 50 — I reckon about 500. Why did they put forward to her minister and government that they opposed that bill?

Mr Morris — On a point of order, Acting Speaker, the use of props is outlawed under *Rulings from the Chair*, and I ask you to enforce that ruling.

The ACTING SPEAKER (Ms Halfpenny) — Order! I think it best that the member for Mordialloc not raise that again, unless he is tabling it as a document.

Mr RICHARDSON — In conclusion, the governance changes that this bill makes restore the balance and fulfil an election commitment that we made. You cannot get away from the fact that you do not let Liberals and you do not let Nationals anywhere

near the TAFE sector. Everyone in the industry knows that. We all know that, and we are restoring the balance and protecting TAFE into the future for Victorians as they try to upskill and transition into industry.

Ms McLEISH (Eildon) — I am pleased to rise to speak on the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015. I, like others on this side of the house, am opposing this legislation. The purpose of the legislation is to amend the governance structures of boards of TAFE institutes and amend various university acts in relation to the constitution of university councils, and of course as often happens with a bill like this, there are a lot of minor amendments that go with it.

I spoke on the coalition's bill in November three years ago, which was the Education Legislation Amendment (Governance) Bill 2012. I understand that this bill results from a Labor election commitment, in particular to restore student and staff representation on university councils and TAFE boards. One could say this is payback for the work that the unions did for Labor during its term in opposition and for helping it with the election. In a general sense this bill is about undoing the reforms that we put in place that were there to strengthen the governance of the education and training sector.

I want to draw the attention of members to the fact that Labor has been in power in this state for 12 out of the last 16 years. It is a long stretch to try to blame any failings in the TAFE and university sector on us when for the lion's share of that time it has been in the domain of governments under Labor, which is now claiming that it looks after TAFE. If Labor members check history carefully, they will find that this is not the case.

I want to put a bit of context around this bill and around governance. What are we talking about when we talk about governance? We are talking about leadership — those at the top level of the organisation and its governing body. It is about directing, controlling and exercising the powers of senior executives and the boards in those organisations, and there are structures in place and there are systems and relationships in place that are important in making this happen.

I am sure everyone would agree that good governance is important. What we are disagreeing about is what good governance actually is. Governance is focused on performance and relevance. Boards or councils look very carefully at the performance of their organisation — a university or a TAFE college — and they also look at the relevance of that. I think the

premise of good governance is that it will also bring about good performance. This has been evident in many cases, because when you see an organisation that is failing or doing poorly, that can be turned around when there is a change in the make-up of the board or sweeping changes are introduced. We have seen that in a number of instances where an organisation has been struggling but change at the top has resurrected it and brought it back to being a success.

Some members in this house may know of the book by Bob Garratt called *The Fish Rots from the Head*. This book is a particularly good read; it is about developing effective board directors. When we look at boards and organisations that have struggled, we need only look back to that director level. I am very concerned that with the weakening of the legislation in this regard, the Labor government is setting up TAFEs and universities to fail.

One of the other elements of good governance is having the best possible mix of board members. That is really crucial for good governance and performance. I think it is understood that you need a mix, but it is about how that mix is put together for the best interests of that organisation. I want to draw the attention of the house to a report by the Ombudsman of the review that he did on the governance of public sector boards in Victoria, dated December 2013. The report talks about risk, it talks about accountabilities and it talks about the relationship between the board and the CEO. That relationship is fundamental to good governance.

An issue that was raised consistently by witnesses in that review was the inadequate definition of or separation between what the CEO does and what the chair of the board and the board do. Clarity around that is essential because there are large differences between a board and the CEO, and it is important to know who does what. It is also important to understand that the CEO is answerable to the board. Within that is the knowledge and the understanding of the difference between setting a strategic framework and undertaking operational work.

We know that modern institutions need to have a contemporary structure, and that is also about size. We know that the larger the board or council, the less productive it can be. We are looking at a proposal that boards or councils will have between 10 and 15 members, and with that number we are starting to lose a little bit of focus. As the member for Ripon said, some members of the board will be sitting there as passengers, others will dominate and others will try to chip in where they can. The larger the board, the less

productive it is going to be and certainly the less effective it will be.

We also know that modern institutions need to be accountable and effective. They need to deliver on what they are supposed to do, and they need to compete for market share. This is what we tried to set up with the reforms that we made. When we were in government it was no secret that TAFEs were floundering. Is it any wonder? If we look back we will see there were some changes made to the TAFE sector well before we were in government which looked at deregulating it. One union said — and I am happy to table this document — that thanks to the changes made by the Labor government there were higher fees and abolished concessions. It also said that this meant borrowing money and going into debt. The union thought that people needed skills and not debt, opportunities and not loans. The campaign was called TAFE4ALL, and it was directed at the member for Bendigo East in her role as minister. The document says, ‘Jacinta, you are pricing TAFE out of our reach’. Those over there who believe that the changes were made and the failings of TAFE happened under our watch are quite misguided, because we know the changes were introduced under their watch. I am very happy to put this document before the house.

We had to make changes. One of the changes we made was about governance, because by deregulating the sector Labor left a number of the TAFE boards floundering. They did not know what to do. They did not have the skills or the expertise. A lot of them were left high and dry. They did not know how to compete in the business world. They did not know how to grab that extra market share. The competencies of the boards were perhaps lacking and deficient. But we saw different responses across the system. Some TAFEs did well, and others really struggled. Some had the entrepreneurial skills, the marketing skills and the business acumen required to thrive, but others did not. The changes that were made around board membership were to facilitate a stronger governance model to help the TAFE sector get back on its feet.

A key change was the removal of as-of-right appointments of staff and students to the boards, and that is what is being rolled out here. The ALP sees this as being more democratic and more representative. The coalition sees these changes as being regressive in nature and posing a risk to the structures by weakening them. Again this is about setting them up for failure, just like it was when the member for Bendigo East was the minister at the time.

Another concern I have is with CEOs having full voting rights on boards, because conflicts can arise. CEOs do need to leave the room at times, and you have to have the culture in place so that they do, otherwise the CEO will remain in there. I have seen instances where a CEO has been present when board members have been discussing their remuneration, and not just their remuneration but also extension of their tenure. That is really inappropriate, because board members cannot have an open and honest discussion, and it is extremely difficult for a member to raise such a matter.

Also one board position, possibly more, will go to elected staff. Regardless of their competency level, it will just be who is most popular or who is the union person who is being put up. I do not believe that this is the best way to restore what is being called the voice of the students and the staff. There are many other ways you can do this — for instance, through steering committees and through subcommittees. You can coopt. A good board knows how to get the understanding of what is happening out there from the students. They know how to harness that information, and they know how to harness that of the staff as well. There are many ways that good boards do this. If you look at corporate boards, you see that they do this every day, because they have to be in touch with their stakeholders, whether those be the customers or business partners. They have to know how to put themselves in the best position going forward. I think the loss of those sorts of skills is not perhaps positioning TAFE in the best way, and I am really disappointed that this bill is as it is, because it weakens the structures in place.

Mr DIMOPOULOS (Oakleigh) — Where do I start? My God! I could go on for a very long time on this bill, but I will not. I will keep my remarks very brief, understanding that we want to get through the legislative agenda for the week.

Mr J. Bull — Good boards.

Mr DIMOPOULOS — I say to the member for Sunbury that I will tell members about good boards — absolutely. I am proud to say that this is yet another election commitment that this government is delivering on. On Sunday, I think it is, we clock up 365 days — a year — and I think I have said that phrase, ‘election commitments’ in the chamber about 20-odd times at the very least. This bill restores what was good practice and what was removed by the then government and now opposition. As we have heard, it adds a staff member as a director and the CEO to the TAFE boards; it removes the requirement for the minister to approve board nominees; it allows the TAFE boards to directly elect

their own chairperson, with the ability for the minister in exceptional circumstances to remove that chairperson; it brings democracy back to universities through the election of a student and staff representative to the university boards; and it makes a few other technical amendments to the Education and Training Reform Act 2006.

This bill is important for a number of reasons. The key one is that it represents an election commitment that was thought out properly and taken to the Victorian community and voted on by the Victorian community. Number two is that the bill restores more independence and better governance to TAFE and university boards. You always achieve better governance when you allow a board to have a say in the election of its own chairperson. You always achieve better governance when the key stakeholders of staff and students have a say at that high level — on the board.

Opposition members have some cheek in going on about TAFE, as I have heard them do in their contributions. We have heard the statistics before — about the \$1.2 billion cuts, about staff cuts, about courses being cut and about campuses being shut. But it is more than that. This is an ideological position of those opposite. Those opposite talk to us about union paybacks, but they are ideologically driven to get rid of any trace of employee participation in any of the systemic governance structures of this community — anywhere. They just want to get rid of them. This is the same party which, at a different level of government, wants to charge \$100 000 for university degrees. This is an ideological position which has nothing at all to do with governance.

What smacks of elitism for me is the theme coming from those on the opposite side — that people who are elected are not fit to run an organisation. That is effectively what they are saying — that the democratic process does not throw up people who are competent. What are the members opposite doing here, then? They are here by virtue of the same process of election. They are here by virtue of the democratic right of the people to vote and put them here. This is exactly what we are trying to bring into major institutions in this state. It is elitist to think that the only people competent to run a TAFE or university are those people who have had 30 years experience in one of the big four accounting firms. Absolutely there is a place for them — absolutely — but there is also a place for key stakeholders who are elected to those boards. That is how local governments run, and it is how this Parliament runs. Through this conversation we have made very clear that universities and TAFEs will be required to provide a minimum standard of training to

their directors to enable them to fulfil the functions they have as directors.

I will address one last point before I conclude my remarks — that is, that those opposite seem to have created a division between those who are competent and those who are elected. People can be both. Those who are elected can be competent, and in fact this bill addresses that very directly. In the current legislation the board must have two people who have financial expertise and one person with commercial expertise. The bill we are introducing enables the requirement in the existing provision to be fulfilled through both the government and council appointees to the board; currently the only avenue to fulfil that requirement is through the government appointments. We are therefore addressing the issue of financial and commercial expertise.

I will wind up by saying that for me this bill is absolutely key. Staff and students are among the most important stakeholders of these institutions. If they do not get a guernsey at the board level, the institution is poorer. This is a far superior model. Also I ask those opposite to reflect that what is uncomfortable for them about this bill is the sense that it is allowing free choice and democracy in institutions such as these, and that is an appalling reflection on and criticism of them. This is a great bill, and I commend it to the house.

Ms COUZENS (Geelong) — I rise to speak on the Education Legislation Amendment (TAFE and University Governance Reform) Bill 2015. The bill reforms the governance arrangements for TAFE institutes by adding a minimum of one staff-elected director; adding the CEO of each TAFE institute to its board; increasing the minimum size of a TAFE institute board from 9 to 10 directors to accommodate these additional members; removing the requirement that the minister approve board nominee directors and empowering TAFE institute boards to directly co-opt these directors; and removing the power of the Governor in Council to appoint TAFE institute chairpersons and empowering TAFE institute boards to directly elect their own chairpersons. These amendments ensure that TAFE institute boards consist of directors drawn from those that can, and should, have a valuable say in the way TAFE institutes are governed.

In Geelong we are very proud of our Gordon TAFE, a great institution since 1888. Under the previous government we watched as Gordon TAFE was stripped bare. The \$1.2 billion in cuts had a devastating impact on training across Victoria. The Gordon provides a vast range of training options, particularly for retrenched

workers. It provides opportunity for over 25 000 students. It gives working people access to education, and that is what we are all about — providing everybody with access to education. The Gordon has been helping people to gain real skills and real jobs for 125 years.

Teachers and students protested the previous government's cuts to show how important the Gordon Institute is to the people of Geelong. The Geelong community was strong in its belief that local board representatives chosen at a local level are important for good governance. Representatives with a range of expertise make for good governance and provide balance to the board. Prior to 2010 we had a vast range of people from all areas of our community on the Gordon TAFE board, including representatives of the trade union movement, who unfortunately were removed from that board after the 2010 election. It is important that we have good representation on boards such as that of Gordon TAFE, for example, because it gives balance. It gives a broader view, and the expertise and knowledge is provided not only by those in finance and such areas but also by working people, by teachers and by people who know what needs to happen on the floor. Staff representatives can share their expertise and provide good feedback. I am pleased that we will give back the voices of those people, particularly the staff, who are committed to ensuring that their students get the best possible education and training.

The Andrews government started immediately to save the TAFE system with its \$320 million TAFE Rescue Fund. This was important for communities like Geelong. As I said, our TAFE was on its knees. It is now climbing back and providing outstanding services, particularly for retrenched workers, who as we know face a difficult time in Geelong. The training packages that are coming online are going to benefit those workers to retrain after they are retrenched from the likes of Ford. We have already lost workers at Alcoa, obviously, so retraining at Gordon TAFE gives them opportunities to get back into the workforce.

The bill also reforms the governance arrangements for the eight Victorian public universities by restoring a minimum of one elected staff member and one elected student to each university council and by increasing the minimum size of a university council from 11 to 13. Again, it is important for our local community to have representation on the likes of the Deakin University board. Deakin University was the first regional university, established in 1976, and we are very proud of it as well. It has been doing some amazing work, not only in terms of the usual run-of-the-mill university courses but also in terms of modern technology,

modern jobs, clean jobs, clean energy and carbon fibre technology — the list goes on — and Deakin is very much entrenched in that modern technology.

It is very important to have balanced representation on the council to ensure that the people of Geelong and the people of Victoria have access to a good university that is well governed and knows what it is doing because of the expertise on the council.

These reforms will be supported by a number of key safeguards to ensure the continuance of good governance for TAFE institutes and universities. These educational institutions are valuable resources within the Geelong community, and we want them to work well. I am proud that the Andrews government has identified the need for this legislation and has acted on what the local community needs and wants in terms of strong representation. I commend the bill to the house.

Debate adjourned on motion of Mr PAKULA (Attorney-General).

Debate adjourned until later this day.

TRANSPORT ACCIDENT AMENDMENT BILL 2015

Second reading

Debate resumed from 21 October; motion of Mr SCOTT (Minister for Finance).

Mr MORRIS (Mornington) — I am pleased to rise on behalf of the coalition to open debate on the Transport Accident Amendment Bill 2015. Before I get to my commentary on the bill I first of all want to acknowledge the briefing that was provided by the minister's staff and commission staff a couple of weeks ago, which was comprehensive and informative. I also want to acknowledge the courtesy of the Leader of the House in allowing this bill to be brought on now rather than, as was anticipated, sometime tomorrow when, because of personal circumstances, I may not have been able to attend. I acknowledge those two aspects.

Turning to the bill itself, in physical terms there is not much to it. In terms of clauses that are worthy of consideration, clauses 1 and 2 really do not require any debate, and neither does clause 7, which is required as a consequence of the effect of clauses 3, 4, 5 and 6, nor clause 8, the repeal clause. That essentially leaves us with four clauses of interest to the house.

Of those four clauses, the only one that adds to rather than takes away from the bill is clause 4, which is about providing indexation. There is in the act provision for

an amount of \$32.50 to be paid to persons who are in supported accommodation. That was introduced in the changes made by the coalition in 2013. The intention was that that be indexed. I understand that as a result of a drafting error those indexation provisions did not find their way into the final bill that came before the house. This clause will correct that drafting error and implement that provision retrospectively to 20 November 2013, which is the commencement date of the amending act.

The remaining three clauses of interest — clauses 3, 5 and 6 — essentially wind back some of the changes made to the act in 2013. They are all different, but what they have in common is that they wind back some changes that were made as a result of legislation brought before the house in, I think, October 2013. Clause 3 repeals section 46A(2C) and (2D), which enabled the commission, with the approval of the minister, to implement guidelines that enabled the American Medical Association guide to be amended. The American Medical Association guide is used to assess the degree of permanent impairment. Those provisions were put in as a response to a Supreme Court decision in, if I recall correctly, 2010, which had an impact on the way the guide was interpreted. I will come back to that in quite some detail in a little time.

Clause 5 repeals section 93(2A) of the principal act. That section effectively limits the liability of the commission in relation to common-law damages for mental injury if there is driver negligence or an attempted suicide. Changes of this nature were also considered to be contentious at the time because of a campaign run by emergency services workers. The claim was that by changing the Transport Accident Act, as was proposed in 2013, they as first responders would not be able to make claims for any mental injuries that they may suffer when attending transport accidents in the course of their duties. That was simply not true. When I reviewed the file from the bill some weeks ago it was certainly the subject of much press comment and many false accusations, but it was ultimately untrue. It was unfortunate that that campaign to some extent rather took over the issues that were being addressed by the original legislation.

Clause 6 repeals section 93(17A) of the principal act. That section inserted a definition of severe long-term mental or severe long-term behavioural disturbance or disorder for serious injury. The bill proposes to remove that provision retrospective to 16 October 2013.

As I said, the bill does one constructive thing, and depending on where you stand the other three could easily be construed as destructive. My view, and the

view of the opposition, is that a compensation scheme of the nature of the Transport Accident Fund needs clarity, and it needs to ensure consistent treatment no matter who the claimant is. Unfortunately you do not tend to get that consistency of treatment when each case is litigated individually through the courts. That is not a criticism of the courts; it is certainly not at all surprising when you have an enormous variety of circumstances and an enormous variety of people interpreting on the bench. It is entirely reasonable that you will get different interpretations. But in the context of a compulsory scheme which is intended to treat every claimant consistently, you do not always get that result.

These sorts of things should be straightforward; they should not be a lawyers picnic. If we look at the circumstances of 2013 when the bill was brought before the house, we see there were some 1735 active claims. The law firm Slater and Gordon handled 521 of those, which is 30 per cent of the total number of claims. Maurice Blackburn had some 264 of those 1735, which is 15 per cent of that work. Transport Accident Commission WorkCover work, similar work, is potentially highly lucrative, given the nature of it, so when we were debating the original bill those firms and some of their colleague firms were closely interested in the outcome, to say the least.

Of course it is not only of interest to the principals and shareholders of those firms, because in the four years to 2012 we saw Slater and Gordon donate a total of \$256 315 to the Australian Labor Party, \$32 350 of which went to the federal party and some \$223 965 to the state party. In a slightly different vein, in the same period of time Maurice Blackburn donated a total figure of \$182 900. The federal Labor party did a little better over that time, with \$130 609, and the state party gained \$53 300. A cynic might say that not only do the principals have a strong interest in the continued profitability of the plaintiff law firms, but those who benefit from their largesse —

Mr Pakula — But you wouldn't say it, would you?

Mr MORRIS — No. I have been called many things, Attorney-General, but rarely have I been called a cynic. But certainly other parties might have a strong interest in their profitability.

I will return, as I indicated I would, to the issue of the case back in 2010. Without going into the specifics of that case, it revolved around spinal injuries, and obviously the area of spinal injuries is a complicated one. To someone with my very limited medical knowledge it is perhaps even more complex. The document that I am using as a basis for my remarks is

the *Proposed Spinal Impairment Guides Modification Document — Regulatory Impact Statement*, dated July 2014, issued by the former government, which comes back to the modification to the American Medical Association (AMA) guide that I referred to earlier.

Once the Transport Accident Commission (TAC) receives a claim, the injured party can also apply for additional compensation depending on the severity of their injury. How that is assessed is critical. Two particular impairment benefits are paid when there is a whole-person impairment of greater than 10 per cent and common-law damages apply. A person injured in a transport accident can only recover damages if they have sustained an injury that satisfies the criteria of serious injury. Serious injury requires a whole-person impairment of at least 30 per cent. Then you go into the third area of income benefits and the threshold at which income benefits will conclude, which is normally after three years; to go beyond the three years you need a whole-person impairment of 50 per cent.

Can I say, when you are working through documents like this and having these sorts of discussions, the language is technical and quite often it does not sound as if you are talking about people. It is always very important when we are having these sorts of debates and considering these sorts of issues that no matter how complex the arguments, the bottom line for all of this is individuals and the sort of support they get. But it is important at the same time to make sure that people are getting the support that is justified by the injury and the degree of injury, and that the structure that is set up does not lead to perverse outcomes where people who may have a theoretical impairment but not a practical impairment nevertheless receive compensation which is disproportionate to the practical effect of the impairment.

As I mentioned, the impairment scores are combined to get an overall whole-person impairment somewhere between 0 per cent and 100 per cent, as the document says: 0 per cent essentially being minimal or no impairment and 100 per cent being catastrophic injuries. We get to the issue addressed in 2010, and that hinged around the approach for assessing spinal impairment. Bear with me because it does get a little complicated, but the preferred approach in the AMA guide is the diagnosis-related estimate (DRE) model, and there are eight possible categories in that ranging from DRE I, which is against effectively a 0 per cent impairment, through to DRE VII, which equates to 75 per cent impairment. Then there are subsections relating to structural inclusions. I am sure I will lose everyone if I try to get into that detail, so I will not try. The thing about this is that it is not uncommon for

claimants to have one or more fractures in their spine. This document refers to torsional forces, such as one motor vehicle hitting an immovable object, but with two motor vehicles colliding the force is obviously enormous, so it is not surprising.

In terms of the Supreme Court case, the impairment assessment of the multiple fractures was considered or was dependent on the clinical assessment of medical examiners as to whether or not those multiple fractures represented multiple levels of structural compromise — in other words, in terms of the degree of disability. The claimant in the particular case sustained an injury to the lower part of the back. When X-rays were done, no spinal fractures were detected. A subsequent CT scan detected fractures of three lumbar vertebrae, but the impairment examiners agreed there was no basis for the spinal injury to fall into DRE IV category for the loss of motion or loss of structural integrity.

One examiner considered that although there were minor multiple fractures in the lumbar spine, those fractures did not represent multiple levels of structural compromise and assessed the spinal impairment as DRE II category. Others concluded, on the basis of structural inclusion 2, that the injury equated to DRE IV category. Now I am sure I have lost absolutely everyone in the house, but remarkably a few people are still awake — —

Mr Scott interjected.

Mr MORRIS — Unfortunately I cannot leave.

Mr Pakula interjected.

Mr MORRIS — That was some years ago, I think. The bottom line of all this, though, is that when the conclusion was reached, the matter was taken to the Victorian Civil and Administrative Tribunal. The tribunal ruled, the matter was then appealed to the Supreme Court and the determination of the tribunal was upheld. The outcome of that is that where there are in practical terms multiple fractures in the spine, they are now effectively deemed to be sufficient to justify DRE IV rather than a lower assessment.

The argument used by TAC is that that interpretation means that in the case of a claimant who sustains spinal fractures, even very minor spinal fractures which in that situation may not be indicative of physical impairment, is considered to have physical impairment for compensation purposes. You may not have an injury that is anything like as severe as the description the DRE category IV suggests, but because of that particular case, the matter is considered that way and compensation is paid. That comes back to my point

about the need for fairness and the need for consistency, and it does not seem to me on the face of it to be a fair interpretation.

I wish to look at the table that is provided in the regulatory impact statement, headed 'Example of post Serwylo impairment assessments by injury type'. If we are talking about non-significant non-spinal injury, the level of impairment before is 5 per cent and post it is 5 per cent; for significant non-spinal injury, before is 20 per cent and post is 20 per cent; for multiple spinal fractures with multilevel structural compromise, before is 20 per cent and after is 20 per cent; but for multiple spinal fractures without multilevel structural compromise, before is 5 per cent and after is 20 per cent.

I am not by any means stressing this point, but of course that interpretation in addition to what appears on the face of it to be a lack of fairness in the way that people with similar practical impairments are treated certainly has some knock on financial effects on the commission itself. That of course is a matter for the commission, but my central point is about whether in using this common-law interpretation we are in fact being fair to the participants in the scheme.

The TAC scheme, as we all know, is a no-fault scheme. It is funded by payments from motorists. You cannot access the public highways unless you pay with your registration the TAC charge, and that is entirely reasonable. But where you have a compulsory charge, where you have a scheme that has been established by statute, where you have to pay the fee, it is compulsory to participate if you want to drive on the road, then those funds need to be used responsibly and of course they need to be used fairly.

The changes that were introduced back in 2013 — they were debated in this house in October 2013 — established that policy direction. That was the intent, and the regulatory impact statement that I have been referring to was the vehicle that was intended to give effect to the will of Parliament. That of course did not find its way through the system to be applied prior to 1 December last year, and not surprisingly the present minister — I acknowledge he is present in the chamber to be part of the debate or to observe the debate, and that is a good thing — did not then sign the regulatory impact statement into operation, so in that sense we are rolling back the authorising provisions but not any operative provisions of the act.

It comes back I think to the role of the Parliament and the role of the courts. I talked earlier about the role of the courts and the peaks and troughs that you get when

each interpretation is done individually. Of course courts have to decide each case on its merits and on the basis of the evidence presented to them, but when you use those decisions as a precedent for other cases, the application is not always appropriate.

In my view, it is very much up to this Parliament to make those decisions. The 57th Parliament was up to the task. It appears on the face of it that this government and the 58th Parliament are going to have a different view. I would certainly prefer that the Parliament did not abrogate what I see as its responsibilities and hand them to the courts. We have certainly talked about that issue in different contexts in recent weeks.

That is the situation with this bill. I think that while the government's view is it opens up the opportunity to contest determinations by the commission in the courts — yes, it certainly does — it also introduces an inherent inconsistency. That might be fine in most instances, but as in the case of the interpretation of spinal impairment provisions you have a glaring inconsistency. Unfortunately this legislation is going to do nothing to extinguish that; it is simply going to prolong that situation. With those reservations, the opposition will not be opposing the bill.

Ms EDWARDS (Bendigo West) — I am very pleased to hear that the opposition will not be opposing the bill. The Transport Accident Amendment Bill 2015 repeals some of the measures of the Transport Accident Amendment Bill 2013, which was introduced by the previous government. I recall speaking on that bill at the time it was introduced in this house and raising significant concerns about it and the impact it would have on victims of road trauma.

All transport accidents destroy people's lives, there is no doubt about that. In regional Victoria we have our fair share of road accidents, and many people in regional Victoria suffer as a consequence of losing a family member through a road accident. Unfortunately, many accident victims in regional Victoria are young people.

The repealing of the 2013 act was a promise made when we were in opposition. It was done on the basis that there was an unjustified reason for taking away common-law compensation rights for people who are injured in car accidents and for their family members. This bill is about reinstating those common-law rights. Common-law rights have been a pillar of our community and our legal system for a very long time. I recall a former member for Bendigo West, when he was the minister responsible for WorkCover,

introducing common-law rights for workers, which was widely acclaimed.

The bill repeals the sections of the act which provide the power to enable the Transport Accident Commission (TAC) and its responsible ministers to create guidelines that amend the American Medical Association *Guides to the Evaluation of Permanent Impairment* to ensure that TAC and its responsible ministers cannot potentially exclude any injury from compensation without going through parliamentary scrutiny. It repeals section 93(2A) of the act, which limits the liability of TAC to pay common-law damages to people who have suffered a mental injury or nervous shock as a result of their own negligence or if they were attempting to commit suicide. It also repeals section 93(17A), which defines what constitutes a 'severe long-term mental or severe long-term behavioural disturbance disorder', otherwise known as post-traumatic stress. It ensures that TAC does not limit the rights of families of people who die or who are severely injured in transport accidents to seek compensation for mental injury or nervous shock.

I congratulate the Minister for Finance, who is in the house, on introducing the bill and returning common-law rights to people injured in tragic car accidents and to their family members. I also commend him for the Towards Zero campaign approach to our road toll, which is something we all hope to see one day.

When someone is injured in a car accident they can suffer long-term mental impairment. It is not just about their physical injuries; it is also about the mental and psychological impairments they might have as a consequence of their injury. It takes a long time for someone with a mental injury or post-traumatic stress to get their lives back on track. Under the current legislation the victims or their family member are required to wait three years before they can apply for compensation, and during that three years they have to somehow prove that they are unable to work, they have family breakdowns or ongoing mental health issues.

We all know that mental illness is generally not something you can see. People walk around every day with a mental illness. They have highs and lows when it comes to the way their mental illness is reflected. Someone could be well for quite some time and then have a relapse, which means that during that three-year period they may be able to return to work but still suffer a mental illness. The 2013 legislation was quite draconian in that it did not recognise that mental illness was something people live with for a very long time, in fact for most of their lives, particularly after a traumatic

event such as a car accident or the loss of a loved one in a car accident.

We are repealing this legislation because the Andrews government has a deeply held conviction that vulnerable people in our community need to be protected. It is as simple as that. You do not want to make even worse what is already a traumatic experience for people, particularly for victims of road trauma. This is about reinstating the safety net which Victorians have had and which was taken away. We are bringing it back so they can be sure that they will be compensated for their injuries.

The TAC scheme was designed a few years ago to look after the most vulnerable people, people who were impacted by horrific circumstances, and to provide just compensation for people who were injured. Unfortunately the Liberal-Nationals legislation reduced people's rights to claim compensation and went against what the scheme was intended to do. When the current legislation was introduced in 2013, it was done without any consultation. It was unwelcome across the whole sector, not just by lawyers and unionists but also by people who contacted me in my office every day about how they understood it would impact on them. If you go back and look at some of the clippings from the regional newspapers in 2013, you will see there were letters to editors and articles written about the legislation. There was not a section of regional Victoria where people were not concerned about what was happening with the legislation.

In 2014 we made a promise to repeal the legislation, and that is exactly what we are doing. We will make sure that people who suffer from traumatic injuries, those who suffer from psychological and mental illness as a result of a traumatic car accident and the families of people who are killed are compensated appropriately under common law for that injury. It is equitable, and it is exactly what Labor governments do. I commend the bill to the house.

Ms KEALY (Lowan) — It is a pleasure to add my contribution to the debate on the Transport Accident Amendment Bill 2015. I note from the outset that The Nationals and the Liberal Party will not oppose the bill. However, we have a number of concerns, which I will raise today, particularly around the impact of the amendments in the bill.

It is interesting to note that of the amendments in the bill, only one makes a positive change — and that is the correction of a drafting issue. I would not have thought that was really significant in making a difference. It is obviously an oversight in the drafting of the bill around

ensuring that certain amounts of money were adjusted by CPI, but that is what the Labor government is adding to Victoria — one minor amendment. The three other amendments are all repeals. It is interesting to go back to the documentation at the time of the reforms made by the coalition to the Transport Accident Act 1986, a few years ago now. The reforms are very positive, and I urge the Labor government not to rewrite history but to look at some of the amendments, which provide a more robust legal environment for people who have been involved in vehicle accidents. They provide support in terms of mental health and make compensation accessible for many more Victorians. I think the rhetoric around mental health in particular being ignored is incorrect.

When we look at the repeals in the bill there are two sections I will refer to, and they are the results of changes to the legislation brought in by the coalition government about the greater clarity around the definition of severe mental injury. For the first time there were clinical criteria to ensure that people who had a long-term mental illness or severe long-term behavioural disturbance could be measured in a way that would compare them to a strict set of criteria. That is important so we can understand the impact of their injury on their day-to-day lives, and it is why the government brought in the change. It was a decision made in conjunction with the chief psychiatrist, so it was not just thrown together. The medical fraternity was widely consulted and the measures provided a consistent framework which is always used within the medical fraternity.

That is going back to using core measurements so that we can make sure we can assist someone appropriately and deliver the appropriate amount of care and support they need to ensure they can live, thrive and survive.

The second area I would like to address in relation to repeal relates to fixed costs. The coalition's legislative package also provided for the making of a fixed costs order in respect of legal costs associated with TAC common-law claims. This did not restrict the ability of anybody to access a common-law remedy, it really just called for a fixed costs model for legal costs covered by the Victorian WorkCover Authority scheme. Of course this means there is a limited amount of money going to the legal teams.

I am sure that any Victorian would be happier to know the money was going to support people who are injured in a vehicle accident to make sure they have appropriate access to medical supports, to mental health supports and to other supports to make sure they can continue with their lives and hopefully recover from the vehicle

accident. Therefore, I do not understand why the Labor government is so proud that it is going to be in effect directing more money to private lawyers. It is taking money away from the key people who need medical, clinical and mental health support by basically taking a section of the budget allocated to the Victorian WorkCover Authority scheme and moving it from people who have been involved in vehicle accidents to the legal team. Taking money away from people who have been in a vehicle accident is the wrong step for any government to take. It is certainly something that those on the opposite side should not be skiting about and proud of. They should be considering what they are actually doing by imposing these repeal provisions on the Victorian people.

I want to point out some of the positive changes that were brought in as part of the coalition's changes. The former government was very supportive in improving access for people who had been injured in a transport accident. The cap on counselling increased from \$5870 to \$15 000 per claim, a nearly threefold increase in the amount that can be claimed by people who have been injured in an accident. This is about counselling, so it is obviously about mental health support. The counselling was not just for the individual; it was for family members, which was a very positive move.

The coalition's legislation also brought in changes that would assist injured Victorians to recover from transport accidents, including extending the period for claiming travel expenses from 12 weeks to 24 weeks immediately following the accident. It extended the travel expense entitlement for students to cover attendance at university, TAFE or other registered training organisation as well as school. It increased the cap on individual funding agreements from \$200 to \$1000 for the purchase of aids, appliances and apparatus and increased the amount that could be claimed for family travel and accommodation expenses from \$7310 to \$10 000 per claim. The coalition put in place an entire suite of changes which really helped to provide key supports, mental health supports and clinical supports to individuals and families who had been tragically involved in transport accidents.

The key message though for all of us is that the Parliament, particularly the government, should be proactive rather than reactive. Ideally nobody would be injured in car accidents. It is terrible to see that this year's road toll has already exceeded last year's. Sadly we have had 229 deaths on Victorian roads this year compared to 222 last year. We need to do all we can to reduce that road toll. The number of deaths on rural and regional roads is even more tragic. In the past financial year there were 164 deaths on rural and regional roads

compared to 92 deaths in urban areas. That makes you wonder why on earth this Labor government would be intent on not supporting rural and regional people but would instead cut road funding. I refer to the 10 per cent cut to the road asset maintenance budget delivered by the Andrews Labor government in this year's budget.

This government also scrapped the \$160 million country roads and bridges program. If members were to drive on the roads in the Lowan electorate they would be absolutely appalled. I am disappointed, and so are locals, that even though I have invited Minister Donnellan to the region on a number of occasions — over 10 occasions — he refuses to come to the area. Last week when I was travelling through to Casterton some of the locals even made the comment that perhaps the minister did not want to travel to the area because he thought it might be too dangerous on the roads.

I travelled to Casterton just last week, and I would not travel on the Coleraine to Casterton road because, quite frankly, it is just too dangerous to travel on that section. There are enormous patches of bitumen missing, there are B-doubles carrying heavy logs — heavy, shifting loads — and there are enormous potholes in the road surface. It is extremely dangerous. Families and local businesses are being put at risk. The costs associated with the damage to vehicles is unfair, not just on individuals and families but also on the local operators who must use those roads in order to conduct their businesses.

I urge the Andrews Labor government to have a look at the road toll in rural and regional Victoria to see how it may be able to decrease those numbers. It needs to urgently look at the roads in south-western Victoria, particularly the Casterton to Coleraine road, the Glenelg Highway and the Wimmera Highway between Mount Arapiles and Horsham. There are also some terrible sections of the Western Highway. The Henty Highway also needs a lot of work. Fortunately there are sections of that road that are now in good condition because of the work and investment of the coalition government. However, we clearly need an enormous amount of additional money invested in our rural roads. Just because we are a long way from Melbourne, just because we are beyond the train tracks, does not mean that we do not deserve our fair share of road funding.

Minister Donnellan needs to make sure that he is not just the minister for urban roads and urban road users. He needs to make sure that he is the minister for all Victorian roads. Again I ask the minister to come out to Lowan, to travel on our roads and to speak to the local people and to actually get some on-the-ground insight

so that he can understand just how dangerous those roads are and how concerned the local people are. I would like to emphasise again that we will not oppose the bill, but I call on the government, rather than being reactive and looking at TAC terms, to look at being proactive.

Mr PEARSON (Essendon) — I want to make a brief contribution on the Transport Accident Amendment Bill 2015. As those who have spoken before me have indicated, this bill implements a key government commitment to reverse the changes made under the former Transport Accident Amendment Bill 2013. It is important to state at the outset that a key focus of this bill is to make sure that any future changes are brought back to the Parliament.

It is not simply a case of a future minister, a future executive or a future board of the Transport Accident Commission just unilaterally making changes without coming back to the Parliament. I think that is a really important message. When you are dealing with victims of trauma and they are receiving compensation payments, that becomes in many cases their principal source of income. It is important and imperative that as legislators we have the opportunity to review and scrutinise that and to really make sure that what is being proposed by any future administration is fair and reasonable.

I take on board the comments made by the member for Lowan in her contribution that the government should be proactive rather than reactive. I think the government has very strong ground in terms of talking about its proactivity. We are talking about the Towards Zero campaign. Any of us can look at the current advertising campaign with a great deal of pride. When asked about what would be an appropriate road toll, the person on the advertisement says 'Seventy', then 70 members of their family come out, and the response is 'Zero'. This is really an important step forward. It proves that the member for Lowan is misguided in her assertion that we are being reactive rather than proactive. The reality, though, is that this is an important piece of legislation.

Ms Kealy interjected.

Mr PEARSON — Dear, oh dear. All I can say to the member for Lowan is it is wonderful to be the member for Essendon.

The Transport Accident Commission is a very important vehicle. Its establishment in the 1980s was really a world first. It was about trying to ensure that there was a no-fault compensation scheme in place. It

was also about making sure that we had a focus on reducing the road toll. In particular I think it is important to recognise that clause 5 of the bill will repeal section 93(2A) of the principal act. It addresses the amendments that were made in 2013 which ensured that the TAC was not obliged to indemnify people who had suffered a mental injury or nervous shock as a result of a transport accident, who were not directly involved in and did not witness the accident and whose mental injury or nervous shock was caused by the death or injury of another person that was directly involved in the accident and had caused the accident because of their negligence or they were attempting to commit suicide.

This bill is an important piece of legislation because it will remove those provisions from the act. It is about making sure that both the bill and the act more broadly reflect those views and values of society. We were very clear on this matter. We took a clear position to the election last year. We were very focused on what we thought was wrong with the changes made by the previous government, and that is why we were very clear and up-front with the electorate that this was what we wanted to do.

Again, I want to make the point that the key important initiative in this bill is making sure that no future administration can unilaterally make these changes without the scrutiny of Parliament. That is an important point to make. It is important when you are talking about people's benefits when they have been victims of serious road trauma that there is appropriate and reasonable parliamentary scrutiny.

The other final point I would like to make relates to what is a minor amendment, but it is about making sure that indexation occurs not at the level of average weekly earnings but at CPI. That is something that I think all sides agree was an oversight, an error that was made, and this bill will effect that change.

The government is getting on with it. We take road safety very seriously. We are proactive, we are not reactive. I commend the bill to the house.

Mr NORTHE (Morwell) — It gives me pleasure to rise this afternoon to speak in the debate on the Transport Accident Amendment Bill 2015. It is interesting to reflect on the history of the accident compensation arrangements in Victoria and how they have evolved over a long period of time. When you look back you see that the touting of a no-fault benefits scheme first emerged in 1971 and that the Road Accident Hospital Accounts Committee was established at the time.

Interestingly, if you go back a year prior to that — it has been the focus of much discussion in previous times — a line was drawn in the sand in 1970, when we had 1061 fatalities on our roads. It is absolutely horrific to contemplate that statistic in this day and age. Some lines were drawn in the sand at that time.

I recall reading the autobiography of Walter Jona, who was part of the Road Safety Committee of the Parliament at the time. Of course one of the key features of improving safety on our roads was the introduction of the compulsory use of seatbelts in our vehicles in Victoria, which was a world first. That was really the impetus, if you like, of governments of the day making sure that they did something to address those awful fatality rates. We have seen significant progression, but the reality is that one death on our roads is one too many. While we have made some great inroads, there is much that we can do.

Post its establishment the Road Accident Hospital Accounts Committee evolved into the Motor Accident Board in 1974; and subsequent to that, in the 1980s, the Motor Accident Board effectively went broke and we saw the inception of the Transport Accident Commission (TAC) in 1987. The commission has served us well over many years now, with some changes.

Members who have spoken on this bill this afternoon have referred to the legislation that the coalition introduced in 2013, and the current government is obviously repealing certain elements and provisions of that act through this bill.

But as the member for Lowan said in her contribution to the debate, it is important to note that the coalition government introduced some very positive changes at the time with respect to reforms to the TAC. Some of those included the entitlement of surviving family members to funeral expenses, which increased from around \$10 500 to close to \$15 000. We saw an increase in family travel and accommodation expenses from a bit more than \$7000 up to \$10 000. We also saw the extension of the claim period for travel expenses from 12 weeks immediately following an accident to 24 weeks throughout the life of the claim. We also saw an increase in the cap on counselling for family members of those Victorians who were injured in a transport accident from \$5872 to \$15 000. So I make the point very loud and clear that there were some significant supportive reforms for those who were involved in traffic accidents in Victoria and indeed their family members.

It is interesting to note when you have a look at some of the road toll statistics over the past years — even if you compare 2009–10, when there were 291 fatalities, to 2014–15, when there were 256 — that we have been gradually getting the road toll down. Again I emphasise that one fatality is one too many, but there are also a number of people injured on our roads who need to be supported, hence the importance of the TAC and the role that it plays.

The member for Lowan also spoke about the fact that unfortunately this calendar year we have seen an increase in the road toll already compared to 2014. It always has to be in our minds that we have to do whatever we can to try to address that. Unfortunately we males are not great when it comes to the road toll statistics, with the five-year average for males dying on our roads being 195, compared to 77 females. The age demographic is interesting as well. Of course there is a lot of focus on the younger drivers and making sure that they are supported through various programs, but in fact many of our elderly citizens are quite prominent in the statistics as well.

The member for Lowan also spoke about our regional and rural roads. If you have a look at the five-year average statistics in areas where fatalities occur, you note that the figure for rural roads is 148 in comparison to 95 in what is described as urban Melbourne. In addition to deaths on our rural roads, the figure for fatalities in provincial cities and towns is 22. If you add those two numbers together, a quick calculation shows that there are 170 fatalities on our rural roads and in provincial cities and towns compared to 95 in urban Melbourne.

There are a number of reasons for that. There is no doubt that travelling long distances or driving on unfamiliar roads are factors that play a part. But, as the member for Lowan said, one great disappointment from the perspective of many regional Victorians is that we have seen a reduction in maintenance funding for our rural roads, as well as the abolition of the country roads and bridges program, which means the loss of \$160 million over four years. We know that our regional and rural councils are not at all thrilled about that. It is incumbent on this government to ensure it invests adequately in regional roads, because the fact is that regional Victoria is over-represented in fatalities on our roads.

The TAC has done plenty of good work over a number of years. A whole range of campaigns have been undertaken, whether it be around speed, vehicle safety, drink-driving or drug driving, many of them very graphic, to say the least. But if they make a difference,

if they hit home and change driver behaviour, then I say go for it. One campaign I like is the TAC's significant engagement with the under-18 football competition in Victoria. A number of the players have been involved in advertising campaigns. People go along and speak to young people in those clubs about what can happen on our roads. Hopefully that will have a lasting impact.

I was unfortunately reminded of all this on Sunday when I picked up the *Herald Sun* and read an article headed 'The road tragedy that sentenced Hutchings family to lifetime of pain'. It refers to an accident that occurred near my electorate two years ago in which Robert Hutchings lost his wife, Theresa, and his daughter, Mikayla, who was only seven years old. The accident left his son Andrew, eight years old, a paraplegic. Thankfully his son Matthew, four, was uninjured. This had a significant impact on our community. Robert, who worked at the Department of Defence in Sale, was travelling with the family to Melbourne to visit a relative. A driver with fatigue ventured onto the wrong side of the road, with devastating consequences. I was contacted by a local emergency services worker who was disgusted at the sentence that was handed down to the gentleman who caused the accident. It is pleasing to see that the Office of Public Prosecutions will be appealing the decision. It is a tragic reminder of what can occur.

I am proud, as a member of the local community and a member of Parliament, to be the chair of the L2P program in Latrobe, which seeks to support younger, disadvantaged people in the community in reaching their 120 learner driver hours. Many young people do not have a family member or a friend who can help them make up that time. We match them up with mentors in the community to make sure that they have the opportunity to get their licence and that they do so safely. It is a very important program that has bipartisan support. It is heavily reliant upon volunteers in our community.

In summary, whilst we have some concerns with aspects of the bill, we support any measures that support the TAC. On that basis, we do not oppose the bill.

Mr RICHARDSON (Mordialloc) — It gives me great pleasure to rise today to speak on this important bill, the Transport Accident Amendment Bill 2015, which fulfils another election commitment of the Andrews Labor government. The bill reverses the amendments made to the Transport Accident Amendment Act 2013 that affected compensation for mental injury or nervous shock, as well as improving the operation of the Transport Accident Commission

(TAC) scheme to deliver fair, just and affordable compensation for road accident victims.

Each and every day Victorians get behind the wheel and undertake a task so automatic and fundamental to our busy lives. Whether it is running the kids to school, heading off for another day of work or setting off on a road trip, driving and the use of our roads are a significant part of how we live and get around our communities. Tragically more than 230 people lose their lives each year on our roads. It is difficult to comprehend that an action so many of us perform so regularly can suddenly and unexpectedly claim someone's life. Behind every road tragedy is a story of utter devastation, of a life ended before its time.

That is why the work of the TAC in supporting families and communities is so important. The TAC describes this as the ripple effect — the pain, suffering and anguish that lingers for family, friends and communities as they try to reconcile their grief and attempt to face the future. It is a harrowing journey. It is hard to comprehend that since 1989 more than 9000 Victorians have lost their lives on our roads. It breaks your heart to think of all the families that have been affected and the lives that have been tragically cut short.

I would like to take this opportunity to acknowledge the work of our emergency services — our police, our firefighters, our paramedics, our first responders — who confront these harrowing situations where people are at their worst. Thankfully campaigns such as the ones undertaken by the TAC over many years have helped to bring the road toll down from a high of over 750 people in 1989. However, one person lost on our roads is too many. That is why I so strongly support the recent campaign by the TAC to bring the road toll down to zero. It is powerful, it is emotive and it really brings home just how important it is to take care each and every day when we head out on the roads.

It is worth noting that Australia is ranked 16th amongst OECD nations for road deaths per 100 000 people, illustrating that we have a long way to go as we strive to improve safety on our roads. We must also bear in mind the impact on those who are lucky enough to survive serious road accidents but are left with trauma and a long road to recovery. That is where the no-fault scheme of the TAC is so vital. Our state is so lucky to have such a wonderful system in place. Each year on average more than 5500 people will lodge a claim with the TAC requiring support ranging from short to medium to long term to bring them back to normality. For some the TAC will become an ever-present element of their life.

As mentioned briefly before, the bill before us today corrects an error of the former government by reversing the provisions enacted under the Transport Accident Amendment Act 2013 that limit the right of families of people who pass away or are severely injured in transport accidents to seek compensation for mental injury or nervous shock. In effect the previous bill introduced a definition of mental injury which aimed to meet the serious injury threshold and in doing so required people to demonstrate mental ill health or disorder for three years, without abatement. In the view of this government, as reflected by the policy taken to the Victorian people last year, this change was erroneous and needed to be amended to ensure that the necessary support, compassion and care is provided to individuals affected by road trauma. Importantly this change will operate retrospectively from 16 October 2013, giving families greater certainty.

I will leave it to others to discuss the motives behind the changes to the previous bill, but it is worth noting that the Law Institute of Victoria urged the previous state government to consider the real impact of the proposed changes contained in its bill. It was a significant lobbyist against the changes and put on the record that the bill 'would preclude many vulnerable injured Victorians from accessing transport accident compensation'. Geoff Bower of the law institute was quoted as saying:

The proposed amendments seek to redefine 'serious injury' in such a way that the ability of most people to claim compensation for psychiatric injuries will be significantly narrowed.

That was a significant statement, and it would have been good if the former government had listened to statements such as that one.

In conclusion, it is worth also reflecting that every investment we make in trying to respond to road trauma has an economic element. It is worth considering for a moment that the federal Department of Infrastructure and Regional Development estimated in a recent report that road trauma costs the Victorian economy \$27 billion per year, the equivalent of 18 per cent of health expenditure or 1.8 per cent of gross domestic product. Every investment we make in reducing the road toll and road trauma is an investment well made.

Debate adjourned on motion of Mr SOUTHWICK (Caulfield).

Debate adjourned until later this day.

ROAD LEGISLATION AMENDMENT BILL 2015

Second reading

Debate resumed from 21 October; motion of Mr DONNELLAN (Minister for Roads and Road Safety)

Mr R. SMITH (Warrandyte) — I rise to speak on the Road Legislation Amendment Bill 2015 as lead speaker for the opposition. I have to say that the roads portfolio is a huge responsibility for government. Whatever the government of the day, it is a very important portfolio. It requires vision; it requires foresight. It requires significant investment, and it requires the minister of the day to work very closely with the Treasurer to ensure that the funds are available. It requires the minister of the day to work very closely with the planning minister to take into account population growth, and there has to be an acceptance of the population growth. In a city like Melbourne, which is growing by around 100 000 people every year, there needs to be a vision — indeed there needs to be one for the whole of Victoria — when it comes to putting in place a roads strategy. In that regard the roads portfolio is extremely important.

If you have this vision and this foresight, then you will have a solution to the congestion on our roads and a solution to the frustration that motorists are feeling every day as they drive on Melbourne's streets. Having a good roads policy and a good roads platform is also an integral part of jobs growth in this state. It not only facilitates building jobs but also increases productivity, and that also is a jobs grower. This is particularly relevant in areas such as freight movement. We are seeing more and more people buying things online. We are seeing businesses that need freight shipped back and forth not only to and from our ports but also between states and between the separate businesses, from wholesalers to retailers.

A good roads policy means our tradesmen can get around a lot easier. They can make their call-outs to individual residents or businesses, do the work they need to do and quickly get off to their next job and in this way get as many jobs in the week as they can. In the construction industry, with building materials being moved around the state, a good solid roads policy will help make sure that building materials are moved on site as quickly as they can be.

In that regard, last week I had the pleasure of spending a day with Metropolitan Express Transport Services, and I gained a clear understanding of the frustrations its

drivers feel when on our roads. It was a good opportunity to work closely with the drivers, those who load the vehicles and those in the building industry to understand that when they have delays in moving those products to sites it throws out the timetable considerably. It throws out the timetable that tradesmen may have, and it throws out the timetable for those who are having premises built or extended.

We can see that roads affect every aspect of our community and every aspect of our lives. Roads affect our trips to work. They affect how difficult it is to drop off and pick up the kids at school. They influence how quickly emergency vehicles can get to where they need to go. There is certainly an overarching need for the government of the day to have a good roads policy.

In Melbourne and in the rest of Victoria there is a really immediate need to get the policy right. There is so much going on at the moment that needs addressing with some urgency and some immediacy. We have the congestion on Hoddle Street and Punt Road that commuters feel every day. Nowadays it does not even matter if you go to that area during the weekend; you are still going to experience a fair bit of congestion, and that is certainly adding to motorists' frustrations.

There is an immediacy and an urgency in the need to build a second river crossing, because we often see accidents or hold-ups on the West Gate Bridge. They grind the traffic to a halt. There is a real need to extend the Eastern Freeway to connect with CityLink in some way, shape or form. No-one will say there is not a need for that sometime in the future. Indeed when Scott Charlton, the CEO of Transurban, recently fronted the upper house Standing Committee on the Economy and Infrastructure, he said that Melbourne was currently facing crippling congestion and that things have to be done to alleviate that as quickly as possible.

There is an immediacy to the need to improve roads in our farming communities, especially in the west of Victoria. I note the member for Lowan recently talked about driving to Casterton and the state of the roads there. Over the past year I have been out to western Victoria, indeed to all parts of country Victoria, and I have seen that there is a need to do so much more with country roads. As the former member for Rodney used to say, if you fix country roads, you save country lives.

Two new members of this house, the members for South-West Coast and Polwarth, both have a mandate to act forcefully to get funding for the roads in the west. It is an issue that their communities raised to a significant degree during the recent by-elections, and they have come in here with a mandate to make

representations to the government to focus funding in that area.

The government has made certain commitments around some major arterials — Thompsons Road and Yan Yean Road both require urgent works — but there is no real movement in that regard, even though there is a need for that to happen as quickly as possible. There is no funding in the forward estimates for any work at all, beyond some token amounts for planning. That is of concern to those who live in those areas. There is also a need for funding to be found for country roads, which are already suffering from this government's budget cuts.

With so much work to be done and with so many areas that need attention, I am sure Victorians were as excited as I was when they saw the Road Legislation Amendment Bill 2015, which was introduced into the Parliament just a few sitting weeks ago. With a title like that, this bill could have gone anywhere. It could have facilitated urgent road works, it could have legislated new funding models for infrastructure, it could have fast-tracked important congestion-busting projects and infrastructure — it could have gone anywhere. But unfortunately this week the government has presented a bill that does nothing more than tinker at the edges of roads administration. It is the sort of bill that Sir Humphrey Appleby in that famous satire *Yes Minister* would have been very proud of, dealing as it does with government administration and ensuring that nothing practical happens — ensuring that we do not see any movement towards dealing with congestion or dealing with poor roads in country Victoria.

This bill says very clearly to the people of Victoria that the minister has no agenda, no plans for building roads and is just a mouthpiece for his department. I congratulate the department because it has shown us that the minister has been perfectly house-trained over the past 12 months.

We should acknowledge that the minister has to do something. The Premier has taken all the important things off him. The east–west link cancellation was taken off him. Under his ports portfolio, the sale of the port of Melbourne lease was taken off him. He really has nothing to do until Transurban finishes writing its plan for the West Gate Freeway super off ramp. He does not have a lot to do, but I guess collectively we should go a little bit easy on him. It is very hard to build roads when your infrastructure budget has been cut by \$6 billion and when the Treasurer of the day has turned an operational surplus into a deficit in just 12 months. It is very hard to build any road infrastructure when that is the case.

In considering the bill that has been presented, such as it is, I say that the coalition will not be opposing it. There is no need for us to oppose it; there will not be any rioting in the streets over this. There is no controversy. In talking to some stakeholders about it, I am fairly sure that some of them nodded off. As an opposition, the coalition does not think these matters should be the highest priority for the government after just one year. However, when you have no shovel-ready projects ready to go, you have to keep the Parliament busy in some regard.

The bill is something of a potpourri of measures. It contains over 20 changes to legislation, correcting references and typos and a few other administrative issues. It changes provisions in the Road Safety Act 1986, the Marine (Drug, Alcohol and Pollution Control) Act 1988, the Rail Safety (Local Operations) Act 2006, the Dangerous Goods Act 1985 and the Road Management Act 2004. I will go through the different clauses in the bill so we have a clear idea of what it contains.

Clauses 3 to 5 in part 2, division 1 of the bill, replace the term 'properly qualified analyst' with 'approved laboratory' in the Road Safety Act, when referring to the certification of blood, urine and oral fluid analysis, as well as making related changes to put this into effect. These clauses reflect, and it is reasonable that they do so, that the law should accept that modern pathology work such as this will be done not just by one individual but by a laboratory comprising a group of individuals, and when presenting certified results to a court the practical reality that there is more than one person working on these analyses should be reflected.

It is important in court cases that all points of evidence should have a high level of procedural integrity, and these provisions go to that. On this side of the house, we care about natural justice, and as part of the briefing process we raised the issue about the rights of the accused to appeal evidence and challenge the chain of evidence in court. I have confirmed that nothing in this bill affects that right or would be detrimental to the fairness of the process.

Further divisions in part 2 of the bill make the same changes but with regard to marine safety and rail safety, amending the relevant acts accordingly. Again this is a reasonable modernisation of the process and we do not oppose it.

Clause 13 in part 3 of the bill makes some additional housekeeping changes to the Road Management Act, but none of these changes give us any insight into the agenda that this government may have on roads policy.

For example, clause 13 updates a title from ‘surveyor and chief draughtsman in the Office of Titles’ to ‘registrar of titles’. It concerns me that this seems to be the government’s priority less than a year into government. It bothers me that the ideas shelf inside the Andrews cabinet is so bare that this is all they have to put to this Parliament.

I am sure that there are communities which are desperate for action. The member for South-West Coast and the member for Polwarth, who have been talking to their constituents about road works, and the member for South Barwon, have all had many of their constituents come to them about the state of the roads. I am sure that those residents, as they go down the roads that used to have 100-kilometres-per-hour limits and that are now somewhere around 60 kilometres per hour will be very pleased that the registrar of titles now has his correct title put forward in this bill.

Clause 14 moves a reference from section 17A(1) in the Road Management Act to section 17A(2A). I am sure that is very important.

Clause 15 aligns Australian Bureau of Statistics CPI data with the indexation provisions for the threshold on damages that may be claimed from a road authority below which the authority is not liable. This clause relates to the threshold being linked to changes in the CPI and neatens up the process. I agree that does assist the processes of government, not that I have had many constituents come to my office in Warrandyte with their concerns about the former non-alignment. However, I am sure that it is a very important change which needs to be made.

Clause 17 talks about licensed vehicle testing and again contains more housekeeping changes, this time to the Road Safety Act. But once again these changes do not give us any idea of how the government is planning to make our roads safer or how it will save lives on our roads or what work will be done to improve the infrastructure of Victoria’s road network. It does, however, clarify the powers surrounding the process for suspending vehicle testers. The details of this process are set out in the Road Safety (Vehicles) Regulations 2009. Of course everyone wants to ensure that anyone responsible for testing vehicles is doing so correctly and with a high level of integrity, because I think we would all agree that ensuring vehicles are safe is important to all of us.

Again we on this side of the house want to make sure that there is natural justice and decent processes, and I confirmed with the departmental officials during the briefing that there is nothing in this clause that will be

detrimental to the application of natural justice in the suspension process, with testers being given a proper and fair chance to respond to any suspension notice before being suspended outright. I think that is a fair thing.

Clause 18 substitutes the phrase ‘unsuited to drive’ to ‘unfit to drive’ and makes this provision consistent across legislation and regulations.

Clause 19 adds a list of factors that drivers should be aware of when they are driving — issues such as the physical characteristics of the road, the prevailing weather conditions and the level of visibility. There are a number of factors that drivers need to be aware of as they drive. I am sure that the average motorist is not aware that these factors are written in law. They are largely factors that intuitively they are aware of as they pass their drivers test and jump into their car each day, but of course they need to be in the relevant legislation, and this particular amendment ensures that list is consistent across legislation.

Clause 20 clarifies that an international driving permit is not a licence — a very important distinction again. I am sure motorists sitting on Hoddle Street are very concerned about having that portrayed accurately.

Clause 21 deals with drivers who are 75 years and older. The legislation already allows VicRoads to grant a license for a shorter period than the standard 3 or 10 years. This clause simply adds a provision enabling VicRoads to renew a licence for that shorter period of time as well. This clause is an interesting one. It refers to the effects of the Equal Opportunity Act 2010 and, as I said, changes the language in the bill to ensure that it meets the criteria for an exemption under that act, thus allowing drivers 75 years and over to have their licence renewed for a period less than that standard period. Following the briefing process, it is our understanding that this is to ensure that those drivers who are 75 years and over will have opportunities to decide on a more regular basis whether or not it is the right thing to do to renew their licence.

The issue of older drivers is one that our society is certainly going to have to discuss at some point. As our population ages and as life expectancy grows, the question is going to be asked: how do you balance the risk on the roads as capabilities in some cases diminish with age with giving older people the freedom and independence to drive and get out and about? We have had some recent media reports — in the *Herald Sun* just a few weeks ago — which raised those issues. There was a push from QBE, one of Australia’s biggest

insurers, calling for S-plates for seniors, and that is a debate we need to have.

With respect to the policy platform of the government, whilst as I said this is a debate we need to have, this bill does not go anywhere at all towards having that debate. It is not an issue the government has raised to any degree. The government is not trying to start a conversation in this area. It is not trying to have a debate. It is not trying to understand the pros and cons of balancing the independence of older drivers with safety issues. This bill simply tidies up some legislative language. It is disappointing that we have no sign at all of the government's agenda in this area.

I mentioned that the clause refers to the Equal Opportunity Act. It is interesting that this government has prioritised the exemption of elderly drivers from the Equal Opportunity Act. This is the same government that is keen to beat up faith-based organisations with the same act. I find it quite odd that the government is happy to pick and choose when it is going to be righteous about discrimination without waiting for its own review into the act to finish. Given that the government has a process to review the act, these issues should be dealt with once that review is finished.

Clause 23 refers to physical drivers licence and learners permits and makes it law that these permits remain the property of the state. This is already the case with myki cards, as you may be aware, Acting Speaker. This clarification ensures that the state, through VicRoads, has total control over what can be put on these cards, which ensures that offensive photos, in particular, cannot be put on them. In the United States recently some case law has developed relating not to licences but to licence plates. There are issues currently before the courts in Virginia and in Texas through which it has been shown that the licence plate — in this case — should be owned by the state. If that is the case, the power to determine what is and is not printed is much clearer.

The government has put forward these amendments to make sure that with respect to licences we have the same provisions by which we can police what is and is not allowed on them. I am sure that all of us in this house uphold the right to freedom of expression, but that has to be balanced in society, and we want to avoid a situation where that law needs to be tested in the courts, as it has been previously done and as is currently being done in the United States.

Clause 24 makes some changes to provisions that referred to a permit such that they now refer to a learners permit. Again, these are the sorts of changes

that frustrated motor vehicle users can be proud of! In relation to clause 25, I note a provision in the current Road Safety Act 1986 gives a person immunity if they report that someone may be unfit to hold a licence. The amending clause will provide for giving immunity also to a person if they report that someone may be unfit to hold a learners permit.

Clause 26 refers to the fact that the courts can currently disqualify someone from holding a drivers licence or learners permit, and it also adds the capability to stop people from getting a learners permit. We want to make sure that those who should not be obtaining a learners permit do not. We certainly support that very important clause.

Clause 28 deals with alcohol interlock removal — the processes around the removal of those interlock devices. Increasingly these devices are becoming commonplace. They are an important part of dealing with drink drivers, certainly with repeat drink drivers, and they keep our roads safer by ensuring that those who are prone to driving while under the influence have their actions policed. It is a great example of using technology to handle some crime, and I am proud that the former government did some good work in this space. In October of last year we put in provisions to make sure that anyone who blows above .07 and is disqualified will get an alcohol interlock. That level — which we moved to .07 — had previously been a lot higher, up at .15. It is very important that we ensure we get those drunk drivers off the road.

The changes in this bill improve the manner in which data is used in determining whether a convicted individual has met the terms of their court order and can have a device removed. Drunk drivers on the roads, however, are a very important issue, and again this bill does not do anything to further the government's agenda in this space. Indeed it leaves us no wiser as to what the government intends to do going forward in this space.

Clause 30 refers to penalties that relate to a driver in an accident and specifies that those penalties can apply to holders of learners permits as well as those with full licences. I am sure that most of those who are getting learners permits are younger people, and it is very important that we make sure those young people have the education they need in order to be well equipped and well prepared for driving on the road. There are some great services out there. In this house I have previously mentioned Road Trauma Support Services, a great organisation which does important work in diversion programs for younger drivers who are doing the wrong thing — largely younger drivers but not

always. I have sat in on one of those diversion programs, and they are outstanding.

Seeing the young people walk in the door, a little bit cocky after they had been sent by the courts to the diversion program, I was fairly sceptical. I wondered what good could be done in the 2 to 2½ hour course that they were sent on, but I have to say that those participants were extremely contrite by the end of that session and had a very clear understanding of what damage they could have done to other people or even to themselves. Certainly they could have paid the ultimate price, and they had a far greater understanding of that by being part of the diversion program.

The government has been largely silent about its approach to younger drivers. Indeed there was a much-hyped election policy of defensive driver training for students. That was revealed in the budget to be an underfunded sham, with the minister during the estimates hearings of the Public Accounts and Estimates Committee (PAEC) denying that it was even a defensive driving course. I quote from the Labor Party's media release of 10 November 2014:

Labor will also enrol every year 10 student in a free defensive driving course ...

When questioned in the PAEC hearings by the member for Gippsland South, the Minister for Roads and Road Safety said:

It is not going to be a defensive driving course ... So it is definitely not going to be defensive driving.

On the one hand we have got a press release which says Labor is going to give defensive driving courses to young people and on the other hand the minister said to the PAEC that it is not a defensive driving course. I guess we are none the wiser about what actions the government is taking with regard to educating young drivers, but I have it on the minister's word that it is not going to be a defensive driving course.

Clause 31 changes some wording in a provision from 'A person authorised by a police officer to do so may release an impounded motor vehicle at a time directed by a police officer' to 'A person authorised by a police officer to do so may release an impounded or immobilised motor vehicle at a time directed by a police officer'. This is a very important distinction. Again, I am very sure those who are winging their way down to Casterton, as the member for Lowan often does, will be very pleased that those couple of extra words have been put in as a result of clause 31.

Moving down the list of riveting clauses, clause 33 repeals provisions in the Road Safety Act that allows

VicRoads to use or disclose information to respond to issues raised in correspondence as it has other means to do so. That particular provision is no longer needed.

Clause 34 helpfully adds a footnote in the Road Safety Act. The next time I am stuck on the West Gate Bridge I am going to be very pleased that there is now a footnote in the Road Safety Act. That is going to be very important, and I am sure many of Melbourne's motorists will agree with that.

Clause 35 is about refusing an application for a learner permit. The legislation currently omits references to the circumstances under which VicRoads is required to refuse an application for a learner permit. This clause rectifies that omission and also replaces 'permit' with 'learner permit'. The Road Safety Act is now going to have the word 'test' changed to 'assessment', which is very good.

There is a typo that clause 38 corrects towards the end of the bill, and it is something I am very pleased about. The minister obviously saved the best until last. This clause amends item 3(e)(i) of schedule 6 to the Road Safety Act 1986. In the act it says 'the the' where it should be just 'the'. I am very pleased that has been tidied up. The minister can be very proud of those amendments.

The opposition will not be opposing the bill. The amendments improve the legislation broadly, if only in a technical manner. Again, I raise my criticism that this housekeeping bill seems to be all the government has to offer in the road space, which is very disappointing. As I said at the outset, we have issues with country roads in the east, in the north and in the west. Traffic congestion continues to increase. We have a number of road announcements with no funding attached to any of them. The one project that the government came to office with, which was apparently fully funded and shovel ready, the West Gate distributor, has gone off into the ether.

We have had \$855 million of taxpayers money thrown away to remove a contract that would have put in significant road infrastructure that everyone — every road stakeholder and every road user — thinks is important and is necessary to be in place. As I said, the CEO of Transurban has said that the east-west link or something similar will be needed within the next 10 to 15 years. These are the same guys who are currently writing policy for the government, as we speak.

As part of the debate I am sure government members will come in and opine that there are some great social reforms happening in the road space with this

legislation and that these changes are very important to the future of Victorian motorists. It is certainly an ongoing trend that the government is filling up the parliamentary agenda with administrative bills and is filling the speakers list, and I will watch with interest as the departmental blue folder gets passed from Labor member to Labor member as they desperately try to fill the speakers list on a bill that really is nothing more than some administrative changes. I am sure a few members opposite know in their hearts that they are just propping up a government that is obsessed by the trivial and that the government lacks any sort of agenda in this space. I am sure also that motorists are very keen to see these administrative changes, as typos are corrected and certain titles have been changed.

We all know on this side of house, and indeed Victorian motorists also know, that these administrative changes are really all that the government has got to offer after one year in office. Not one shovel has hit the earth when it comes to actually building anything, and this has come off the back of a very important nationally led piece of legislation about how we measure weights on trucks and how we manage fatigue for drivers of smaller transport vehicles. There were a lot of promises and a lot of commitments made. There was a lot of funding committed, but, as I said, if you cut \$6 billion from the budget and you turn an operational surplus into a deficit after only 12 months, then I guess you cannot be expected to have the ability to deliver the road projects that Victoria needs. The government is bereft of ideas. It is bereft of the ability to build any road infrastructure. Melbourne motorists know it. They feel the frustration of this government's inactivity every single day.

Ms GREEN (Yan Yean) — I take great pleasure in following the member for Warrandyte and joining the debate on the Road Legislation Amendment Bill 2015. I was struck by the member for Warrandyte's contribution. The thought that came to my mind was, 'Do as I say not as I do'. The member seems to think the sum total of what one does in a particular portfolio — I am talking about the roads portfolio — is simply legislation. Actually it is also about funding and getting things done. I would compare our one year in office to the former government's four years any day in relation to roads because the comparison could not be more stark. We have allocated \$1 billion for outer suburban roads and \$1 billion for regional roads. The first of the 50 most dangerous level crossings has been eradicated, which will do a huge amount to get rid of congestion.

I think what the member said is a bit rich. Aside from one road proposal, I was trying to rack my brains as to

what those opposite actually delivered to this state in four years. That proposal was a hastily signed contract for a road that did not stack up with the business case and which was actually going to make congestion worse in Hoddle Street and do nothing to ease congestion for my constituents on the Eastern Freeway.

Then I thought, 'I'm sure I remember the former member for Polwarth and the former member for South-West Coast having another policy in relation to roads. It was about cutting, and not just cutting budgets'. It was a media event held in the backyard here at Parliament — in the gardens. They had a giant cardboard replica of a registration sticker and a big pair of scissors, and they cut the registration sticker up. They did not tell people that they were actually jacking registration fees up. 'We're not going to give you the sticker anymore; we're going to cut it in half, and we're going to jack the fees up'.

I am glad the new member for Polwarth is in the chamber. I heard him phone up talkback radio after he was elected and before he took his place in the chamber. He said, 'People have told me about this problem of no registration stickers', but he failed to actually say that it was his predecessor who had chopped them up. 'Yes, they've told me it's a problem, and it's a problem we have to fix'.

There were two contributions made by the previous government — a hastily signed contract right at the end of its term and a big registration sticker that got cut in half. I also recall cuts to the VicRoads emergency response team, which cleans up and assists when vehicles have been in accidents or are broken down on the freeway. That was not a congestion-busting measure. The fact that people had to queue for longer in a shorter number of hours at VicRoads offices did not really help any of those things either.

I can confirm one road project in my electorate that the previous member for Polwarth and former Minister for Public Transport came to cut the ribbon for, and that was the duplication of Plenty Road, just past Provincial Meats and almost as far as The Parkway. The former minister, the mayor and a member for Northern Metropolitan Region in the other place were trying to imply that it was them who had funded this great duplication. But there was someone else at this event, and his name was Tedward Scissorhands. He appeared and said, 'I'm very good at cutting ribbons on Labor's projects with one hand and cutting budgets with the other'. That forced the previous member for Polwarth and Minister for Public Transport to acknowledge — given that the member for Mill Park and I were also there — that this was actually done under our

government's watch. That was the only project that was opened in my electorate — the fastest growing and most populous electorate in the state — during the last Parliament, and it was not funded by the former government.

There was no start made on duplicating Yan Yean Road, there were no plans made for Plenty Road, there were no plans made for a bridging road and certainly there were no plans made for O'Herns Road. The former government's plan was to fund the O'Herns Road-Hume Freeway interchange in 2044, when most of those working people in North Epping who need that interchange to get to work will be in a retirement village. That was the former government's plan to support the roads of the north.

Since then those opposite have been silent. In our first budget we funded that much-needed interchange, but we heard silence from those on the other side. They will not call on their federal counterparts to make their contribution to this road of national importance, or RONI. They have been silent on the fact that only 8 per cent of federal infrastructure funds have been allocated to Victoria despite it having a growing number of residents, now amounting to 25 per cent of the Australian population.

I am really pleased that the bill makes some changes to the Road Management Act 2004. In particular I will be drawing my constituents' attention to the fact that the bill ups the threshold, and I will remind drivers that they can submit a claim for damage to their vehicles where roads have not been adequately maintained. As exhibit A I will mention Arthurs Creek Road in the City of Whittlesea, which has dirt and flowers coming up through the asphalt and which has not been looked after. I will put to my constituents that they should really have a look at the provisions under the Road Management Act so that they can make claims against the City of Whittlesea for reimbursement for damage to vehicles because of its failure to address this issue.

This is a good bill that comes along with a great budget that has allocated funds to reverse the damage that was done and the neglect of our roads under the former government. I wish the bill a speedy passage and commend it to the house.

Business interrupted under sessional orders.

ADJOURNMENT

The DEPUTY SPEAKER — Order! The question is:

That the house now adjourns.

Lilydale West Primary School

Mrs FYFFE (Evelyn) — My request for action is to the Minister for Education. The action I seek is urgent funding assistance for Lilydale West Primary School to undertake vital safety maintenance works and an upgrade of outdated facilities that are causing the school to haemorrhage money. Lilydale West student numbers continue to increase. The school currently has 376 students enrolled, with a further 75 new students enrolling for prep in 2016.

I recently visited Lilydale West Primary School with my colleague the member for Ferntree Gully in his capacity as shadow Minister for Education. Despite a vibrant and caring learning environment, with lots of happy students filling the classrooms, the urgency of the school's maintenance needs could not be hidden. We were appalled by what we witnessed and were told about.

The portable on site has no electricity and has had to be disconnected. It was found to be sparking, which could have burnt down the school; it simply was not safe. The school had a water leak, causing it to lose 700 litres of water an hour, which was accelerating due to old, eroding pipes. It was anticipated that the next water bill would be in the vicinity of \$10 000. Water was also spotted leaking through light fittings, which has the potential to electrocute staff and students. Other rooms have black mould, which can aggravate asthma and allergies in vulnerable children. The school has also suffered a gas leak as a result of original gas heating, which has not been upgraded since 1973. Adding to the school's woes, the heater is encased in asbestos, which requires constant checking to make sure that students are not at risk. The last air monitoring check racked up another \$10 000 bill.

Despite three rounds of maintenance funding, Lilydale West Primary School has received nothing to date, and I want to know why. I understand that the Minister for Education has visited the school and offered his support if it had any issues. Issues were raised, and the principal has been told funding is in the pipeline for the school, yet not a penny has come its way for maintenance.

I was recently provided with a copy of anticipated total maintenance costs for Lilydale West Primary School, which I am happy to provide to the minister. The bill totals more than \$1.9 million. Every item on that list is

an essential item for the safety and security of the teachers and students. I ask the minister to take swift and immediate action to address Lilydale West's maintenance concerns to stop risking the wellbeing of our next generation of aspiring minds.

Notting Hill Neighbourhood House

Mr DIMOPOULOS (Oakleigh) — I raise a matter for the Minister for Environment, Climate Change and Water. The action I seek is for the minister to provide support to the Notting Hill Neighbourhood House to install important water saving initiatives and environmental improvements. I am pleased to see that the minister is currently in the house. Such initiatives could eventually be replicated by other local venues, and Notting Hill hopes to be a leader in demonstrating how environmental sustainability and the financial security it brings can benefit community facilities.

The Notting Hill community is incredibly diverse. More than half the local population was born overseas, and a significant number of households live on below average or limited incomes. In neighbourhoods like these, community centres like Notting Hill Neighbourhood House play a particularly important role for local families, and it has a long record of engaging new and long-term residents. Notting Hill Neighbourhood House is a well-known and loved part of the community. In addition to providing a meeting space for local community groups and residents, it hosts literacy and language classes, arts and crafts groups, children's groups and a variety of other services that support the health and wellbeing of local families. My favourite activity is a Friday night barbecue for anyone who wants to drop in.

Despite its successes, Notting Hill faces a number of challenges. It serves a larger and faster growing number of local residents than nearby neighbourhood houses. While this presents many opportunities for Notting Hill, the busy timetable and constant use of the facilities increase the cost of utilities and maintenance beyond what most community centres in the area face. Environmental improvements there would reduce cost pressures on Notting Hill and allow it to continue to deliver essential programs to the local community. It is a successful, essential part of the local community that I am proud to represent. I would be happy to work with the minister to provide support to this important community organisation.

Robinvale P-12 College

Mr CRISP (Mildura) — I raise a matter for the Minister for Education. The action I seek is for the

minister to visit my electorate and in particular to visit Robinvale P-12 College. Robinvale P-12 has many challenges. It has a large and diverse ethnic enrolment, and there is a need for adult education resulting from the ethnicity of the community and also because Robinvale has varying expectations about what education should be provided. Robinvale is at the heart of a large and growing horticultural area. It is 1 hour from Mildura and 1½ hours from Swan Hill. It has a large seasonal workforce and a low unemployment rate. The school has strong support from industry to feed into the growing horticultural industry. The school has been seeking to rebadge itself as a community hub and better meet the needs of its community.

The previous government provided partnership funding for a kindergarten on the site with Swan Hill Rural City Council, which has a strong interest in Robinvale's future. The previous government also provided funding to start the next stage of the school's redevelopment. All this work would not be possible without the support of the community. Through the community there has been strong support from both the school council and the school principal, Ana Rees, who is a strong community person. Similarly, Robinvale Advancing Country Towns has been involved in the school's future. Without its leaders working hard, we would not be where we are today in regard to Robinvale's future.

The school is ready for the minister to visit and see its issues firsthand. Part of the understanding he will gain relates to what partnerships have been formed with the community, such as with Robinvale Euston Community Alliance, with support from Advancing Country Towns, Mallee Family Care, Robinvale District Health Services, Murray Valley Aboriginal Cooperative and Robinvale P-12. All these groups want is a better start for our young children and a strong future for young people.

Industry partnerships are vital and can provide employment. The challenge is to match those employment opportunities to training, and to do so the school needs a number of things to be developed. In particular, it needs a state-of-the-art library complex, and the council is prepared to help with that; enhanced trade facilities; and resources to run community education services. Some of the funding was committed to by the previous government, and funding is required to continue this transition. I request that the minister visit Robinvale and meet the community, industry and service providers to understand the vision for and the commitment of the community to its future through a community hub.

Frankston Medicentre

Mr EDBROOKE (Frankston) — My adjournment matter is for the Minister for Health. The action I seek is for the minister to give a written guarantee that the people of Frankston will continue to have access to out-of-hours GP services at Frankston Hospital. The after-hours GP services located in Frankston Hospital allow our community to utilise a number of facilities such as radiology and pathology, which would otherwise be inaccessible after hours. The Frankston Medicentre, which has been in Frankston for over 20 years, takes the strain off the hospital's emergency department. It diverts less serious cases from the triage-based system to the Medicentre, which also frees up beds for patients coming in by ambulance. Many ambulances do not have to ramp up or wait and can get out to help other sick people in our community. Summer, with many thousands of tourists on the peninsula, is a particularly bad time for this service to close.

The state government contacted federal Liberal Minister for Health, Susann Ley, almost a month ago but has heard nothing at all from her or from the local federal member. The after-hours GP clinic located in Frankston Hospital provides our community with 10 000 consultations a year and a number of facilities such as radiology and pathology, which would otherwise be inaccessible. Taking away our community's health care as a result of federal cuts is unacceptable. The clinic is a very popular option for families. Over the last week we have collected over 2000 signatures from concerned residents to call on the federal government to reverse the cuts which leave Frankston Medicentre little option but to close this Sunday.

Narracan electorate education funding

Mr BLACKWOOD (Narracan) — I raise a matter for the Minister for Education. The action I seek is that he address the funding needs of schools in the Narracan electorate, which were forgotten in the 2015–16 state budget and subsequent funding announcements by the Andrews government. In particular Warragul Regional College, Neerim District Secondary College, Trafalgar High School and Moe's Albert Street Primary School require significant upgrades to ensure that students have access to the best facilities possible during their education.

In many ways Warragul Regional College is unchanged from when I attended it many years ago, and that includes a dilapidated toilet block that students are required to use. A major investment is needed to deliver

critical upgrades to meet the rapid growth in population that will see student numbers rise significantly in the near future.

Trafalgar High School has seen investment over the past decade; however, it still requires funding to complete a final stage, which will help the school deliver the best facilities possible for students.

The Victorian coalition delivered a \$300 000 science wing to Neerim District Secondary College, and now the school needs major investment in classroom upgrades.

Albert Street Primary School in Moe requires not only a modernisation program but also basic security fencing to protect the grounds from vandalism and trespass, which has been a major headache for the school.

The coalition government promised \$15 million for improvements at these schools prior to the last election. The Andrews Labor government is touting itself as an education government; however, schools right across the Narracan electorate have expressed their frustration that there has been no major investment by this government in infrastructure at any local school.

I call on the minister to prove to the people of Narracan that it is not just spin when he claims to be intent on making Victoria the education state and funding these schools in my electorate that so far he and the Andrews government have chosen to ignore.

Blackwood wastewater management

Ms THOMAS (Macedon) — I wish to raise a matter for the attention of the Minister for Environment, Climate Change and Water concerning the small and very beautiful township of Blackwood. The action I seek is that the minister visit Blackwood at her earliest convenience to update the community and other stakeholders on the work her department has commissioned to develop a sewerage solution for Blackwood. As members well know, without a wastewater management solution in place the capacity of Blackwood residents to renovate, rebuild or develop vacant residential allotments is severely curtailed.

I raised this matter in February, and on that occasion I asked the minister to convene a working group comprising the relevant local government and environmental and water authorities to develop a workable site-specific wastewater management solution for Blackwood. I was delighted that the minister acted immediately, convening the Blackwood project working group and taking the time to travel to

Blackwood to receive a report back from the working group and to engage with community members.

It is worthwhile contrasting the response of the Andrews Labor government to this tricky challenge with that of the do-nothing, head-in-the-sand approach of the failed one-term coalition government. Despite the best efforts of the Deputy Speaker in his role as the member for Melton and as the then representative of Blackwood, the former government sat on its hands, waiting and hoping for the township of Blackwood to quietly disappear. As anyone who knows this community is aware, it will never quietly disappear, and so I have been very pleased by the minister's engagement with and response to this project.

The minister will be warmly welcomed in Blackwood at a time she is able to visit in order to provide a much-needed and much-anticipated update on this important project.

Mansfield Primary School

Ms McLEISH (Eildon) — My adjournment matter tonight is directed to the Minister for Education, and the action I seek is that he resolve the problem of the classroom shortage at Mansfield Primary School by arranging for the delivery of two relocatable buildings to the school as a matter of priority. If that is not possible, at the very least I ask that he expedite the supply of a single mod 5 relocatable.

Jarrod Appleton, the school council president at Mansfield Primary School, recently contacted me with regard to the critical and urgent situation at the school, because the school has not yet been able to secure a response from the department. This of course impedes the school's planning processes for next year. It knows its numbers and it has staff, but it has nowhere to put all of the students.

I visited the school on Saturday to meet with Mr Appleton and the principal, Mr Paul Volkering, to discuss this matter and understand the situation clearly. School enrolments are expected to increase by at least 28 students next year. At present it is expected that the numbers will jump from 306 students to 334, although the numbers could be even higher still. The school is ill equipped to cater for this growth and will be short of classrooms. This is exacerbated by the fact that one of the existing buildings, which this year housed one class, needs to be condemned due to asbestos and its dilapidated condition. When you look at that building, it is completely obvious.

Mansfield itself is one of the most livable towns in regional Victoria. Many families are moving to the area, and it is important that they do so in the knowledge that the school and its facilities are not just adequate but good. On top of that, additional growth can be attributed to the school's attention to academic achievement and to student welfare, and this has certainly enhanced the school's reputation in the community.

The pressures faced by Mansfield Primary School are very real, and the situation is time critical given that we are only a couple of months away from the next school year. The minister has branded this government the education government. Now is the time to get down to action and not let down the young families and school community in Mansfield. Mansfield Primary School needs decisions to be made now, not in another month. Its planning for 2016 is well underway but has stalled due to the lack of decision-making within the department.

I request that the minister look into this matter as a matter of priority and make sure the school has the buildings it requires next year so that it can house all of its classes.

Translation and interpreter services

Ms GRALEY (Narre Warren South) — My adjournment matter is for the Minister for Equality, who is also the Minister for Housing, Disability and Ageing, Minister for Mental Health and Minister for Creative Industries. It concerns the federal government's cuts to translation and interpreter services. Many of the people who use the services provided by the minister's department need access to interpreter services. The action I seek is that the minister raise this matter with the federal Minister for Social Services.

Just last week I held a community forum with the new chairperson of the Victorian Multicultural Commission, Helen Kapalos. Together we met with multicultural community organisations from right across Casey to hear firsthand about the issues they are facing. One issue that was raised by multiple organisations was the federal government's decision to cut funding for translation and interpreter services. From 1 December many organisations will now have to pay for these vital services as the Department of Social Services completes a review.

The Casey North Community Information and Support Service, which I know the minister is aware of, does outstanding work in my electorate, and it may be forced

to pay for these services, which many of its clients rely upon. Our local community is home to people from more than 150 different nations and of many faiths: 26.7 per cent of local residents were born in non-English speaking countries and 29.9 per cent speak English as a second language. There are few communities as wonderfully diverse as ours, but many local residents require significant assistance with complex and sensitive issues.

Working with people from different cultural backgrounds who have limited English can be incredibly difficult and often time consuming. I ask anyone who has been in a situation where they have had to communicate in a language they did not understand to consider what it might feel like. Imagine if you had been in need of urgent help. No-one should have to feel so helpless and alone. Yet without funding for these services, many community organisations will have to either reduce their existing interpreter services or look at cutting back on other services. Many organisations already go above and beyond with their very limited budgets, and now they will be forced to dig even deeper.

The Casey North Community Information and Support Service does exceptional work providing support and assistance to victims of family violence. Many women and their children from many different backgrounds come to the outstanding team at Casey North when they have nowhere else to go. Casey's programs make a big difference to the lives of so many in our community, and they simply should not be put at risk. I ask the minister to raise this very important issue and give voice to those who need our help.

VicRoads Ballarat relocation

Ms STALEY (Ripon) — My adjournment matter is for the Minister for Roads and Road Safety. The action I seek is a positive announcement on moving VicRoads to Ballarat before Christmas.

I refer to an answer that the Premier gave to Mr Morris, a member for Western Victoria Region in the other place, back in March, when he said that the Victorian government is considering its options for the relocation of the VicRoads head office from its Kew site and that the government is committed to providing certainty for VicRoads staff and the community as soon as practicable. That was 18 March 2015. We are now, as we have been reminded all through this sitting week, at the one-year mark of this government, and we still have not had an announcement.

Over the last year a few things have come to light. When we were in government we announced that we would move VicRoads to Ballarat and create 600 much-needed jobs in Ballarat. What we have seen since then is this government saying, 'That was a thought bubble'. However, it turns out it was not a thought bubble, because on 30 September the Ballarat *Courier* discovered some leaked documents that proved that extensive work was done on the headquarters relocation in 2014. The documents proved that the relocation was well and truly underway and that there was a business case. There is therefore no reason, you would think, for there not to be an announcement or for the government not to provide the certainty it said it would provide.

Perhaps we could look at some reasons why we have not seen that. I am reminded that back when the Liberal-Nationals government announced we would do this thing, who came out and said it did not like it? That would be of course the Australian Services Union. It was outraged that we were seeking to move these jobs, and it was opposed to it. Perhaps that is why we have not seen an answer on this; perhaps that is why we have not seen this government act on this project, which is incredibly important for Ballarat.

Time is marching on, and members opposite have been very vocal in talking about being one year into government. If the Labor Party is a year into government, it is well past the time that it announced to the people of Ballarat its answer on moving VicRoads there. For the communities of Ballarat that I represent, I truly hope the answer to this question will be in the affirmative.

Rangebank Preschool

Mr PERERA (Cranbourne) — I wish to raise a matter for the Minister for Families and Children and Minister for Youth Affairs, Ms Mikakos. The action I seek is that the minister update the residents of my electorate on the plans to deliver the much-needed \$125 000 upgrade of the playground at Rangebank Preschool, Cranbourne.

I was pleased to see, leading up to the November 2014 election, the Andrews opposition commit \$125 000 and then subsequently secure it in the Labor government's 2015 budget. Labor's investment will modernise the outdoor spaces at Rangebank Preschool, creating new storage spaces and better play spaces, including refilling the ever popular sandpit.

The electorate of Cranbourne is a booming area of Melbourne, with young families looking for quality

early childhood education services near their homes. Rangebank Preschool in Cranbourne is run by a committee of management consisting of parents and interested community members. This upgrade will be of great assistance to the whole preschool community. I urge the minister to keep my constituents informed of the progress of this project.

Responses

Ms HENNESSY (Minister for Health) — I thank the member for Frankston for his adjournment matter and particularly his advocacy in respect of health matters in his electorate. The after-hours GP service at Frankston is an integral service for local community members. It has been running for over 20 years. It is yet another example of really pointless cuts by the federal government. For a saving of \$100 000 the impact on our emergency departments is significant. Because people cannot access primary care, this will cost a significantly higher amount of money than that.

I can advise the member for Frankston that there are ongoing discussions with all of the parties involved, and I will certainly have more to say about this in coming days. I look forward to working with the member for Frankston on this matter and ensuring that the people in his electorate of Frankston have access to the best possible health services.

Mr FOLEY (Minister for Equality) — I thank the member for Narre Warren South for raising this very important issue, because of course if we are serious about making sure that people from non-English-speaking backgrounds have full access as citizens to both civic and economic opportunities, then the role of interpreting services is critical to that — and it is not just for people from non-English-speaking backgrounds but increasingly people from disability services. Only last week I launched a disability Auslan service, in partnership with an interpreting service, and there they shared with me the news that the member had also established that the federal government was cruelly threatening severe cuts to this important civic opportunity for so many people from non-English-speaking backgrounds.

Whether it is organisations such as the Casey North Community Information Support Service, which does an outstanding range of work, or organisations that I would suspect exist in the community of every member of this chamber, this is a service that the federal government should not be cutting. It should in fact be supporting it more, and I will certainly undertake the member's suggestion to ensure that the new federal

Minister for Social Services, Mr Porter, delivers protection of this very vital service.

Ms NEVILLE (Minister for Environment, Climate Change and Water) — I thank the member for Oakleigh for raising the important issue of the funding request made by Notting Hill Neighbourhood House in relation to investment in water efficiency, water-saving measures and other environmental efficiency measures. I am really pleased — as a former coordinator of a neighbourhood house, I know what a great job they do — that I have heard a lot about Notting Hill Neighbourhood House from the member for Oakleigh, in fact, time and time again. I am very pleased today to be able to say, as a result of his very rigorous, ongoing and regular advocacy for this particular project, that we will enter some contract negotiations with Notting Hill Neighbourhood House and provide it with funding so that it can make some important changes and make its neighbourhood house more energy and water efficient.

I thank the member for Macedon for her question in relation to Blackwood. As you pointed out, Deputy Speaker, you have had a long interest in this issue. I last visited Blackwood on 4 June with the member for Macedon, and she has done a great job working with the working group and trying to find some solutions to the issue of sewerage provision so the community can continue to grow and expand and support its current residents. I am very pleased to provide a commitment to the member that I will visit next week, and I am pretty sure we might have something very positive to say to the local community in relation to a sewerage solution. Much of that comes down to the member for Macedon and her advocacy on this issue.

A number of other members have raised a number of other issues for a number of ministers, and I will be very pleased to refer those matters off to those ministers.

The DEPUTY SPEAKER — Order! I am very glad that the member for Macedon has taken over Blackwood. The house is now adjourned.

House adjourned 7.26 p.m.