

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-EIGHTH PARLIAMENT

FIRST SESSION

Thursday, 15 September 2016

(Extract from book 13)

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HANSARD¹⁵⁰



1866–2016

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

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

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

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

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

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

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

The Governor

The Honourable LINDA DESSAU, AM

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC, QC

The ministry

(from 20 June 2016)

Premier	The Hon. D. M. Andrews, MP
Deputy Premier and Minister for Education, and Minister for Emergency Services (from 10 June 2016) [Minister for Consumer Affairs, Gaming and Liquor Regulation 10 June to 20 June 2016]	The Hon. J. A. Merlino, MP
Treasurer	The Hon. T. H. Pallas, MP
Minister for Public Transport and Minister for Major Projects	The Hon. J. Allan, MP
Minister for Small Business, Innovation and Trade	The Hon. P. Dalidakis, MLC
Minister for Energy, Environment and Climate Change, and Minister for Suburban Development	The Hon. L. D' Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports	The Hon. L. A. Donnellan, MP
Minister for Tourism and Major Events, Minister for Sport and Minister for Veterans	The Hon. J. H. Eren, MP
Minister for Housing, Disability and Ageing, Minister for Mental Health, Minister for Equality and Minister for Creative Industries	The Hon. M. P. Foley, MP
Minister for Health and Minister for Ambulance Services	The Hon. J. Hennessy, MP
Minister for Training and Skills, Minister for International Education and Minister for Corrections	The Hon. S. R. Herbert, MLC
Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations	The Hon. N. M. Hutchins, MP
Special Minister of State	The Hon. G. Jennings, MLC
Minister for Consumer Affairs, Gaming and Liquor Regulation	The Hon. M. Kairouz, MP
Minister for Families and Children, and Minister for Youth Affairs	The Hon. J. Mikakos, MLC
Minister for Police and Minister for Water	The Hon. L. M. Neville, MP
Minister for Industry and Employment, and Minister for Resources	The Hon. W. M. Noonan, MP
Attorney-General and Minister for Racing	The Hon. M. P. Pakula, MP
Minister for Agriculture and Minister for Regional Development	The Hon. J. L. Pulford, MLC
Minister for Women and Minister for the Prevention of Family Violence	The Hon. F. Richardson, MP
Minister for Finance and Minister for Multicultural Affairs	The Hon. R. D. Scott, MP
Minister for Planning	The Hon. R. W. Wynne, MP
Cabinet Secretary	Ms G. A. Tierney, MLC

Legislative Council committees

Privileges Committee — Ms Hartland, Mr Herbert, Ms Mikakos, Mr O’Donohue, Ms Pulford, Mr Purcell, Mr Rich-Phillips and Ms Wooldridge.

Procedure Committee — The President, Dr Carling-Jenkins, Mr Davis, Mr Jennings, Ms Pennicuik, Ms Pulford, Ms Tierney and Ms Wooldridge.

Legislative Council standing committees

Standing Committee on the Economy and Infrastructure — Mr Bourman, #Ms Dunn, Mr Eideh, Mr Elasmarr, Mr Finn, Ms Hartland, Mr Leane, Mr Morris and Mr Ondarchie.

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

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

participating members

Legislative Council select committees

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

Joint committees

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

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

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

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

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

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

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

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

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

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

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

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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

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The Hon. B. N. ATKINSON

Deputy President:

Mr K. EIDEH

Acting Presidents:

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Deputy Leader of the Government:

The Hon. J. L. PULFORD

Leader of the Opposition:

The Hon. M. WOOLDRIDGE

Deputy Leader of the Opposition:

The Hon. G. K. RICH-PHILLIPS

Leader of the Greens:

Mr G. BARBER

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

¹ Resigned 25 February 2015

² Appointed 15 April 2015

³ Resigned 27 May 2016

PARTY ABBREVIATIONS

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

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Thursday, 15 September 2016

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 9.34 a.m. and read the prayer.

**STANDING COMMITTEE ON THE
ECONOMY AND INFRASTRUCTURE**

**Road Safety Road Rules 2009 (Overtaking
Bicycles) Bill 2015**

Mr MORRIS (Western Victoria) presented report, including appendices, together with transcripts of evidence.

Laid on table.

Ordered that report be published.

Mr MORRIS (Western Victoria) — I move:

That the Council take note of the report.

In doing so, I do want to thank fellow committee members for their work, assistance, cooperation —

Mr Finn interjected.

Mr MORRIS — and enthusiasm — indeed, Mr Finn — in coming together to work on this important report. It was one where I was somewhat unaware of the work that has been done both in other states in Australia as well as across other nations to ensure the safety of cyclists on our roads.

I found it quite phenomenal to learn that many states in the United States have a 1-metre rule to ensure the safety of cyclists on the road. The committee heard from many interested parties with regard to this particular inquiry. Their evidence was quite illuminating. We were told that in Victoria at this point in time there is a cultural issue to do with the views of cyclists on the road and the importance of their safety. Cyclists are vulnerable on our roads, and they certainly need to be protected. This report speaks to that and to the importance of ensuring that those who choose to cycle are kept safe.

I think it is important to note that each cyclist on the road is another car that is not on the road. The sheer fact that people are choosing to cycle has a lot of benefits for our community, not only in terms of health and welfare but also in terms of reducing the number of cars on our road and the congestion on our roads, because without the east–west link we are only going to have more and more congestion on our roads.

I certainly believe that this is an important report. There are some significant recommendations that come out of the report, and I once again want to thank all those who made a contribution to it, particularly committee members. I also thank all those who have been advocating outside of the committee for this important reform. I do hope that members take the time to read this report. We were very fortunate to have great support from the secretariat in delivering what is quite a significant report and what could be quite a significant reform if the government does choose to proceed with it. I once again thank all those who made a contribution, and I commend this report to the house.

Ms HARTLAND (Western Metropolitan) — I agree with Mr Morris that it is a really good report. For me, as someone who is not a cyclist — I actually find cycling way too scary on Melbourne streets — the thing about this report is that it highlights the fact that we need to not only provide infrastructure but we also need to reform the attitudes of motorists. I am not so concerned about cyclists because I have never seen a cyclist kill a motorist, but I am very aware of motorists who have seriously injured cyclists, sometimes accidentally but sometimes by their quite deliberate behaviour. I think this report goes a long way towards looking at all those issues.

It was also good to get information on what is happening in Queensland and New South Wales and to look at what I think are some of their very effective education campaigns around the issue of how you know whether you are too close to a cyclist and what the distance is that you need to leave. It is a good report. We had excellent evidence from a range of people. I was particularly interested in the evidence from city cyclists versus country cyclists versus people who are recreational cyclists at the weekend and the fact that they have all face very, very different circumstances.

The staff as usual did an amazing job. I do have to put in a plug for committees because I do not believe they get enough resources or enough assistance. These kinds of reports show the work that can be done by a committee. They show what needs to be done, how it can be done and how important it is to take on board the work that has already been done in other states so that — excuse the pun — we are not reinventing the wheel.

Mr LEANE (Eastern Metropolitan) — I too rise to support the report and everyone who worked on it. The interaction between all major vehicles on our roads is a complex and sometimes vexed issue, particularly for the most vulnerable road users, who really are pedestrians and cyclists. The cyclists who gave

evidence expressed great concern about their day-to-day safety. I think that is something that we really need to take into account and we need to look at ways to improve their safety in travelling to work and to leisure activities. The committee made some recommendations around education, signage and so forth, and I hope the government will take up these recommendations.

The thing that floored me towards the end of the inquiry was that I was all for looking at legislation for the 1-metre passing until the motorcyclists gave evidence. Their evidence was that allowing cars and trucks to come across the double lines would make them very vulnerable coming in the other direction. That is the thing that pulled me up. So we have asked the government to look at that issue before going headlong into legislating.

But in saying that, I recommend the report to the government and really encourage them to look seriously at what can be done and, if legislation does come out, to ensure that it takes in all road users who are vulnerable — —

Mr Barber — There is legislation out; it's called a Greens' bill.

Mr LEANE — And if government legislation comes out, rather than from miscellaneous areas, then we will have a serious look at it.

Mr FINN (Western Metropolitan) — I commend the report and I commend the members of the committee, especially the chairman, who I have to say is a particularly enthusiastic chairman. His ability to call meetings four or five days a week is quite extraordinary and very impressive, it has to be said.

Listening to Ms Hartland's comments about a change in attitudes, I have to agree, but it has to be a change in attitudes on both sides. It is not just the motorists who need to change their attitudes but also the cyclists who need to change their attitudes. I was nearly cleaned up by a cyclist in the city the other day. I was crossing the road and somebody on a bike came straight through a red light at great speed and nearly cleaned me up. He just kept going. He was not even mildly interested in any pedestrians, or road rules I might say.

It has to be said that if the government is really keen on some sort of reform in this area, I think an education program for cyclists on the road rules would be a very, very good thing. I think there are quite a number of them who do not seem to have the first idea. I do not think they have ever read the road rules. They are not interested in the road rules, and they think that they own

the roads, even despite the fact that they do not pay a cent in registration or anything else. They think they run the show.

I hope that we do have a significant change in attitude from both sides. I think there are certainly some motorists who get very angry, and I am somebody who drives through Carlton and Brunswick on a regular basis so I know a fair bit about bikes, and quite frankly I am just hopeful that this report will lead to a change in attitudes of cyclists in particular.

Motion agreed to.

PETITIONS

Following petitions presented to house:

Ormond railway station

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

We, the undersigned citizens of Victoria, call on the Legislative Council of Victoria to note:

the foundation deck for the development of an up to 13-storey residential tower above the Frankston railway line on North Road above Ormond station has been constructed without informing or consulting the local community;

established low-rise suburbs should not be destroyed and permanently scarred by the construction of inappropriate, high-rise overdevelopments on railway land, particularly in the absence of community consultation; and

the local community does not support or consent to the construction of a residential tower of up to 13 storeys above Ormond station.

We therefore demand the Andrews Labor government abandon its plans for the inappropriate overdevelopment of the Ormond station site and instead proceed with a development that is smaller in scale and more in keeping with the low-rise village atmosphere of Ormond.

**By Mr DAVIS (Southern Metropolitan)
(22 signatures).**

Laid on table.

Elevated rail proposal

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

We, the undersigned citizens of Victoria, call on the Legislative Council of Victoria to note:

the Victorian government has announced plans to construct concrete pylon sky rails on long sections of the Dandenong Pakenham lines as a cheaper alternative to

traditional methods of delivering its level crossing removal election commitments;

that affected local communities were not properly consulted in the development of these plans, with reports that those residents most affected by the imposition of sky rail were purposefully excluded from what limited consultation actually occurred; and

that affected residents are completely opposed to the construction of sky rails along the Dandenong Pakenham lines, with their inherent greatly increased visual impact and noise pollution and greatly reduced residential amenity and privacy.

We therefore demand the Andrews Labor government abandon its cheap and nasty sky rail plans and instead proceed with a rail under road solution to level crossing removals as has been so successfully implemented at Burke Road, Glen Iris.

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

Laid on table.

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

Restricted breed dogs

Ms PULFORD (Minister for Agriculture), pursuant to standing order 23.30, presented government response.

Laid on table.

QUESTIONS WITHOUT NOTICE

Barwon Prison

The PRESIDENT — Order! Members, Minister Herbert has asked me if he might make a short statement to clarify a matter that came up in proceedings yesterday.

Mr HERBERT (Minister for Corrections) (*By leave*) — Yesterday in question time there were a number of assertions made about a stop-work incident that happened among some prisoners at Barwon Prison. I would like to correct the record on those assertions. Firstly, prisoners, as many would know, receive a tiered pay rate in prisons, depending on the work they undertake and how long they work for. Certain prisoners at Barwon had been overpaid for quite some time, and that issue was resolved. Those changes have been carefully planned and were communicated to prisoners since the start of the year. As a result, a number of prisoners at that prison refuse to work on 1 September, the day the changes came into effect. As I

outlined to the house, all prisoners reported back to work over the weekend. It was asserted at question time that the government had made concessions to prisoners and that the prisoners might get time off their sentences. Can I be clear — —

Mr O'Donohue — On a point of order, President, I am reluctant to interrupt the minister's personal explanation, but I seek clarity from the minister on whether he is seeking to clarify my statements or his own statements. From his statements thus far there has been no admission of error from his statements made in question time, and I am just unclear as to where this is going.

The PRESIDENT — Order! Can I indicate it is not a personal explanation as such, but I was of the view that the minister was actually correcting some remarks that he had also made in question time yesterday. I accept the point of order that this explanation is not an opportunity to actually correct what Mr O'Donohue might have put in terms of questions, but rather to correct the record in terms of the facts that were a response to that yesterday. Is that where this is going as well?

Mr HERBERT — Thank you, President. I take your ruling on it of course, but given the sensitivities around this and given the nature of the questions that were asked — and I do say the questions — there were assertions made which were clearly wrong, and I think it is of public interest, and for the house I would have thought, to make sure they are clarified. If not, if the opposition do not want clarification, that is okay.

Mr O'Donohue — Perhaps further to the point of order or a separate point of order, President, if the minister is not making a personal explanation about errors he made but rather seeking to supplement information that he did not provide during question time, I would suggest a members statement or a ministers statement as opportunities later in the day for him to make such a statement.

The PRESIDENT — Order! I think the best way forward will now be to take this as a members statement. It would not be appropriate to be a ministers statement, because a ministers statement is supposed to be about new initiatives, so it does not fall into the category of a ministers statement. I will ask the minister to conclude those remarks as a members statement. But you are right; the opportunity to make an explanation should have been about further clarification of the minister's remarks, not a response to or trying to correct matters that were raised by Mr O'Donohue, because

that would enter into effectively the realms of debate rather than a statement of clarification.

PAPERS

Laid on table by Clerk:

Essential Services Commission — The Energy Value of Distributed Generation: Distributed Generation Inquiry Stage 1 Final Report, August 2016.

Federation Training — Report, 2014.

Members of Parliament (Register of Interests) Act 1978 — Summary of Returns, June 2016 (Ordered to be published).

MEMBERS STATEMENTS

Barwon Prison

Mr HERBERT (Minister for Corrections) — Yesterday in question time there were a number of assertions made about a stop-work incident that happened at Barwon Prison. I think the record needs to be corrected on that. Prisoners receive a three-tiered pay rate depending on the work they do and how long they work for. Certain prisoners at Barwon have been overpaid for quite some time, particularly under the previous government. It was alleged that there were concessions made at this stop-work and that they would have time off their sentence. I want to correct the record: that simply is not the case. The changes have been carefully planned and have been communicated to prisoners since the start of the year. They were to come into effect on 1 September, the day they did.

Getting the facts straight: there has been no change to the work plans, outlined as part of those changes prior to 1 September, that all Barwon prisoners are working under now. The plan that fixed the overpayments that existed under the previous government had no concessions. Secondly, no prisoner will get time off their sentence because of the stop-work. Prisoners lost payment and some were confined to their cells, but none of them lost time off their sentences. Can I suggest that if we are going to have a decent question time in this place, the opposition should start getting their facts right rather than making false assertions.

Government performance

Mr ONDARCHIE (Northern Metropolitan) — What a terrible mess. Victoria has a government in crisis — a government who focuses on themselves and not on Victorians. Andrews Labor has dumped a woman minister, sidelined another woman minister, sacked the woman Country Fire Authority (CFA) CEO, sacked the CFA board, dumped the CFA chief fire

officer, attacked the CFA chair and thrown dirt in the face of 60 000 wonderful CFA volunteers, those who sacrifice and give so much of themselves to support their local community. Why do they do this? It is to look after their union mates, their union leaders — the unions who direct this government to hand power over 60 000 volunteers in Victoria to the union. They are a poisonous, toxic, corrosive government fighting and leaking amongst themselves. Some of them are pleased that Gavin Jennings is not here as they pitch themselves for their own leadership ambitions. This government is in trouble, but as they desperately seek to reunite, maybe they could get Kevin Rudd in. Maybe they could get Kevin Rudd into their party room to address them on how to be a better government.

Coal-fired power stations

Mr BARBER (Northern Metropolitan) — Labor, you have got a bit of a problem. One of your coal-fired power stations plans to expand its capacity and burn an extra 400 000 tonnes of coal a year. This is now going to go for public comment and before Environment Protection Authority Victoria for approval. It would be better, I think, if we closed down part of another coal-fired power station to net out the effect; however, that would be an emissions trading scheme, and despite your own investigation actually recommending it, you ruled it out on the day you released that report. Four years in opposition and two years in government and you still have not got a response to global warming, and yet there are moves afoot to actually expand coal-fired pollution in the Latrobe Valley. Maybe you simply want to do what you have been doing a bit of lately, which is borrow the Greens policy, introduce a law and get on with a plan to respond to global warming rather than just keep dithering while various polluters put their proposals on the table.

Paralympic Games

Mr LEANE (Eastern Metropolitan) — Today I want to acknowledge the Victorian Paralympians who are competing or are about to compete in Rio for the fantastic effort they have made and the great results they have had over there. They are definitely elite athletes who have done us very proud — not just the ones who have obtained medals but everyone who has competed. I know that for a long time their families and friends will be very proud of them and bragging about their efforts. We look forward to them coming home so we can all acknowledge what a great job they have done representing our country.

Neridah McMullin and Andrew McLean

Mr PURCELL (Western Victoria) — I would like to congratulate Hamilton author Neridah McMullin and illustrator Andrew McLean on the publication of their children's book *Fabish: the horse that braved a bushfire*. The book was launched in Port Fairy at the Ex Libris Port Fairy Festival of Words last weekend and tells the story of an ex-racehorse called Fabish, which saved a group of yearling horses during the Black Saturday bushfires. It is a great little children's story that they should be very proud of.

The Age Good Food Guide awards

Mr PURCELL — I would also extend my congratulations to two local favourite restaurants that received hats in the last prestigious *Age Good Food Guide*. The first, the Pickled Pig, is in Warrnambool. It was a first-time winner of a hat — it received one — and Brendan Banner, the owner of that restaurant, was very thrilled. In addition, in Port Fairy the restaurant Fen was awarded two hats. Fen was originally, up until 18 months ago, called The Stag, and it was awarded two hats in the *Age Good Food Guide*. All their food is grown and produced in Australia, and they use native and bush ingredients in all of their products. In addition, Port Fairy's Coffin Sally, Drift House and Farmer's Wife all gained mentions in the guide, which is not a bad effort for a town of 2500 people.

AirDucation

Ms BATH (Eastern Victoria) — Mallacoota in my electorate is home to pristine waterways brimming with life, magnificent scenery and four amazing young 13-year-olds. Tegan, Sarah, Talia and Airly have established AirDucation, a website dedicated to helping students plan overseas trips at low cost for the purposes of cultural exchange, establishing networks and fundraising for localised sustainable initiatives. The students have three objectives: a cultural experience, a humanitarian goal and a challenge.

The girls have chosen Nepal as their pilot project to document their journey as a guide for other students to plan their own endeavours. Through research the girls have identified that in Nepal 50 per cent of rural women never attend school and 50 percent of rural teenagers cannot read or write. In 2018 the girls are going to Nepal to visit schools and help with sustainable long-term local initiatives. The girls have connected with an organisation called Empowering Women and are fundraising to offer scholarships to enable female students to become trekking guides and create long-term employment opportunities. The girls

will trek with the Nepal students and visit their schools and villages.

I think this is an inspirational story of young women in Gippsland wanting to make a difference in the world and also helping others to do the same. I am sure it will be a fantastic adventure which will provide much insight for them and opportunities for personal growth. I commend the girls on this very worthy initiative and encourage others to visit the AirDucation website to help raise funds for these young ladies to make a difference in their world.

Bannockburn P-12 school

Ms TIERNEY (Western Victoria) — On Monday morning I had the pleasure of attending the site of the new Bannockburn P-12 school for the turning of the first sod. I want to thank all those who attended — students, teachers, parents and school councillors — for braving the weather to come out to help turn the sod. Construction is due to be completed by December 2017, and the school is scheduled to open for term 1 in 2018. The school will include state-of-the-art facilities, including a two-court gymnasium, a performing arts theatre, six outdoor hard courts and a multipurpose space used by the school during the day and by the YMCA after school hours for community programs and after-school care. This is another example of the Andrews Labor government continuing its plan to make Victoria the education state.

Banyul-Warri Fields

Ms TIERNEY — On another note, I had the pleasure last Sunday of attending the official opening celebration for the Banyul-Warri Fields recreation zone along with members of the Torquay community, Surf Coast council representatives and other dignitaries. The Andrews government contributed \$50 000 towards the project. The recreation zone was developed for people of all ages. It has features including a toddler and preschool play area, an adventure play area for children, a skate bowl and street-skating area, a barbecue area and picnic tables, and bicycle rails. The new space is next to the Banyul-Warri Fields sporting ovals, providing opportunities for activities for the whole family. I would like to thank the community reference group for their valuable contributions in making this one of the best recreation spaces I have ever seen.

Cranbourne railway station

Mr RICH-PHILLIPS (South Eastern Metropolitan) — The latest statistics from Public Transport Victoria reveal what Cranbourne rail

commuters already know, and that is that the car parking at Cranbourne railway station is woefully inadequate. The latest Public Transport Victoria statistics show that on an average weekday 970 commuters touch on between the hours of 7.00 a.m. and 8.30 a.m., yet there are only 680 car park spaces provided in the local car park. Public Transport Victoria's response to this is to tell the residents of Cranbourne to catch a bus to the station. This highlights that the government does not have a clue about the type of public transport the rail commuters in Cranbourne have to endure, with typical commutes of up to 1 hour on crowded, dirty and late trains. The suggestion that they should also endure a bus ride beforehand is simply ludicrous.

The Labor Party has previously abandoned its commitment to build a railway station at Cranbourne East to cater for the rapidly growing population. Indeed Cranbourne East and Clyde are expected to grow to be an area of over 840 000 people over the next 15 to 20 years. The Victorian government will reap hundreds of billions of dollars in stamp duty from those new housing developments, and it is appropriate therefore that it provide adequate commuter car parking at Cranbourne station to minimise the discomfort that Cranbourne rail commuters currently have to endure.

First Constable Rodney Breavington

Mr ELASMAR (Northern Metropolitan) — On Tuesday, 6 September, I was proud to attend and represent the Minister for Women and member for Northcote, the Honourable Fiona Richardson, at the annual memorial service together with an award ceremony commemorating First Constable Rodney Breavington, who prior to World War II was stationed at the Northcote police station in my electorate. First Constable Rodney Breavington was a highly respected member of the Northcote police station and a heroic soldier who sacrificed his life for his country. He was unfortunately at the fall of Singapore in 1942. He escaped from his captors only to be recaptured and executed by a firing squad. His bravery and dedication to serving others is legendary within Victoria Police and is remembered by the annual awarding of the Corporal R. E. Breavington award.

Whittlesea citizenship ceremony

Mr ELASMAR — On another matter, on Monday, 12 September, I was pleased to attend and address a citizenship ceremony organised by the Whittlesea Shire Council. It was a great night, and I congratulate Whittlesea shire's mayor, Cr Steve Kozmevski, and council officers for making it a special night to

remember for all our new Australian citizens residing in the Whittlesea shire.

Mid-Autumn Festival

Mrs PEULICH (South Eastern Metropolitan) — I would like to take the opportunity of wishing our Chinese community a very happy Mid-Autumn Festival, which is typically celebrated on the 15th day of the 8th month of the Chinese lunar calendar and which falls on exactly today. To many Chinese this is the second most important festival in the Chinese New Year. The Mid-Autumn Festival means family reunion and peace. The festival is celebrated when the moon is believed to be at its biggest and the fullest. To the Chinese, a full moon is a symbol of prosperity, happiness and family reunion. Happy Mid-Autumn Festival.

Casey community safety

Mrs PEULICH — On another note, we have all received many emails from members of the Casey community in relation to their concerns about community safety. I would like to acknowledge all of those. I certainly share many of their concerns. I do not agree with all of the tactics, including the flying of a flag at half-mast as a way of sending a symbol. I think the flying of a flag at half-mast is an expression of honour and respect or mourning, and I certainly do not believe it is constructive to be sending those emails to every single MP in Australia. However, the 20 per cent increase in the crime rate in Casey, 20 per cent increase in Kingston and 28 per cent increase in Dandenong over the last year does signify a very big problem. Part of that comes from the two-up policy of the government, the weakening of bail laws, the closure of police stations and the reduction of hours and reduced visibility. I certainly urge the state government to address the significant concerns in the community about crime safety, especially carjackings and home invasions.

Caulfield–Dandenong line elevated rail

Mr DAVIS (Southern Metropolitan) — I want to make some further commentary today about the sky rail between Caulfield and Dandenong. What is clear is that the government has deceived the community and that the Level Crossings Removal Authority (LXRA) has deceived the community when it comes to community consultation. The LXRA claims to be consulting the community. They have been nothing more than propaganda sessions. People who were near the railway line were excluded from some of the survey work. People within 400 metres of the railway line were

deliberately excluded from the LXRA survey work. I say that survey work is not worth the paper it is written on, especially when the government had in its possession a VicRoads survey from early in 2015 that covered a whole range of areas across the city, including areas like Noble Park, which are impacted by this ugly, monstrous sky rail. That made it very clear: only 13 per cent of people surveyed supported a rail-over solution — only 13 per cent, which is very different from the figures the government got in its doctored survey done by the LXRA.

Knowing full well that the community did not support it, the government sought to mislead the Victorian community by releasing bogus figures. Now they have been caught out by the FOI that shows their own secret VicRoads report. The same pattern is emerging on the Frankston line. I think this is a disgraceful government and the way they are pursuing this project is disgraceful.

The PRESIDENT — Order! Just as an extension of Mrs Peulich's contribution wishing the Chinese community well with their current festival, the moon festival, could I also take this opportunity on behalf of the house to wish all of those people of Islamic faith well as they celebrate Eid.

LIVESTOCK DISEASE CONTROL AMENDMENT BILL 2016

Second reading

Debate resumed from 14 September; motion of Ms PULFORD (Minister for Agriculture).

Mr FINN (Western Metropolitan) — It gives me a great deal of pleasure to rise this morning to speak on the Livestock Disease Control Amendment Bill 2016. This is a particularly important bill for those who are involved in the industry, and I have to say it is a particularly important bill for Australia. The livestock industry is a significant contributor to the welfare of Australia as a nation — and I am not just talking about the fact that we do have excellent meat and so forth to provide in our restaurants and indeed on our plates at home. It is also a huge contributor to the national economy. There are many, many farmers the length and breadth of Australia who are involved in this industry and who do a tremendous job, and I salute them this morning, because they are real contributors to our nation. I remember Joe Hockey as federal Treasurer talking about leaners and lifters, and the farmers who are involved in the livestock industry are lifters. They are the lifters, and I salute them here today for the tremendous job that they do.

It should be pointed out that this bill is not just about cattle. When we talk about livestock I think people automatically think about cattle, but it is not just about cattle. It is also about sheep, goats — —

An honourable member interjected.

Mr FINN — Yes, that is right, and pigs — I knew I had forgotten something. And these are of course very important parts of the livestock industry. It reminds me of that old story of New Zealand and how the New Zealand meat industry has discovered two new uses for sheep: wool and meat!

An honourable member — It's an oldie but a goodie.

Mr FINN — It is an oldie but a goodie, but this certainly reminds me of it.

You might be wondering, and the house may well be wondering, why somebody representing the western suburbs of Melbourne is up speaking on this bill, and it is a particularly good question. But I would just like to point out that for most of my early years I lived on a farm — on a dairy farm, in fact. I grew up milking cows, and we had beef cattle as well. We did not have any sheep, goats or pigs; we had a couple of horses, but we did not use them as livestock — they were nice horses.

An honourable member — They ran in the Melbourne Cup?

Mr FINN — They did not run in the Melbourne Cup either.

As I said, my early years were spent on a dairy farm, so the welfare of animals is something that I hold particularly dear to my heart — —

An honourable member — Deer?

Mr FINN — No, there were no deer. I think that there has to be some understanding by the community that farmers do love their animals, that farmers do wish to protect their animals and that farmers are actually concerned about the welfare of their animals, because there are some sections of the community that would — —

An honourable member interjected.

Mr FINN — Indeed they do attack farmers and those in rural industries as people who exploit, abuse and mistreat animals. Nothing could be further from the truth. I have known many farmers over many, many years, including most of my family, and let me tell you,

mistreating their animals on the farm is the very last thing they would do, because of course those animals are their meal ticket and if the animals are mistreated and are not given the respect they deserve, then they do not provide in the way that the farmers had hoped. I think that is a particularly important point to make.

I mentioned before the importance of the livestock industry to Australia, and I feel that I cannot speak on this bill without mentioning what happened to the livestock industry in this country just a few short years ago, when a television program, which was later largely discredited, caused the Gillard government to destroy an industry at the stroke of a pen — —

Mr Ondarchie interjected.

Mr FINN — ‘Overreaction’ is an understatement, Mr Ondarchie, if I can say that, because that is exactly what it was. They scrapped the live export market. I recall being up in Darwin during that time, and the pain that was caused to so many people as a result of that was quite devastating. I use that word, ‘devastating’, because many people, not just in northern Australia — the Northern Territory or Queensland — but even down here lost their livelihoods, and many of them lost their homes or their families. It was just a devastating time for so many people.

It just goes to show that when you have people in positions of power who have absolutely no understanding of the impact of their actions, you have a situation where real trouble is just around the corner. In that situation the Gillard government failed the people of Australia and particularly the livestock industry and those farmers who not only were dependent upon the livestock trade but also provided many, many hundreds of millions of dollars for the Australian economy. I think it is fair to say that whilst the live export trade has resumed, Australia’s reputation took such a battering at that time that we have not recovered to this point. It may well be that it will take quite some time before we fully recover — before Australia’s reputation is fully restored in those nations that we had been dealing with and indeed largely are dealing with again.

I think we really need to keep in mind that the livestock industry is a major plus for Australia. It is not just a way of keeping farmers alive, paying their bills, keeping them in homes and educating their kids, but indeed it is a major boon for the nation. It is something that we should protect at all costs, and that is largely what this bill is all about.

This bill is not exactly a major change, or in fact any change, in policy. It does put in place some

administrative changes, and it is a bill to make amendments to the Livestock Disease Control Act 1994. I think it should be pointed out — and I will not read the statement of compatibility; I will leave that for Mr Dalidakis if he comes back — as was pointed out in the second-reading speech:

The former government agreed to recommendations made by the Animal Health Committee (AHC), a national forum for state and territory chief veterinary officers and the Australian government chief veterinary officer, for the national harmonisation of swill feeding legislation. Swill feeding of pigs with material derived from mammals —

which is known as ‘mammalian material’ — —

Mr Davis interjected.

Mr FINN — Well, Mr Davis knows obviously more about this than I, and when we are talking about swill I bow to Mr Davis’s superior knowledge. I am happy to do that, so that will be fine. Now, what was I talking about?

Mr Ondarchie — He knows his animals.

Mr FINN — Yes, he does. He does know his animals; he has been in here for a while. But as I was saying:

Swill feeding of pigs with material derived from mammals (mammalian material) is well recognised as a risk factor for the introduction of several emergency animal diseases, including foot-and-mouth disease —

as distinct from foot-in-mouth disease, as a few over the other side have been known to show from time to time.

Ms Shing — You used that joke yesterday.

Mr FINN — No, I didn’t. I didn’t speak yesterday. What are you talking about?

Mr Leane interjected.

Mr FINN — Now, you might be interested in this, Mr Leane:

... classical swine fever and African swine fever ...

And that, I understand, has the potential for devastating impacts on Australia’s livestock and related industries. People have to realise that once the genie is out of the bottle with regard to these diseases — the swine fever, the foot-and-mouth disease and the African swine fever — it is very, very difficult to put it back. We need legislation such as this to ensure the protection of the industry and indeed of the beasts themselves.

This bill amends the Livestock Disease Control Act 1994 in order to align the swill feeding provisions with recommendations of the AHC. The opposition does not oppose this bill. In fact it is a bill that we welcome. It is a bill that does have some considerable impact on our livestock industry and on our farming industries, and for that reason, as I say, we do not oppose it. It is worth pointing out that clause 12 of the bill states that new sections 41A and 41B are inserted. I wish I had a bit more time, because I would love to point out exactly what is in these new provisions of the bill, because they do go for quite — —

Mr Ondarchie interjected.

Mr FINN — We will. I think we should go through this in quite some considerable length in the committee stage, given the importance of the bill and given the new recommendations, because there will be a lot of people who welcome reform. They think that is a very good thing for the farming industry and the livestock industry. They think that is a very good thing, but they might not know the full implications that new sections 41A and 41B will have. I will give you an example: in 41A there is a list of things that the secretary may issue a permit on.

Mr Ondarchie — Like what?

Mr FINN — I will just say, I do not have an inordinate amount of time left for this, Mr Ondarchie, which I am disappointed about. But section 41A(1) states:

The Secretary may issue a permit to a person authorising that person to feed material originating from a mammal or that has been in direct contact with material originating from a mammal to a wild pig, if the Secretary is satisfied that the feeding of the material is solely for the purposes of research into wild pigs or the baiting of wild pigs carried out by that person.

I know that there are a lot of people around the place. There is Mr Bourman. I am sure he knows about wild pig shooting. He could probably tell us about it. Have you been pig shooting, Mr Bourman? I am sorry, President. Mr Bourman, I am sure, will have been pig shooting from time to time, and if I had a bit more time, I could go into that in a bit more detail as well. Wild pigs might have diseases that — —

Mr Ondarchie — They might fly.

Mr FINN — Well, I am not sure if they would fly, because they are pretty big, I gather, but they may well carry diseases that could be quite devastating to the livestock industry. So just this one provision of the bill will have an enormous impact in protecting the industry

and the livelihood of many thousands of Australians. It is indeed an industry which we are so very, very proud of. I again make it clear that the opposition will not oppose this bill, and I salute once again the livestock industry and the farmers of Australia.

Ms LOVELL (Northern Victoria) — I rise today to speak on the Livestock Disease Control Amendment Bill 2016. This is a small but very important bill when we talk about the control of diseases amongst our livestock. The bill proposes amendments that will make administrative changes to three aspects of the Livestock Disease Control Act 1994.

Firstly, the amendment bill will make the Livestock Disease Control Act consistent with the Subordinate Legislation Act 1994 in relation to publication orders. The act will be changed to state that publication in full is required instead of just notice of the making of a declaration. This amendment will apply when there are declarations of unusual circumstances of disease or death in livestock, an affected area or vehicle, a control area or importation orders. Full publication is already a prevailing requirement under the Subordinate Legislation Act 1994, so this amendment to the Livestock Disease Control Act will remove any apparent inconsistencies.

Secondly, the amendment bill will replace section 8A of the Livestock Disease Control Act with a new section listing the common requirements for vendor declaration for the transport of cattle, sheep, goats and pigs. This will now be set out in the act instead of being set out in the regulations. The agriculture department has advised that the proposed section 8A substitution will not materially alter current vendor declaration requirements.

Lastly, the amendment bill inserts new section 41 in the Livestock Disease Control Act. It relates to a prohibition on swill feeding.

The former coalition government had actually agreed to the recommendations from the national Animal Health Committee and the commonwealth chief veterinary officer for national harmonisation of swill feeding laws. These amendments will enact the commitment that was made by the former coalition government. These changes are administrative amendments to the act and will not have any material impact on farmers or the general public. This is very much just an administrative bill.

Biosecurity is something that is very, very important in Australia; it is something that we take very seriously. We do this because we are an island nation and because

we do not have many of the diseases that exist overseas. I remember a few years ago there was an outbreak of foot and mouth disease in the UK and how devastating that was to their cattle industry. I remember a number of vets from my region going over to help with the outbreak of the disease. That disease outbreak was monumental for the industry in the United Kingdom. It virtually closed down their industry, and it took many months for that outbreak to be brought under control.

That is something that we do not want to see happen in Australia. That is why we are so very strict at our borders, and everyone knows that when you come into the country you will be asked what countries you have been in and whether you have been on farms. This is all for a very good reason. It annoys me when I hear people say, 'Oh, just tick the box that says you have not been on a farm'. That is not good for the biosecurity of our nation and certainly not good for the farmers within my electorate.

In fact recently I was in Africa, and we came across a skeleton in the Kruger National Park. We were in a part of the park where there were actually not many lions or other cats around. I asked the guide if this buffalo carcass had been killed by a pride of lions, and he said, 'No, it is far more likely that that animal died of anthrax'. That set all my alarm bells off. Unfortunately anthrax is a disease that has infested land locally near my home in Shepparton around areas of Tatura, and occasionally when we have very dry conditions we have outbreaks of anthrax. That prompted me to leave my boots in Africa rather than to bring them home. Everyone told me, 'Just go back to the motel and scrub your boots. When you get home, you can run them through a bit of disinfectant', but I was not willing to take that risk given that I come from an area where cattle are so important to our local economy. I threw those boots away just to make sure that I was safe.

Johne's and anthrax are diseases that have been in Australia for many, many years along with many other diseases amongst our livestock that we have to keep control over. Of course this bill gives us far greater traceability of where cattle and other livestock have travelled within Australia so that when there is an outbreak of disease we will be able to see where cattle from that area have travelled to and hopefully we will be able to contain any further outbreaks.

Another story that I have from Africa is that at the border of Zambia and Botswana they made us actually walk through troughs, which was a bit like a —

Mr Barber — Sheep dip.

Ms Lovell — Sheep dip — exactly. It was quite interesting. But I do not think they were being terribly secure about their biosecurity because the actual filth in the troughs would have been worse than any of the diseases that we might have been taking from Zambia back into Botswana. However, it shows that many countries are concerned about biosecurity; it is not just Australia. Australia's biosecurity goes far further than just concerns for our livestock. We even see it in the transportation of fruit.

I am old enough to remember being stopped at the border of New South Wales by the inspectors so they could check to see if we had any fruit in the car so that we did not transport Queensland fruit flies out of New South Wales into Victoria. Unfortunately the Queensland fruit fly has now come into Victoria, and they are working very hard at the moment to ensure that that is kept under control and hopefully eradicated from the orchards in Victoria.

Even the other day when driving to Rochester I noticed a sign on the side of the road advising that fruit should not be taken past that point, which is interesting, because as I said, in the old days — or in days gone by, in the days of our childhood that we remember fondly — we were stopped at the border and our car searched. That no longer happens. It is an honesty system now, and people are asked not to take fruit beyond certain points. Unfortunately many people do not realise the impact of not following that advice.

It is the same situation with people coming in from overseas. Some do not take seriously our strict quarantine requirements in Australia, so they will tick the box that they have not been on a farm when they have been on a farm, or they will tick the box that they do not have any wooden items when they do have a wooden item. We hope that we can educate many of our fellow Australians to understand the vital importance of biosecurity to our island nation so that we do not have the outbreak of many of the diseases, like foot-and-mouth disease, that they have overseas.

Swill feeding of pigs is another area that will be strictly controlled under this bill. That is because swill feeding is seen as providing the opportunity for the transfer of disease between other animals and pigs. It is good to see that these harmonisation laws will apply right across the country to ensure that we prevent the transfer of diseases through swill feeding of pigs.

Although this is a very small bill it is a very important one to the livestock industry in Australia. I commend the bill to the house.

Ms CROZIER (Southern Metropolitan) — I am pleased to be able to rise to make a contribution on this bill that we are debating in the house today. I do so because, having grown up on a sheep and cattle property, I am very aware of the strict requirements that are necessary to keep our livestock industry free from disease, including from some of the international diseases that could come into our country.

Can I say while I am speaking about where I grew up that it was in those areas that are under tremendous flooding at the moment — close to Casterton is the area where I grew up. We have been watching those floods in Casterton–Coleraine for most of the week, and they are now spreading across Victoria. In fact I was speaking to a friend of mine from Mortlake this morning, where they are experiencing flood levels that they have not seen for some time. As I look on my Instagram account I see pictures that my friends have posted of the floods right across western Victoria, from Casterton right down through to Tyrendarra, Mortlake, Darlington and across the area. There are serious concerns for loss of infrastructure, like fences, on those farms, and of course we know there will be massive damage to roads that will need to be addressed by the current government once these waters subside.

Clearly there is going to be a lot of cleaning up to do, but can I say I remember the last flood in Casterton in 1983. We were on the boundary of the Glenelg River and had river flats. We all pitched in to save many of our cattle and sheep that were on those river flats at the time. We had boats, we were on horses and we did what we could, and of course everybody pitched in. It is fantastic to see that community spirit in country areas that comes to the fore in times of disaster or great risk such as what we are experiencing now. Let us hope that there is not too much damage when these floodwaters subside.

Nevertheless, I did want to make a few comments on this matter because, as I said, I grew up on a property. We had a large sheep holding, I would have to say, and wool and mutton production was our main area of interest. Because that is where we derived our income from, it was very important that we kept track, as much as we could, of where our stock was going. The movement of stock is incredibly important. Whether you are selling or buying, you need to understand where that stock has come from and what provisions are in place to protect your stock and ensure that it is disease free.

Ms Pulford interjected.

Ms CROZIER — Ms Pulford is interjecting.

Ms Pulford — I was just interjecting to make the point that you, unlike some of your colleagues, seem to understand this, so it is a good thing.

Ms CROZIER — Sorry; I beg your pardon. Thank you for doing that because I think it is really important, as you say, that we understand the need for traceability. I thank Ms Pulford, because as the Minister for Agriculture she understands the risk to the agricultural industry as well. We do have to have provisions in place so that we can trace stock. I do remember when I was a young girl we would have the cattle tags and would be sitting at the table writing the numbers so that we would have cattle tags or sheep tags to clearly identify the herds or the flocks. When they were traded we knew where they were going and that they could be traced back. We are in a position now where we can use technology and have greater traceability, and I think that is important.

I would like to go back to the point of what we did in the previous government under Peter Walsh, who was at the table to look at a national perspective in relation to consultation — having a consultation process across the country to identify those improvements that were required, especially around sheep and goats, because the cattle industry have taken a lead. It was important that other livestock industries also understood the importance of having a traceability mechanism in place that can be identified in 2016.

Certainly it makes life a lot easier for farmers to have that. I know that in years gone by, when everything was paper based, there was a huge amount of paperwork that was undertaken and a lot of time spent. We have got the technology, but clearly some parts of our state do not have that connectivity of technology. I would have to say that still it frustrates me no end that certain areas of Victoria do not even have mobile phone connectivity. This has been going on for years, and I hope the federal government will be addressing those concerns to see that we can have proper coverage, because I know many farmers and many of my friends rely on that connectivity; for them it is absolutely imperative.

So this is about using technology to have that traceability element so that we can source the problem if there are outbreaks of any sort — and can I say that there have been outbreaks in the past and stock has then needed to be quarantined, as it should be. As other contributors have mentioned, our food and fibre industry is incredibly important to this country and is worth billions and billions of dollars. We are recognised around the world as having one of the highest quality food and fibre industries in the world,

and so it should remain. That is extraordinarily important, and something that I am terribly concerned about. Should we have any breach of biosecurity in the country, then that industry would of course be put at risk.

I was reflecting on the contribution Mr Morris made yesterday when he made the point about federal agriculture minister Barnaby Joyce's take on the Pistol and Boo affair. It was derided by so many within media and social media, and I have got to say it was quite ignorant of people to take such a flippant view of what essentially could be a serious matter. Why should Pistol and Boo have been let in when there are strict biosecurity regulations to prevent animal disease? In this case it is dogs, not livestock, that we are talking about, but nevertheless I want to make the point that rabies or some other disease that we are fortunately still protected from could come into the country.

During the time of the debate when the media were deriding Barnaby Joyce for his comments, I thought it just demonstrated the ignorance of some of these people. Can I say that I was very pleased that he won the debate, and look where that couple has ended up: they have ended up in a mess anyway. Pistol and Boo did not save their marriage.

Ms Shing — You should never get a dog to save a marriage!

Ms CROZIER — Quite right, and in the separation it can be very hard. Getting back to the serious element of this bill, can I say that I do not want to be flippant about it, and I know that others have made their contributions, but it is important that there are administrative changes made to the Livestock Disease Control Act. They need to be undertaken, and I know that others have gone into more detail in relation to what that would mean and they have spoken about the risk posed by, especially, the element in relation to swill feeding. That I think has been highlighted by one section proposed by the bill, section 41, and that quite rightly prohibits swill feeding.

If you cast your memories back to what happened in the UK not so long ago, you will recall that when swill feeding did take hold it caused devastating disease outbreaks in part of the UK and Europe that really decimated the livestock industry. It was absolutely dreadful. Of course we have seen other diseases, such as foot-and-mouth disease and other very serious diseases in livestock, that can cause enormous harm to animal welfare and enormous loss to farm income and overall economic income.

This is an enormously important industry, as I have mentioned, to our state and to our country. It is incredibly important to those farmers that we do not have the biosecurity problems that some other parts of the world have to contend with very frequently — in fact they live with them all the time. We cannot afford to have the breakdown of biosecurity in this country and in this state, so this bill does go in part to making those changes and to ensuring that that biosecurity can be maintained.

I know that there are other speakers who want to talk about the importance of this bill. I remind members that we do have very significant food and fibre exports. In 2014 exports were valued at around \$11.6 billion or 27 per cent of Australia's total food and fibre exports. We need that industry to grow, we need to protect our farmers from diseases that can wipe out herds and wipe out an industry. With those few words, I will leave my contribution there.

Ms FITZHERBERT (Southern Metropolitan) — I am really pleased to be able to speak on this short but important bill. It is critical to a major part of our economy. It is relevant to many of our constituents, and like Ms Crozier I have some links with a part of the world for which this form of industry is front and centre and of very great importance to everyone who lives in those communities as a result.

Australia is of course an island nation, so we have been able to protect ourselves in many ways from the sorts of diseases that other nations have as a real and present threat, and one that costs an enormous amount of money, energy and heartache. Because of our geographic boundaries, we are able to protect ourselves much better from this, but it does not come without a huge amount of effort and awareness. Disease control that is effective is critical to our economy. This is something that is well understood by many Australians who, like me, grew up in communities where dairy farms, for example, are strong.

I grew up on the edge of Geelong in a time when the Barrabool Hills, which are nearby, were full of dairy farms rather than brand-new houses and housing estates. I went to school with kids who were bussed in from the Otways and so on, which is the kind of dairy farm country where Mr Finn grew up — much earlier than I did, I might add — and indeed you, Acting President Ramsay. This is a community and an industry that I am very familiar with and very close to. All of us grew up knowing why it was important to have the sorts of controls that we have in relation to animal stock, because they kept our farming industry strong and reliable.

This bill is important. It proposes amendments that make administrative changes to three aspects of the Livestock Disease Control Act 1994. Firstly it will make the act consistent with the Subordinate Legislation Act 1994 in relation to publication orders and will be changed to state that publication in full is required instead of just notice in the making of a declaration. This amendment will apply when there are declarations of an unusual circumstance of disease or death in livestock, an infected area or vehicle, a control area or importation orders.

Secondly the amendment bill will replace section 8A of the act with a new section. Common requirements for vendor declaration for the transport of cattle, sheep, goats and pigs will now be set out in the act instead of by regulation, which I think is a small but significant change and goes to the importance of clarity around this issue.

Lastly the amendment bill alters various parts of section 41 of the act, which relates to a prohibition on swill feeding. The former coalition government agreed to recommendations from the national Animal Health Committee as well as the commonwealth chief veterinary officer for national harmonisation of swill feeding laws, and these amendments are about putting Victoria's commitment to this into practice.

I am just going to speak very briefly on swill feeding. Mr Finn was of course quite interested in this aspect of the bill. I was going to say it is from some experience, but that might be taken the wrong way, but I am referring of course to his childhood on a dairy farm. Swill feeding is about feeding pigs food scraps or food waste that contains meat or which has been in contact with meat. The feeding of swill to pigs is a disease risk in Australia. Generally the pork industry as a whole is aware of the requirements in relation to the feeding of swill, but there is a view that there are smaller hobby farm holdings that may access scraps from other meat industries which will also fall under this legislation and now be clearly subject to the same strict nationwide standards, which is an important and good thing.

There are a lot of serious risks from swill feeding in terms of the spread of infectious disease, such as foot-and-mouth disease, which is also known as hoof-and-mouth disease, and classical swine fever. These are not things that we have to think about every day in the safety of this place, but it is critical for farmers to be aware of these risks and to manage against them, as the vast majority do extremely successfully every day.

Swill feeding was the cause of some devastating outbreaks of foot-and-mouth disease in the UK in 1967 and 2001, and also in South Africa in 2000. Such outbreaks have, I think, a very deep impact at the time of the outbreak, but also much later. They have a huge impact overnight — a sudden, shuddering, awful impact on businesses, on families and on the movement of people around the countryside. They lead to loss of income, and they affect the international reputation of goods long after the immediate infectious risk has gone away. People remember this, and it plays into perceptions of how clean and reliable our feedstocks are. This is yet another one of the very good reasons to avoid these kinds of outbreaks.

Australia is of course presently free from foot-and-mouth disease, and long may that continue. It is probably, I understand, the most feared disease in the world when it comes to cloven-hoofed animals. It can be spread by airborne particles or by contamination from farm equipment, from clothing, from feed and by domestic and wild animals and the predators of those animals. And of course once it is out there, it is very, very hard to control, and the efforts to do so are ferocious. They need to be, but that goes back to the impact on individuals and others who are involved in the industry, as I outlined earlier, which is so serious.

In Victoria there are over 15 000 farms, which have more than 2 million beef cattle. In 2014 beef was one of Victoria's highest value exports and had a value of around \$1 billion. To put that into context, that is 44 per cent of Victoria's meat export value and 14 per cent of total Australian beef export value. That is a massive industry. Victoria is currently Australia's largest lamb and mutton-producing state, provided 44 per cent of Australian lamb production in 2013 and is one of the world's biggest suppliers of sheep meat, exporting around \$898 million worth of product.

I want to pause briefly and make a couple of comments about the foot-and-mouth disease outbreak in the UK in 2001, which I think many of us vividly remember, even from this side of the world. It was a useful and very harsh lesson on the consequences of failing to protect our livestock from this kind of risk. One person fed untreated waste to his pigs on his farm, and this started an enormous epidemic which was spread by the movement of sheep across the UK, into Ireland and into Norway. All this resulted in the destruction of 10 million sheep and around 10 million cattle and the loss of approximately \$13 billion in cost to agriculture and supporting industries. This was a massive impact on the industry and on the economy of a number of countries, but it was also, as I said earlier, a devastating impact on individuals and families in the industry.

I think one of the clearest memories I have of this period is seeing footage of farmers having to destroy their own stock and the sort of emotional cost and also the financial cost this brought to those farmers and their families. We all want to avoid this kind of appalling action that needs to be taken when these very serious outbreaks of disease occur.

The issue around being able to trace stock is an important one, and it goes to that example that I gave a moment or so ago about the spread of disease through the movement of sheep. In 2011 the Commonwealth Department of Agriculture, Fisheries and Forestry released the Matthews report on Australia's preparedness for a foot-and-mouth disease outbreak. This identified the need for better identification and tracking of sheep and domesticated goats. This is necessary for food safety, disease control and market access purposes. It found that Australia's current paper-based ID system would likely fail under the strain of an outbreak. I listened with interest to Ms Crozier speaking earlier this morning of her childhood memory of writing out by hand the ID tags for the animals that her family kept on their family farm. It is through these kinds of experiences growing up that people get a really clear understanding of the practical ways of ensuring that farm animals are looked after and protected so we know where they are and can contain them as a consequence — and this is one of the benefits — of any disease outbreak should one regrettably happen.

Last sitting week the government flagged their mandatory use of electronic ID tags as of January 2017 for all newborn lambs. I listened with interest to the comments that were made by Ms Bath earlier in this debate about the impact of this on farmers. This is a very significant change that farmers are going to be asked to introduce, and the minister has flagged that there will be funding for farmers to help this transition, but only for one year on a cost-neutral basis. There are a number in the industry who have raised a number of concerns about this, not so much in terms of the practice but in terms of how it will be implemented. It is asking a lot to add an extra cost and effort of this kind onto farmers, who are, after all, small businesses in many instances. I think if this is to be done effectively, there needs to be a really strong commitment from the government to support it in every way. It may mean that they need to assess or reassess the funding that they will allow or plan to allow to assist this transition. I look forward to hearing further information from the minister in due course about how it is going to work in practice. The industry, from what I gather, is looking for that sort of assurance as well.

I mentioned earlier that because we are an island nation we have a benefit geographically in terms of keeping our farms, our animals and other aspects of farm life, such as the grains and so on that we grow, free of disease in a way that other countries can only dream of. This is something that underscores and supports the reputation we have of being able to provide food to the world that is clean and reliable. We have a reputation based on a lack of outbreaks of disease in this country, and we need to do everything that we can to maintain that. This bill is part of that, and it is for that reason that the opposition is not opposing it. Biosecurity is critical to the profitability of our \$52 billion agriculture sector; therefore it is a major part of our national economy, and the benefits of having such a strong biosecurity system flow through the whole country. It affects our economy and it affects individuals in a very profound way. We need to do all we can to support it. With those remarks I will conclude.

Motion agreed to.

Read second time.

Committed.

Committee

Clause 1

Mr RAMSAY (Western Victoria) — The question I would like to ask in relation to clause 1 — it is in the first two lines — is about the identification of a person that occupies land on which livestock is kept. I was wondering if the minister could clarify in fact what 'occupying' means in relation to that particular line. Does that mean someone that owns and occupies, manages, leases, share farms or in fact just owns stock on land on which the animals are kept?

Ms PULFORD (Minister for Agriculture) — Thank you, Mr Ramsay. Could you just repeat the question — which line?

Mr RAMSAY (Western Victoria) — On the second page of the explanatory memorandum:

... defined broadly in the LDC act and includes a person occupying land on which livestock is kept.

Could you just clarify what is meant by 'an occupier' in the bill as proposed?

Ms PULFORD (Minister for Agriculture) — That refers to the person who is managing the animals. That could be the owner; it could be a property manager.

Mr RAMSAY (Western Victoria) — Thank you, Minister. The reason I ask is that the current national vendor declaration (NVD) forms which are issued under the livestock production assurance (LPA) program identify that the owner of the livestock in fact has to be the responsible person in relation to filling in the vendor declaration form and having that accompany the animals, whether it is through transport or agents, even though they do not have to occupy the land. It is merely a form of identifying where the animal actually is at a given point in time and where it is actually going. That is the traceability component of the national vendor declaration form. I am just wondering then, if it is defined as a manager, is that different from what the previous act said in relation to the NVD?

Ms PULFORD (Minister for Agriculture) — It is no different.

Mr RAMSAY (Western Victoria) — If the terminology in relation to occupier is the same, can I then ask: what is the difference between the current requirement of an NVD under the LPA and the conditions under which you sign that declaration for the transfer of stock to what is proposed in this new bill? Certainly there is a requirement for identifying animals where a property has what is known as a property identification code (PIC), and then there are a range of questions that are asked in relation to whether the animals have been subject to any particular contamination et cetera. I will not go through the whole list, but I am actually interested to know under this new bill what the new NVD will have that is different to the old NVD that currently stands in relation to the LPA.

Ms PULFORD (Minister for Agriculture) — I thank Mr Ramsay for his question. There will be no change.

Mr RAMSAY (Western Victoria) — Minister, I asked that question because it was indicated in the second-reading speech that in fact there would be a slight variation to the NVD under this new bill, but you are telling me in fact that what is used currently in the industry will be exactly the same format under this new bill.

Ms PULFORD (Minister for Agriculture) — The current section 8A — and I appreciate that we are on clause 1 — in the legislation that has been there since 2010 has never operated. There have been orders issued under the act that have been used instead the entire time, so what this legislation represents is moving the contents of the order to the act so that it is clearer for all concerned.

Mr RAMSAY (Western Victoria) — Minister, I stand corrected. That is true. However, my understanding is that previously you could not actually move an animal without the accompaniment of an NVD even though it might have been strictly in the act. The question I ask then is whether there is any provision under the new requirements to have the vendor declaration transferred electronically.

Ms PULFORD (Minister for Agriculture) — I thank Mr Ramsay for his question. The transmission of the information is unaffected, so, as Mr Ramsay would appreciate, for cattle it has been electronic for a number of years; for sheep and goats, currently not.

Mr RAMSAY (Western Victoria) — Under the new requirements for the NVD to travel with livestock, would, say, a livestock carrier be able to use not the paper trail but, say, an app in relation to using that electronic information to go through the conveyance stage?

Ms PULFORD (Minister for Agriculture) — I thank Mr Ramsay for his question. Both the current arrangements — the orders that are in place and what is envisaged by this act — enable that to be the case, but it makes no difference. It is currently the case, and it will continue to be the case. There is nothing in this legislation that gives it a different effect.

Mr RAMSAY (Western Victoria) — If I can ask then, is the information that is to be collected under this act still to be directed to the same database that is currently being used?

Ms PULFORD (Minister for Agriculture) — Yes, absolutely.

Ms BATH (Eastern Victoria) — Minister, I know you have been speaking about electronic identification of sheep and goats. Since this bill was introduced in the lower house you have introduced it to this house on 24 August and it will have significant ramifications for farmers and the industry. Just for clarity, in terms of the vendor declaration, clause 1(b), can you just reiterate — and I think you were speaking with Mr Ramsay about this — whether in the process for sheep and goats and the new electronic identification there will be any major change?

Ms PULFORD (Minister for Agriculture) — I thank Ms Bath for her question. This legislation has no bearing on that other matter, so it is beyond the scope of the bill.

Mr RAMSAY (Western Victoria) — Just for clarification, my questions were on the electronic transfer of the NVD as distinct from the electronic identification of sheep and goats.

Ms PULFORD (Minister for Agriculture) — Yes; thank you for that clarification, Mr Ramsay. I understand that.

Mr DAVIS (Southern Metropolitan) — I am just seeking from the minister in this purposes period some discussion of and some understanding about the government's direction with respect to primary industries and livestock disease control. This bill very much moves towards a national harmonisation of regulation and legislation around agricultural management in a sense. To quote from the minister's second-reading speech, there were recommendations from:

... the Animal Health Committee (AHC), a national forum for state and territory chief veterinary officers and the Australian government chief veterinary officer, for the national harmonisation of swill feeding legislation. Swill feeding of pigs with material derived ...

as we have heard. But there is obviously a move in the direction of more national standards and more national harmonisation, yet at the same time the minister appears to be out on a series of steps with respect to sheep and goats, actually taking unilateral action in Victoria. What I am trying to understand is: what is the direction here? Does the government see that, in general, policy ought to be harmonised, or is it the case that the government sees that Victoria wants to set its own standards and its own approach and go it alone, in which case there is an inconsistency with this bill?

Ms PULFORD (Minister for Agriculture) — The national livestock identification system is a national system. It has been in place since the 1990s. It is very much an established system and of course needs to recognise stock movements across state borders.

Mr RAMSAY (Western Victoria) — Just in respect of what Mr Davis said in relation to national harmonisation, can I get a confirmation that in fact the NVDs as described in this bill actually will be nationally harmonised across all states using the same forms but also with the same animal health statement attached, which I understand is now different in each state?

Ms PULFORD (Minister for Agriculture) — I think Mr Ramsay's question seeks to conflate a couple of things that are actually quite separate. There is nothing in this bill that changes the current operation of the national vendor declaration scheme — nothing at all.

The capacity for states to issue control orders is also unaffected by this legislation. I suppose, for instance, if there was a disease notification in Western Australia, then that would be a matter for the West Australian agriculture minister — Western Australia is perhaps the easiest example to use, given the distance between there and here — but it would not necessarily give rise to the need for control orders in Victoria. They are quite separate: one is about identification and traceability; the other is about animal health control orders and movements.

Mr RAMSAY (Western Victoria) — My understanding is that Animal Health Australia and the industry decided that when there is a sale of livestock or movement of livestock not only would an NVD be provided to a potential purchaser but also an animal health statement. The reason for the animal health statement was to identify potential infection or control zones or high-risk zones in relation to other domestic diseases, such as Johne's or footrot, where you know the sheep, cattle, goats or pigs are coming from either free zones, control zones or high-risk zones. My question really was: are we looking at harmonising the animal health statements that normally accompany an NVD with the NVD as proposed through this national harmonisation?

Ms PULFORD (Minister for Agriculture) — The animal health statements that Mr Ramsay refers to are a voluntary industry tool. They are not mandated, and they operate perhaps alongside but very separately to the NLIS and the vendor declarations that are very much required, by contrast.

I might just add to that. On the question of national consistency, the bill, as members have reflected in their contributions to the second-reading debate, refers to new national standards in relation to swill feeding. Again, this legislation makes a very small number of very minor technical amendments that will have a very, very minimal impact, but the three things are actually quite separate issues. We have entangled them a little bit in the discussion to date, but they are quite separate.

Mr RAMSAY (Western Victoria) — I will finish on that only because the minister has indicated that even with the proposed electronic identification for sheep and goats — and I know this is separate from the bill — they are looking at creating a national identification scheme of full traceability. Now, in this bill they are looking for a national harmonisation of national vendor declaration forms. I know that you cannot sell sheep into South Australia without an animal health statement, particularly if you are coming from a high-risk Johne's disease zone, for example. So while it

might not be a legislative tool, it is certainly a requirement to sell stock into a different state. There will be the same issue with the introduction of electronic identification for sheep and goats; without national harmonisation or national agreement on the use of national sheep identification, it will be difficult to sell livestock with an electronic tag into a state that does not acknowledge electronic identification as part of a requirement for traceability and movement of stock.

The point I just wanted to make here was that the animal health statement, as I understood it, does play a significant role in being able to allow free access between one state and another, particularly in relation to disease and where there is a protected, controlled or infected status, or whatever it might be.

Mr DAVIS (Southern Metropolitan) — I am just trying to further understand the context of policy on agricultural regulation. What is the government's overarching approach? I want to understand how this bill fits in with that overarching approach.

Ms PULFORD (Minister for Agriculture) — This bill is very straightforward. It moves some current arrangements, which are derived from orders, into the legislation to make it clearer for all concerned, and it implements some new national arrangements around swill feeding. These are very minor changes. To the extent that this fits within the work that the government is doing to promote and grow and strengthen our wonderful, \$12 billion agricultural industry, this is a pretty modest set of changes. There are any number of things the government is doing. Just to provide you with one example, we are hosting a significant inbound trade delegation this week for Food and Beverage Trade Week right across regional Victoria and indeed parts of Melbourne. As we speak there are buyers being matched with our producers. But I would refer Mr Davis to the government's food and fibre strategy if he is interested in learning more about these things.

Mr DAVIS (Southern Metropolitan) — I still do not really have a great explanation for the apparent inconsistency between this, moving towards a national approach, and your recent decisions on sheep and goat ears and tagging, where we have gone on a Victoria-alone approach.

Ms PULFORD (Minister for Agriculture) — The matter Mr Davis raises is not contained within the scope of this bill. The matter Mr Davis raised is the subject of some public discussion at the moment. There are a range of resources available on the Agriculture Victoria website. A briefing was provided to non-government MPs who were interested in this

matter in the last sitting week. Again I would refer Mr Davis to those materials if he is struggling to understand the difference between the two.

Mr DAVIS (Southern Metropolitan) — I am just trying to resolve the apparent inconsistency and — —

Ms Pulford — There isn't one.

Mr DAVIS — Well, there certainly appears to be one, with the government going it alone on tagging for sheep and goats yet going this way with this bill. Now, there is no objection to this bill — the coalition has made it clear that we in no way oppose the bill — but it does seem very incongruous that the government is now heading out on this approach where Victoria is blazing out on its own. I am not sure the minister has understood the signal this sends in the industry. Certainly a number of people I have spoken to have indicated their concern about the government's decisions here and the process behind those decisions. I think it caught a number of people by surprise. That is another point the minister might want to address.

Ms PULFORD (Minister for Agriculture) — This bill is very narrow. It makes some very minor amendments that are substantially unrelated to a recent policy announcement by the government that Mr Davis refers to, and I would encourage Mr Davis to familiarise himself with the information that is publicly available on the matter that he is seeking to shift this discussion to.

Mr DAVIS (Southern Metropolitan) — With respect, Minister, I can certainly look at the website, but I have made inquiries on this matter, and I have actually spoken to a number of people who are knowledgeable in this particular matter. There are, I think, concerns about the government's direction in terms of the unilateral nature of its policy in this primary industry area, this agriculture area. There are concerns that this sends a signal right across the whole spectrum and in fact leads to a confidence issue. I wonder if you might actually address that point.

Ms PULFORD (Minister for Agriculture) — I do not really have anything to add.

The DEPUTY PRESIDENT — Order! In that case I think we will have to stop that line of questioning. I think the minister has already answered.

Mr DAVIS (Southern Metropolitan) — So the minister is refusing to respond. Is that what I am to understand?

Ms PULFORD (Minister for Agriculture) — I have responded. Mr Davis is seeking to use the committee stage on this bill — a very short and narrow bill that makes some minor technical changes and has no practical effect on the matters that Mr Davis is seeking to inquire about — to obtain this information, and I would suggest that there will be other opportunities during the course of the rest of the day at Parliament or at any number of other times and places where, if Mr Davis is keen to explore his new-found interest in livestock traceability, we can get into that in as much detail as he likes. But these matters just are not related to the bill.

The DEPUTY PRESIDENT — Order! Mr Davis, I think that is enough on this. We have to move on.

Mr DAVIS (Southern Metropolitan) — With the greatest respect, Deputy President, these are genuine matters around the purposes clause and the context of this bill in overall policy, and it is perfectly in order to pursue questions that deal with the context of this policy to understand how agricultural and primary industry policy will impact more broadly. The point here is that I am seeking from the minister some response about the new direction that the government has struck out on. I want to understand exactly what is driving that and whether that has implications for this particular bill.

The DEPUTY PRESIDENT — Order! Do you want to answer that, Minister? You have already responded.

Ms PULFORD (Minister for Agriculture) — I might just add to that that perhaps if Mr Davis wishes to raise this in the adjournment debate at the end of today's business, I would be happy to respond in as much detail as the house can bear.

Mr DAVIS (Southern Metropolitan) — Just on that — —

The DEPUTY PRESIDENT — Order! Is it the same question, Mr Davis?

Mr DAVIS — No, my question is quite clear. The government has obviously at a broad level in primary industry policy decided to strike out in a direction of Victoria making its own decisions and going it alone; this bill clearly has an approach of harmonisation at a national level. Now, there is an inconsistency. This bill has been sitting around for a long time — —

The DEPUTY PRESIDENT — Order! She has already answered it.

Mr DAVIS — No, my question is: why has the government embarked on this broader policy, which appears inconsistent with this bill?

Ms PULFORD (Minister for Agriculture) — There is no inconsistency. Mr Davis does not understand it well enough to appreciate that there is no inconsistency or that it is not relevant to the material that we are discussing in committee.

The DEPUTY PRESIDENT — Order! Mr Davis, we are going to move on.

Mr DAVIS (Southern Metropolitan) — Deputy President, with respect, the minister may not want to — —

The DEPUTY PRESIDENT — Order! Mr Davis, we are going to move on. I think that is enough. I think, as the minister has answered all the questions, we should just vote on that. Are there any different questions on clause 1?

Mr RAMSAY (Western Victoria) — My question is just in relation to section 8A(6)(b) in relation to keeping a copy of the declaration document for the prescribed period after giving the declaration document, blah, blah, blah. What is the prescribed time frame, Minister, in relation to the retention of those documents?

The DEPUTY PRESIDENT — Order! Mr Ramsay, is this clause 1 or clause 2?

Mr RAMSAY (Western Victoria) — It is clause 1 — the purpose of the bill.

The DEPUTY PRESIDENT — Order! What part of clause 1?

Mr RAMSAY (Western Victoria) — The overview — the purpose of the bill.

Ms PULFORD (Minister for Agriculture) — The question related to section 8A(6)(b) — is that right? And you wanted to know the time frame in which the vendor declaration needed to be provided to the new owner — is that right?

Mr RAMSAY (Western Victoria) — It requires an agent to keep a copy of the declaration for the prescribed period after being given the declaration. I am wondering what the period is.

Ms PULFORD (Minister for Agriculture) — Sure. That is a much more sensible question. I thank Mr Ramsay for his question, which really goes to clause 5 and the practical operation, but it is a very

important matter. The answer to your question is that it varies by species. For cattle it is seven years, for sheep and goats it is three years and for pigs it is three years. Again, that represents no change.

Mr DAVIS (Southern Metropolitan) — Again this is on the purposes clause, and it is with respect to the second-reading speech. I will just quote a sentence or so from it:

The former government agreed to recommendations made by the Animal Health Committee (AHC), a national forum for state and territory chief veterinary officers and the Australian government chief veterinary officer, for the national harmonisation of swill feeding legislation.

As I understand it, there is a relatively new chief vet — and I stand to be corrected on this. I wonder if the minister might indicate whether the current chief vet has been consulted on this point.

Ms PULFORD (Minister for Agriculture) — I thank Mr Davis for his question. The chief veterinary officer for Victoria is Dr Charles Milne. We are, I think, all incredibly fortunate to have his services available to us, particularly on the question of livestock disease. Dr Milne has extraordinary experience. Mr Ramsay, in his second-reading contribution, talked at some length about the foot-and-mouth disease outbreak in the UK. Dr Milne has seen more of this than anybody would want to see in their lifetime; that is for certain. Dr Milne was appointed by my predecessor, Peter Walsh. This was a 2014 decision, and Dr Milne would have been the person representing Victoria in those discussions.

Clause agreed to.

Clause 2

Mr DAVIS (Southern Metropolitan) — Clause 2 relates to the commencement of the bill, and it says:

- (1) Subject to subsection (2), this Act comes into operation on a day or days to be proclaimed.
- (2) If a provision of this Act does not come into operation before 1 March 2017, it comes into operation on that day.

So we have got a hard deadline, but what I am seeking from the minister is an indication as to what the government intends. Do they intend to proclaim this next week, later in the year or early in the new year, or do they intend to allow the March 2017 date to operate?

Ms PULFORD (Minister for Agriculture) — It is the government's intention that this would just follow the ordinary course of events. So with the agreement of the house today and the Governor's assent in arranging

for the proclamation, I am advised four to six weeks is the ordinary course of events. Because this legislation will have no practical effect on the operation, there is no reason to delay it; there is also no reason to hasten it.

Clause agreed to; clause 3 agreed to.

Clause 4

Mr DAVIS (Southern Metropolitan) — Clause 4 gives the minister significant powers to declare unusual circumstances with respect to circumstances of disease or death in livestock. I wonder if the minister might explain what meaning is intended by 'unusual circumstances'.

Ms PULFORD (Minister for Agriculture) — Thank you, Mr Davis. This clause relates to the wording around a full publication instead of just the notice of making a declaration. So the effect of this is to change the words 'notice of' to 'published in full'. It does not actually change any of my powers for the management of livestock in an emergency at all. It just simply makes more efficient the publication and notification for interested parties.

Mr DAVIS (Southern Metropolitan) — I understand the minister's point, but nonetheless I would actually seek from her some indication as to what the unusual circumstances are and some indication of circumstances when she would use this new power. I take her point that in the — —

Ms Pulford — It's not new.

Mr DAVIS — Well, it is in this exact form. It tidies it up, but can you nonetheless explain exactly what you mean by 'unusual circumstances' in clause 4?

Ms PULFORD (Minister for Agriculture) — The unusual circumstances are exactly the same — unusual circumstances that would give rise to a notice of a decision, as distinct from a publication of a decision.

Mr DAVIS (Southern Metropolitan) — I get that they are exactly the same, but, Minister, you might want to explain what they are.

Ms PULFORD (Minister for Agriculture) — For instance, an outbreak of foot-and-mouth disease.

Mr DAVIS (Southern Metropolitan) — Is 'unusual circumstances' defined somewhere? Is there case law or are there other descriptors that you can point to that show how that is defined? I understand that foot-and-mouth is a good example, and I am thankful for that useful example, but I am wanting to also

understand if there is a definition that you use in this respect.

Ms PULFORD (Minister for Agriculture) — Again Mr Davis is seeking to broaden considerably the scope of the committee's consideration. The legislation makes no change to the declaration or control arrangements that exist, that have existed for a very long time and that are incredibly important for protecting our industries and our market access as well. This clause relates to the difference between providing notice or publishing a decision that has been made.

Mr DAVIS (Southern Metropolitan) — I understand the point the minister is making, and I understand that the unusual circumstances remain the same. Nonetheless, the minister ought to be able to provide to the chamber a definition. The opposition has no quibble about this bill. We support the bill and its general direction, and we have made that very clear. But still, in inserting these words — 'Minister may declare unusual circumstances of disease or death in livestock' — into the law in the way that we are doing with this bill, the minister must be able to provide an explanation of a definition of 'unusual circumstances' that she has the power to use.

Ms PULFORD (Minister for Agriculture) — Just one more time, the words 'notice of' will be removed and replaced with the words 'in full' at a different point in the sentence. Perhaps if everybody, and Mr Davis in particular, would like to listen carefully, currently it says, 'The minister must ensure that notice of a declaration under this section is published in the *Government Gazette* as soon as is practicable after it is made'. The change will be that it reads, 'The minister must ensure that a declaration under this section is published in full in the *Government Gazette* as soon as is practicable after it is made'. That is what is changing.

Mr DAVIS (Southern Metropolitan) — I understand completely, Minister, that you are making a very minor change in the way this proceeds, and the full publication is laid out in the explanatory memorandum, but equally what I am seeking from you is some definition or some further description of 'unusual circumstances'.

The DEPUTY PRESIDENT — Order! Mr Davis, it is not relevant. It is not relevant to the clause we are dealing with.

Mr DAVIS (Southern Metropolitan) — I am reading clause 4 here, and I am seeking from the minister what is meant by those words. I have read the explanatory memorandum, and I understand the

minister's point, but my point is that these words in clause 4 become the law, and I want to understand that the minister understands — —

The DEPUTY PRESIDENT — Order! Mr Davis, I think the bill is not changing the definition, so the minister has already answered the question.

Mr DAVIS (Southern Metropolitan) — I understand that she is saying that it is not changing, but I am seeking from her her definition of those words, as I am entitled to do. It is very pertinent to the clause. It is directly on the clause. They are actually the direct words.

The DEPUTY PRESIDENT — Order! The minister has already answered that.

Mr DAVIS (Southern Metropolitan) — No, she has responded, but she has not actually provided the definition that I have asked for. She can indicate that she is refusing to provide the definition. If that is her choice, she is entitled to do that.

Ms PULFORD (Minister for Agriculture) — I am not refusing to provide a definition, but Mr Davis is again seeking to dramatically broaden the scope of the committee's consideration of a bill that makes very minor technical amendments. This is a clause that changes what goes in the *Government Gazette* from notice of to all the details of. It is an unbelievably modest change and in no way engages any of the questions about the kinds of case law decisions made by courts or interpretations made over centuries of the use of the English language around what is an 'unusual circumstance'. I politely decline Mr Davis's invitation to be part of his absurd filibuster.

The DEPUTY PRESIDENT — Order! Mr Davis, we are going to move on. Do you have any other questions on clause 4?

Mr DAVIS (Southern Metropolitan) — With respect, Deputy President, we will move on, but I just want to make the point that this is a very reasonable request I have made and is related directly to the words 'unusual circumstances'. The truth of the matter is the minister is refusing point blank to provide a very reasonable definition that was sought, which is obviously connected to the clause.

Ms BATH (Eastern Victoria) — Minister, you have given an example of an unusual circumstance of a disease to mean the outbreak of foot-and-mouth in your comment before. Would there be another example that would be the same unusual circumstance — for example, anthrax?

The DEPUTY PRESIDENT — Order! Is that the same question Mr Davis asked?

Ms BATH (Eastern Victoria) — Minister, I am asking: would there be another example? And I am asking: would anthrax be another example of an unusual circumstance?

Ms PULFORD (Minister for Agriculture) — The question about the kinds of circumstances that would arise in reporting and notification of a disease that required some special treatment is beyond the scope of the bill. And, Deputy President, you have just ruled that way, so I would again refer Ms Bath to your earlier ruling on this question. This legislation makes no change whatsoever to any of these matters.

Clause agreed to.

Clause 5

Mr DAVIS (Southern Metropolitan) — On clause 5 and the proposed section 8A requirements for vendor declarations when livestock is moved, under proposed section 8A(1):

If livestock are moved from one property to another property and the properties have different property identification codes, the owner of the livestock (the *first owner*) must make a declaration as to the movement of the livestock before the livestock are moved.

I wonder if the minister might explain step by step how this will operate.

Ms PULFORD (Minister for Agriculture) — It will operate in precisely the same way it currently operates.

Mr DAVIS (Southern Metropolitan) — Deputy President, I think we may be in the same modus as in the previous clause. I understand that the bill is a very minor bill in its changes, but nonetheless I do think I am entitled to ask the minister in order to understand that the minister understands precisely the way this particular clause operates, so perhaps the minister would review her decision not to answer that question and would seek to provide an explanation step by step as to how proposed section 8A(1), which I read out, operates.

Ms PULFORD (Minister for Agriculture) — I thank Mr Davis for his question. I would refer Mr Davis to the proposed new section 8A. The wording under clause 5, headed 'Section 8A substituted' is:

For section 8A of the **Livestock Disease Control Act 1994** substitute—

from where it starts there, and then to about halfway down page 6, just before we get to clause 6, 'Section 23 substituted', that is the bit that describes how it works.

Mr DAVIS (Southern Metropolitan) — With respect, Minister — —

Ms Pulford — I can read it out if you want.

Mr DAVIS — No, you should. I just want to hear you say these explanations and explain exactly how it will operate. Now, you may choose not to do that or you may choose to do it. There is no way that I can compel the minister to do that, and nor can you, Deputy President, but let the record show that she is not prepared to explain.

Ms PULFORD (Minister for Agriculture) — Let the record also show that Mr Davis is continuing to be quite silly. The thing is described in great detail in the new section 8A, which as I indicated earlier, replicates the current arrangements that are the subjects of orders. This will have no practical effect, and these matters are very important. So if there was a tangible change that was proposed by the bill, then I would be happy to be here for hours and hours describing how it was different, but the answer to Mr Davis's question is: it will not be different; it will be the same.

Mr DAVIS (Southern Metropolitan) — Deputy President, again, I understand that this is a very minor bill. It is one that we have no quibble with. Indeed I understand that it makes a number of very small changes. But it is perfectly in order to seek an explanation from the minister of how things operate at present and to seek a clear guarantee that she understands that and that she lays it out and provides that information to the chamber. Now, if she chooses not to provide that, the community can reflect upon that.

Ms PULFORD (Minister for Agriculture) — The way in which it operates is currently prescribed by an order. This change will mean that it is in the act. The words that describe this are in front of Mr Davis, and I suggest he reads them, because everybody who already knows how this operates — because they live with it every day — already knows how it will operate; and how it operates today is exactly how it will operate after this bill gives the change effect.

Mr DAVIS (Southern Metropolitan) — I am just disappointed that the minister is not prepared to outline these matters.

Ms BATH (Eastern Victoria) — In clause 5, new section 8A(1) talks about property identification codes, which are otherwise known as PIC numbers. Could the minister describe, in a situation where the property is owned, say, by the same family that might have different properties in different locations, if there would be circumstances where they would require different PIC numbers?

Ms PULFORD (Minister for Agriculture) — Yes, that is certainly the case. PIC stands for property identification code, and it is actually quite common that one farmer or one group of individuals as part of a farm family that would be part of the same business structure would have multiple PIC numbers.

Ms BATH (Eastern Victoria) — I thank the minister for her answer.

Clause agreed to.

Clause 6

Mr RAMSAY (Western Victoria) — In relation to clause 6, I appreciate, Minister, the very small and insignificant changes in relation to the way that the placement of an order on infected animals or infected vehicles is to be published — that is, in a slightly different way than the norm — and that is to occur both through the *Government Gazette* and through a local newspaper, as I understand it. I want some clarification in relation to, one, the publication as distinct from what currently occurs now; and two, what sort of responsibilities the owner has once an infection notice or order is placed upon him or his vehicles.

Ms PULFORD (Minister for Agriculture) — I thank Mr Ramsay for his question. The change to the requirement to publish in a local newspaper is actually very similar to a change that we considered very recently in relation to the control orders for restrictions on the duck season. As the media landscape changes, as it is doing fairly dramatically, we have on our statutes lots and lots of references and requirements to publish in print media that are a historical legacy and are actually not as significant as they once were as a means of transmitting information to people.

As Mr Ramsay would well know, we have Agriculture Victoria staff in many, many locations across Victoria. They are not public servants who sit behind desks; they are out in the field talking to our farmers, our primary producers, each and every day. Of course our Agriculture Victoria team do really quite a terrific job of using new media as well. We have, through Facebook, through Twitter and through email, publications and other mechanisms, lots and lots of

different ways of communicating with landowners around control orders, and so this is simply to make the operation of the act more effective.

Clause agreed to.

Clause 7

Mr DAVIS (Southern Metropolitan) — On clause 7, ‘Declaration of restricted area’, what I am seeking from the minister is some clarification and indication about what a restricted area is and how the process of declaration of a restricted area will operate. Will the minister define for me ‘restricted area’? I understand there is a modest change in this bill and it is a very small bill — we have no quibble with it — but I am interested to hear the minister explain what a restricted area is.

Ms PULFORD (Minister for Agriculture) — Again, this bill makes no change to the current arrangements in terms of the declaration of a restricted area. Of course it depends entirely on the circumstances to which the restriction is applying, but clause 7 is about publication of an order rather than any change to the way that current restrictions operate.

Mr DAVIS (Southern Metropolitan) — With respect, I understand the minister’s point and I have also read the explanatory memorandum at the front of the bill, and I understand that this relates to the publication. But it is a legitimate question to understand whether the minister understands what ‘restricted area’ is, and she has not really come to grips with that, and I seek, Deputy President, that she actually explain what a restricted area is within the terms of this clause.

Ms PULFORD (Minister for Agriculture) — They are precisely the same before and after the effect of this legislation. Clause 7 relates to a dated requirement to publish in print media. I can certainly also assure the house that I am well across the responsibilities and powers that I exercise on a reasonably regular basis to ensure the safety and protection of our livestock industry.

Mr DAVIS (Southern Metropolitan) — Well, Deputy President, the minister says she is well across these matters, and that may or may not be, but the point is that what I am seeking is for her to impart the knowledge that she says she has and explain to the chamber what a restricted area is.

Ms PULFORD (Minister for Agriculture) — Again, Deputy President, this is a very broad question that is well beyond the scope of this bill. The clause relates to

newspaper publication, not the operation of control orders.

Mr DAVIS (Southern Metropolitan) — Deputy President, to be quite clear, it cannot be beyond the scope of the bill to understand what the words that are being inserted in the law mean. Now, if the minister does not want to answer that, again, I have no mechanism to force her, and with respect, Deputy President, nor do you have the capacity, but I can say that the community will take the view that a minister who is unprepared to explain the definition of words that are being inserted in the law is not taking the right step.

Ms PULFORD (Minister for Agriculture) — For the benefit of any poor soul who has been listening to Mr Davis's efforts on this, the words that he refers to that are being inserted in the bill are these:

- (3) The Minister must ensure that in relation to an order under subsection (1)—
 - (a) the order is published in full in the Government Gazette; and
 - (b) notice of the order is published in a newspaper circulating generally in the vicinity of the area to which the order relates.”.

This is a clause about newspapers.

Business interrupted pursuant to sessional orders.

QUESTIONS WITHOUT NOTICE

Lead scientist

Ms WOOLDRIDGE (Eastern Metropolitan) — My question is to the Minister for Small Business, Innovation and Trade. What was the selection process undertaken to replace the independent Victorian lead scientist with a senior bureaucrat of your department, and do you take responsibility for the decision?

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — I thank Ms Wooldridge for her question, and can I just say for the record that I would like to thank Leonie Walsh for the wonderful work that she has done for Victoria in her previous role as the lead scientist. In relation to the appointment of the deputy secretary, Amanda Caples, to that position as well, I will take that question on notice and provide a fulsome written answer.

Supplementary question

Ms WOOLDRIDGE (Eastern Metropolitan) — Minister, you are on the record as saying, and I quote:

Part of the responsibility and the role of government is to get advice from people in the industry, who are not beholden to the government of the day.

How is replacing an independent expert as lead scientist with a career bureaucrat consistent with your statement?

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — I wish I could thank Ms Wooldridge for her question, but I fear that denigrating our public service in that way is beneath Ms Wooldridge, because the very public servants that Ms Wooldridge is now denigrating are the very people who provided her advice when she was a minister. To denigrate the Victorian public service, one of the finest public services in the country, is really disappointing. However, alas, I will happily provide an answer to that question, where I will again refer to the disappointing nature of her question smearing our public service. This is the party of smear — you have one gear of smear; that is all you have got. The public service you are smearing. You smear us, you smear the public — you smear everybody.

The PRESIDENT — Order! Minister, you are debating, not answering the question.

Grand Final Friday

Mr ONDARCHIE (Northern Metropolitan) — Gee, I would like to play poker against that bloke, I tell you! My question is to the Minister for Small Business, Innovation and Trade. Minister, on 22 October 2015 in this place you detailed that as part of the regulatory impact statement into the grand final eve public holiday a review would be undertaken by you personally. Minister, has your review being undertaken on the \$1 billion public holiday burden on Victorian small businesses, and if so, why have you not released it?

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — This question has been asked previously. I have answered it previously. If Mr Ondarchie is too lazy to refer back to *Hansard*, that is his problem.

Mr Ondarchie — On a point of order, President, the minister was asked a direct question about his own personal review. Do I take it that he is refusing to answer that question?

The PRESIDENT — Order! Can I indicate on the point of order and remind members that I am not in a position to actually direct a minister in how they answer a question, and a minister is perfectly entitled to refer to a previous answer if such an answer exists. I am not in a position necessarily to determine whether or not on my recall the minister has effectively answered the question put to him today. I will give consideration, obviously, to what I might do in dispatching today's question, but the minister was certainly entitled to answer in the form that he did.

Supplementary question

Mr ONDARCHIE (Northern Metropolitan) — On a supplementary question — and I might preface it by saying this bloke does not even know which speech he is reading — with regard to your personal commitment to undertake your own personal review of this public holiday, and you might need to take this on notice, what was the complete list of individuals and organisations who were consulted on the public holiday review?

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — It is always nice to get a question from Mr Ondarchie, because the looks on his colleagues' faces, the droops and the devastation — —

The PRESIDENT — Order! Minister!

Mr DALIDAKIS — If he wants to make reference to me in his question without you pulling him up, President, I will do so in my response. The people in the gallery and the people of Victoria would like to know one thing, Mr Ondarchie: will you or will you not take away the public holidays for grand final eve and for Easter Sunday? Will you as a political party at the next election agree to take away the public holidays or not?

Mr Ondarchie — On a point of order, President, I remind you of the interaction in this chamber just yesterday when Ms Mikakos decided to answer questions by just having a shot at the opposition. This is exactly the same form we are seeing out of this minister, without content, and I ask you to bring him back to the question and ask him to answer the question.

Honourable members interjecting.

The PRESIDENT — Order! How excited we all are. I think that red cordial must have been flowing pretty freely this morning!

Mr Dalidakis — Minister — I must say that your continued interjections across the chamber in each

question time are not helpful to me in the chair, because they do actually provoke a reaction from the opposition, which I find to be difficult to deal with. I understand the contested nature of this question, and it occupied many question times last year. But nonetheless, Minister, you have made your point, and it is okay in my view that you pose that question as a matter of public interest, if you like, as to what the opposition might do to that holiday, but that certainly was not the subject matter of the question itself and therefore should not have been more than one statement. We do not need to labour on that. Indeed the minister needs to address the substantive nature of this question as part of the response.

Mr DALIDAKIS — Thank you, President. In the remaining time I do wish to understand whether the opposition have a policy that they are going to put to the Victorian people. In response to the question — —

The PRESIDENT — Order! Minister, I have said essentially, and perhaps too subtly, that I have had enough of that line. You came straight to your feet and repeated again what I had said did not need to be repeated again. As I said, it was my fault; I was too subtle. Do not do it again. Have you completed your answer?

Mr DALIDAKIS — Yes.

Great Forest National Park

Mr DAVIS (Southern Metropolitan) — My question is also for the Minister for Small Business, Innovation and Trade. I refer to the government's ongoing work on the creation of a Great Forest National Park (GFNP). This is an issue of significance to the minister for small business because of the large number of small businesses in the forestry industry in the vicinity, and I therefore ask: what advocacy has the minister undertaken on behalf of these small forestry businesses, and will he guarantee there will be no loss of small business employment due to the creation of a Great Forest National Park?

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — President, I thank you for the opportunity to respond. It appears that Mr Davis does not do his work, like Mr Ondarchie. In relation to you, Mr Davis, what I can tell you is, yes, I do have an interest in forest workers, having been the chief executive of the timber industry in Victoria. I very proudly represented them for three and a half years and very proudly looked after their interests — and the interests of, by the way, an industry that you continue to malign on that side, an industry where you have got

together with the Greens to attack on numerous occasions, with attacks on the timber industry as well.

The PRESIDENT — Order! Minister, as I have explained previously, question time is not an opportunity for you to actually reflect on the policies and actions of the opposition or other parties in this place. You have been asked a specific question, and I will ask you, rather than debating, which is not permitted under the standing orders — and I regard that subject matter as being debate in substance — to please address the question.

Mr DALIDAKIS — Thank you, President. In relation to the question, the member may like to try and equate any particular issue to the small business portfolio; however, the issue of the Great Forest National Park is an issue that does not relate to my portfolio. I have not had representations to me in relation to the creation of the GFNP or its effect on the timber industry. Not one person has come to me as a small business owner to talk to me about it, and not one person has asked me questions about it, so I will look very closely at the question and take the rest of it on notice. But I can tell you that in relation to that policy construct it is an area for my colleagues Minister Pulford and also Minister D'Ambrosio in the other place, who look after that policy responsibility.

Supplementary question

Mr DAVIS (Southern Metropolitan) — I take that to mean the minister has not undertaken any advocacy, and I therefore ask whether it is the government's intention to model small business employment impacts of the creation of a Great Forest National Park. If that has been undertaken, would the minister outline those now; if not, will he give a commitment that those effects will be modelled?

Mr Dalidakis — On a point of order, President, I would submit to you that the supplementary question actually is not responsive to the first, because the supplementary deals with an environment effects statement (EES) process, but if one was to occur, it would not occur in my portfolio. Whether it would model small businesses or whether it would model men coming from the moon, it would have an impact not upon my portfolio but in fact on the portfolios that would be responsible for that policy construct.

Mr Davis — On the point of order, President, my question was very specific. I asked whether there would be any modelling of small business employment impacts of the creation — —

Mr Dalidakis — It's not my policy area.

Mr Davis — It is about the impact on small business. Will you undertake that? If it exists, will you provide it; if it does not exist, will you undertake to do it?

The PRESIDENT — Order! The process of presenting a point of order is not an opportunity to repropose a question. Can I indicate that I, having looked at the substantive question, believe and am of the view that the supplementary — which I do not have, because Mr Davis has actually changed it from what he might have been previously contemplating — is certainly consistent with the minister's capability or jurisdiction to actually indicate whether he or his department intends to take studies of impacts of various things, whether or not that is a practice that the department would have. I do not see that that is necessarily contingent upon or under the jurisdiction of another minister in the EES process. I think that what Mr Davis is talking about would be a separate exercise that the department may or may not want to do and may or may not think is necessary. But indeed the greater thing that exercises my mind is whether or not the supplementary question was consistent with the substantive question or whether it sort of broke totally new ground. On this occasion I will allow it.

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — President, I respect your ruling. I will take it on notice and relay in written form that an EES process — if one were to be undertaken, which is a hypothetical — is not the domain of my portfolio.

Mr Davis — On a point of order, President, the minister may have misheard my question, which was about employment impacts on small business.

Mr Dalidakis — No, you asked me to model the EES.

Mr Davis — No, I didn't. I asked you about modelling of small business employment impacts.

The PRESIDENT — Order! Thank you, Mr Davis — a tenuous point of order. But let me say that I think if the minister reflects on *Hansard*, he will find that there is a distinction between what Mr Davis asked in terms of modelling of small business impacts compared with the more formal and structured EES process. The minister and his staff might well reflect on what is the published situation in preparing that answer. I thank the minister for undertaking to provide a written answer.

Small business sector

Mr ONDARCHIE (Northern Metropolitan) — My question is to the Minister for Small Business, Innovation and Trade, and this question directly relates to his portfolio. The latest Sensis small business index found a further 2-point decline in Victorian small business attitudes to Victorian government policies, meaning a sixth straight negative result for the Andrews Labor government. In response to the Sensis small business index small businesses say they have a poor view of the Andrews government because, and I quote, ‘they take too much notice of unions and union-related issues’, and because of ‘excessive bureaucracy’, restrictive policies, ‘the extra public holiday’ and ‘a lack of understanding of small businesses’. The Sensis report shows Victoria is a mammoth 25 points behind New South Wales, whereas that state now sits at a rating of positive 12. Minister, given you have been the minister for more than 12 months, do you take full responsibility for these constant negative results?

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — There is only one constant negative vibe in this room, and that is Mr Ondarchie. Let me tell you, the figures for unemployment came out today, Mr Ondarchie. Victoria has now 5.5 per cent unemployment — that is beneath the Australian average of 5.6 per cent and a lot less than nearly 7 per cent, which we inherited from your mob. So in relation to small business, the best thing that we can do is see people employed with money in their pockets to spend in the small business sector. We are very proud of the economic performance in Victoria. In relation specifically to the survey that you quoted, I will provide you with a written response to it.

Supplementary question

Mr ONDARCHIE (Northern Metropolitan) — I note the minister will also in future be taking questions on employment as well given his response to the substantive question. Minister, in April this year — —

Mr Dalidakis — Nearly 7 per cent, Mr Ondarchie, now 5.5.

Mr ONDARCHIE — I know you like the sound of your own voice, Minister, but I do have a question for you. Minister, in April you insulted the Sensis small business index by intimating that it is not a reliable source — this is despite the Sensis data being used by the Labor opposition in formulating a small business platform to take to the election. Given the Treasurer regularly quotes banking report indexes on this state, I ask: is it the Andrews government’s policy to only

quote from independent reports that are positive about the government and not the many reports that show the Andrews government and you, especially in small business, are failing in your roles?

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — I will not waste this chamber’s time with a verbal response to such a pathetic question; I will do it on notice.

Export investment

Mr ONDARCHIE (Northern Metropolitan) — We should give this bloke a life jacket, really. My question is to the Minister for Small Business, Innovation and Trade. Minister, last week the Australian Bureau of Statistics released balance of payments figures which showed that Victorian exports at current prices have slumped 4.1 per cent under the Andrews Labor government while in New South Wales over the same period they grew 6.4 per cent. Minister, given the significant budget cuts to the trade portfolio — 61 per cent in the first Andrews government budget — what urgent rectification actions have you taken to address this considerable downturn in Victorian exports under Labor, or is this sharp downturn the lasting effect of those budget cuts?

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — Let me straight out correct the record: Mr Ondarchie has misled the house. In the most recent budget handed down by the Treasurer \$90 million was put into the trade portfolio. It was the biggest one-off investment in the trade portfolio of any government in Victoria — Labor, Liberal or otherwise, and Liberal-Greens included; the biggest trade investment of any government — so his question, given the biggest investment of \$90 million in this most recent budget, renders his question null and void.

Ms Wooldridge — On a point of order, President, it may be because Minister Dalidakis was ignoring Mr Ondarchie as he was asking the question that he did not actually listen and hear that the question very clearly said a 61 per cent cut in the first Andrews government budget. I would say that Minister Dalidakis is misleading the house, and I ask you to bring him back to actually answering the question as it was asked by Mr Ondarchie. There may have been subsequent investment, but the cut in the first Andrews budget was the biggest the trade portfolio has ever seen.

The PRESIDENT — Order! That may well be the case, but that is not a point of order.

Supplementary question

Mr ONDARCHIE (Northern Metropolitan) — Minister, let us go to the data. In the first nine months under the stewardship of former minister Adem Somyurek Victorian exports remained steady at levels constant with when the coalition left office. Since Minister Somyurek got the Dan Andrews treatment the entire 4.1 per cent drop in Victorian exports has occurred under your ministerial watch. So I ask: when will Victorian exports return to the levels reached when the coalition left office and to what former minister Adem Somyurek handed over to you as the new minister in August last year?

Mr Dalidakis — That's not apposite to the substantive.

Mr ONDARCHIE — It is absolutely linked to the 4.1 per cent — absolutely linked — and I notice your colleagues are smiling behind you. Unbelievable.

Mr Dalidakis — On a point of order, President, that supplementary is not apposite to the substantive in any way.

The PRESIDENT — Order! Minister, I am satisfied that the supplementary question is in order. Essentially the substantive question, as I heard it and as I have confirmed in reading this question that has been provided to me courtesy of Mr Ondarchie, was about what actions might have been taken to arrest what he suggested was a decline in export activity, and the supplementary question is to seek your comment on when exports are likely to return to their previous level. I think that there is a consistency in that.

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — Thanks, President. In the President we trust. Let me say from the outset that I do not accept the premise of the question by Mr Ondarchie whatsoever. I will explain so in taking that as a question on notice.

Foster and kinship carers

Ms SPRINGLE (South Eastern Metropolitan) — My question is for the Minister for Families and Children, Ms Mikakos. Recently the responsibility for administering client expenses for children and young people in out-of-home care was removed from community service organisations and assumed by the Department of Health and Human Services. Can the minister provide an explanation as to why this change was necessary?

Ms MIKAKOS (Minister for Families and Children) — I refer the member to my ministers statement on Tuesday in which I indicated to the house the significant additional investment that the Andrews Labor government has made in relation to financial supports for carers of all types — our foster carers, our kinship carers, our permanent carers — who are now going to receive significant additional supports, whether it be financial assistance or other types of support as well, such as training. I will take the member's question on notice and provide her with a written response.

Supplementary question

Ms SPRINGLE (South Eastern Metropolitan) — I thank the minister for her answer. Will the minister assure children, carers and community service organisations that this change in policy will not make it harder to access resources in a timely manner?

Ms MIKAKOS (Minister for Families and Children) — Quite the contrary, Ms Springle. The additional support that I have announced — the very significant support that I outlined in the minister's statement that I made on Tuesday, and I referred to a total of \$19.2 million of additional resources for foster carers, kinship carers and permanent carers —

Ms Crozier interjected.

Ms MIKAKOS — Ms Crozier, you have no idea; \$16.2 million of that money was actually in the budget this year. You have absolutely no comprehension of these matters as the shadow minister. It is a fact that this government, unlike your government, put in the first boost to carer allowances in our first budget last year, and we have gone on to provide further supports for our carers as well. But I am happy to take the question on notice and provide the member with a written response.

Schools data

Ms PENNICUIK (Southern Metropolitan) — My question is for the Minister for Training and Skills in his capacity representing the Minister for Education. It relates to the publication of schools and enrolment data on the Department of Education and Training (DET) website. The most recent Excel summary of statistics for Victorian schools on the website is dated February 2015, and the most recent statistical flyer is labelled 2015 but appears to contain statistics to February 2016. The most recent statistical brochure is dated March 2016, with a note that the next edition would be published in July 2016, but it is not on the website. It is usually published every March and July, but it is now

September. Could the minister advise when the July statistical brochure will be published on the website and other statistical data updated?

Mr HERBERT (Minister for Training and Skills) — I thank Ms Pennicuik for her question. The government takes accountability and transparency very seriously, and certainly when it comes to the huge investments — the massive, record-breaking investments — in schools education that has happened under this government we are rolling out major programs and rebuilding our schools. We are rebuilding our curriculum, and we are rebuilding support for some of the most vulnerable and high-needs learners in this state. We take education very seriously. On the specifics of the question, I would be happy to take them on notice and seek a written answer from my colleague the Minister for Education.

Supplementary question

Ms PENNICUIK (Southern Metropolitan) — As I mentioned, the most recent Excel spreadsheet of tables — schools by region, sector, school type; enrolments by region, sector, school type, enrolment type and enrolment sex; full-time equivalent of students and numbers of schools by local government area and sector; and alphabetical listing of government school enrolments by year level — is dated February 2015. That is 18 months ago. When will up-to-date statistics be published on the DET website?

Mr HERBERT (Minister for Training and Skills) — I refer to my previous answer in terms of our absolute commitment to schools education in this state and the massive investment we are making in it. On the specifics of the question, I would be happy to refer them to the excellent Minister for Education, James Merlino, who is doing a fabulous job, and seek a written response to your question.

Ridesharing regulation

Ms PATTEN (Northern Metropolitan) — My question is to the Minister for Public Transport, represented by Minister Pulford. Having finally moved to regulate services like Uber following the robust debate on the Australian Sex Party's rideshare bill a few months ago, the government seems to want to punish both taxi passengers and rideshare passengers with a \$2 per trip fare as part of its compensation fund. David Samuel from the Victorian Taxi Association has called it the biggest single fare increase in a long time, and Uber has come out against it as well. This revenue-raising exercise, to run from 2018 for at least eight years, is said to cover the \$453 million cost of the

fairness fund and the taxi industry transition assistance scheme. The government has said it expects to raise \$44 million a year on the charge. There are 35 million taxi trips a year alone in Victoria, so that is a total of \$560 million over eight years, \$100 million more than is needed, and that is not including ridesharing. Can you explain how you came to those figures?

Ms PULFORD (Minister for Agriculture) — I thank Ms Patten for her question and her ongoing interest in these issues. These are of course very challenging issues with a significant shift in technology changing a dynamic that has existed for a very long time. They are also incredibly emotional issues where people are experiencing significant change in the way in which they derive their incomes. I just make those remarks and reflect on the work of my colleague Minister Allan in seeking to strike a balance in a really difficult, really challenging area of policy and reform. We certainly are keen to get this right, and I know Ms Patten has had discussions with the minister on this matter over the months, and we have I believe presented a very considered package that will support a lasting reform. As Ms Patten reflected earlier, some other jurisdictions moved very quickly and are now needing to step back from the initial approach that they took. Ms Patten's question goes to a level of detail that I will take on notice and seek a response to from Minister Allan for her.

Supplementary question

Ms PATTEN (Northern Metropolitan) — Thank you, Minister. Yes, I have met with many of the owners of taxis in recent times as well as the minister, so I understand the detail and how difficult it is. I am looking forward to that breakdown, but there is also no end date for the levy. You have said it will be possibly for eight years. You have not actually committed to it being for eight years. There is great concern in the community that it is just going to be a never-ending levy. I am wondering if the government will set in stone that end date for the levy as no longer than eight years.

Ms PULFORD (Minister for Agriculture) — I thank Ms Patten for her supplementary question and her interest in the duration of support for this transition. Again, it is a level of detail in another minister's portfolio that I will take on notice and seek a detailed written response from Minister Allan for the member.

Safe Schools program

Dr CARLING-JENKINS (Western Metropolitan) — My question is to the minister representing the Minister for Education, Mr Herbert.

Minister, last Friday well-known cultural Marxist and founder of the Safe Schools program, Roz Ward, attended a local primary school to run a workshop with year 4 students — a workshop with the purpose of introducing a child in that year level as transitioning from a boy to a girl. The child was not present. Prior to Friday parents received a vaguely worded letter from the school stating their children would be attending a 30-minute workshop, the exact purpose of which was not made clear. When facts began to emerge regarding the intent of the workshop, parents began to object. One parent asked the assistant principal why the letter was not more informative and was told, ‘That’s the way Safe Schools does it’.

Minister, why were children and their parents deliberately deceived by the primary school as to the intent of this workshop — that is, that it was to announce the transition of a child in year 4? And who drafted the letter to parents — that is, who is responsible for covering up the true intent of this workshop?

Mr HERBERT (Minister for Training and Skills) — I thank Dr Carling-Jenkins for her question. I know it is an area that she has a strong passion for. The Andrews government also has a strong passion for keeping children safe in schools, and that is how vital we believe the Safe Schools program is. We also know that 75 per cent of same-sex-attracted young people are bullied and the vast majority of this bullying occurs in our schools. It is also the case that young same-sex-attracted people are six times more likely to attempt suicide. This is a very serious issue, and I know that Dr Carling-Jenkins takes this very seriously. Whilst there have been different views in the past, there has been bipartisan support across the chamber from the coalition. The Safe Schools program is based on strong university research. In fact it has been cited in the UNESCO report on education sector responses to homophobic bullying as a best practice example.

However, there are many schools in this state, there are many teachers and there are many administrations. We send out strong guidelines on Safe Schools. However, on the specifics of this particular case, I will have to take them on notice and get back to you once I get a response from the Minister for Education, James Merlino.

Supplementary question

Dr CARLING-JENKINS (Western Metropolitan) — I thank the minister for taking the specifics of my question on notice. I will be very interested in the response from Minister Merlino, given

that representations were made directly to him prior to the workshop going ahead. He completely ignored the concerns raised, including the legitimate concerns of parents — parents who are losing confidence in the school’s implementation of the Safe Schools program. Parents are concerned that their children may be unduly influenced about transitioning by the primary school. So can the minister please inform the house of what procedures the primary school followed to establish that this child was capable, preadolescence, of making an informed choice about their own transition prior to the workshop announcement?

Mr HERBERT (Minister for Training and Skills) — I thank you for the supplementary question, Dr Carling-Jenkins. I know it is something that you feel very strongly about. I will need to check the facts in terms of the Safe Schools program. However, I will have to go back to the specifics of the administrative arrangements that occurred in this particular case, ask the education minister and seek advice from him.

QUESTIONS ON NOTICE

Answers

Ms PULFORD (Minister for Agriculture) — I have written answers to the following questions on notice: 1228–32, 7009, 7011, 7044, 7478.

QUESTIONS WITHOUT NOTICE

Written responses

The PRESIDENT — Order! In respect of today’s questions, all the questions to Mr Dalidakis are one-day responses: in the first case to Ms Wooldridge’s substantive question; then to Mr Ondarchie’s first question, both the substantive and supplementary; to Mr Davis’s substantive and supplementary; to Mr Ondarchie’s second question, both the substantive and supplementary; and to Mr Ondarchie’s third question, both the substantive and supplementary. I note that the minister actually undertook to provide some of those written responses at any rate, and I thank him for that.

Ms Springle’s question to Ms Mikakos, both the substantive and supplementary, is also one day. In relation to Ms Pennicuik’s question to Mr Herbert, both the substantive and supplementary, Mr Herbert has undertaken to provide a written response, and that is two days because that involves the Minister for Education. Ms Patten’s question to Ms Pulford, both the substantive and supplementary, again that is two days because it involves the Minister for Public

Transport in another place; and Dr Carling-Jenkins's question to Mr Herbert, both the substantive and supplementary, are also two days because they involve a minister in another place.

Ms Wooldridge — On a point of order, President, I notice that you did not include the supplementary to my question in relation to the lead scientist. I put it to you, and it may warrant a review of *Hansard*, that the minister used the supplementary as an opportunity purely to attack me and the opposition and imply that we were attacking the public service. In fact the question was about his statement and the connection of his statement to the application. He used the language of 'smear' constantly. I put it to you that the minister did not even attempt to answer the supplementary to the first question, calling it merely a smear campaign, and that is a question that warrants reinstatement as well.

The PRESIDENT — Order! I did give consideration to that question. I accept that the minister did not respond in a detailed way to what that question was about, and he may well have used some licence in terms of the way he debated that supplementary question. Unlike some of the other questions which did seek to obtain a clear decision of government, if you like, or information from the government, this one was more about reflecting on a statement that the minister had made and whether or not there was a consistency between this appointment and the statement that he had previously made. So it was a little bit more about seeking an opinion, and I felt it was in a different category to the substantive question. On his way out of the chamber the minister indicated that he is happy enough to provide answers to all the supplementary questions. On that basis, I will also ask for a written response on that one. Had the minister not done so, I am not sure what my decision might have been, because I did see this in a different light to some of the others.

CONSTITUENCY QUESTIONS

Eastern Metropolitan Region

Ms WOOLDRIDGE (Eastern Metropolitan) — My constituency question is for the Minister for Emergency Services. A month ago the member for Eltham requested the minister to visit her local Country Fire Authority (CFA) brigades at Eltham and Research and discuss the CFA enterprise bargaining agreement decision by the CFA board to accept the proposed agreement. My question to the minister is: can he confirm that the volunteers at both CFA stations have decided they do not want the minister to visit them and

as a result that he will now not visit either of those stations?

I am told that the members assessed this invitation to visit them by the minister and actually decided they did not want him present. They did not think they would give him a good reception, because of the decisions of both the minister and the Daniel Andrews Labor government. They do not want him to visit, and they do not want him there. This government has deserted the 60 000 CFA volunteers. It is not good enough. They are not happy, and they do not want to see him.

Ms Shing — On a point of order, President, I am not actually sure whether there was a question there.

The PRESIDENT — Order! Ms Shing, there was a question in the middle of that contribution.

Eastern Metropolitan Region

Mr LEANE (Eastern Metropolitan) — I understand that the contract was awarded for the duplication of the Hurstbridge line and also some level crossing removals along that line and a new station. My understanding is that actual physical work is not far away, but I did have a conversation with a constituent who wanted me to confirm this. So the question I ask the Minister for Public Transport is: when is it expected that there will actually be boots on the ground — men and women in red jackets and hard hats — on that particular project?

The PRESIDENT — Order! Which project was that?

Mr LEANE — The Hurstbridge line, which runs through Ivanhoe.

Northern Victoria Region

Mr YOUNG (Northern Victoria) — My question today is for the Minister for Agriculture. Significant rain and weather have had dramatic impacts on regional Victoria in past months. We are seeing incredible flows, record-breaking water levels and swamps in northern Victoria that have been dry for many years getting a much-needed drink. Additionally rice farmers have been allocated enough water to begin planning for the season, and the New South Wales Department of Primary Industries (DPI) are working to prepare those duck hunters who will assist in protecting these crops by holding information nights in Victoria. At a recent information night the New South Wales DPI have questioned why the Victorian government have not announced a duck season for 2017 given that there is more than enough habitat already to support the increasing duck populations. Many hunters in northern

Victoria have posed the same question, so I ask: when will there be an announcement regarding the 2017 season?

Eastern Victoria Region

Ms BATH (Eastern Victoria) — My question is to the Minister for Public Transport, the Honourable Jacinta Allan, and it relates to concerns of certain citizens in Gippsland, following recent Public Transport Victoria public consultation sessions held in the Latrobe Valley, that the government is considering cutting services or the frequency of services through the Latrobe Valley. For many people in the Latrobe Valley — in the towns of Newborough, Churchill, Morwell and Traralgon — public transport is their only form of transport. They may be elderly and may have never driven, or they may just not be interested in owning a car. Maintaining services is therefore very, very important to this group of people, some of whom have walked through my door and made such comments. Can the minister then guarantee that the bus services to towns in the Latrobe Valley will not be reduced following the bus network review?

Northern Metropolitan Region

Mr ELASMAR (Northern Metropolitan) — My constituency question is for the Minister for Families and Children, the Honourable Jenny Mikakos. This week is Foster Care Week, an annual celebration of the great contribution that foster care makes in Victoria. I have many dedicated foster carers in my electorate. Since coming to office the Andrews government has overseen some fantastic achievements for foster carers in our state. As we know, they are extremely valued in our community. However, nearly 60 per cent of children in out-of-home care are cared for by family in kinship care arrangements. Many of my constituents in Northern Metropolitan Region are grandparents who in later life are again taking on a caring role as kinship carers. What has the government done to support kinship carers in Northern Metropolitan Region?

Southern Metropolitan Region

Ms PENNICUIK (Southern Metropolitan) — My constituency question is for the Minister for Energy, Environment and Climate Change and relates to her announcement that a new independent body with a transparent and modern governance model will be established to manage the Caulfield Racecourse Reserve for the purposes for which it was originally reserved — as a racecourse, for recreation and as a public reserve. This is an outcome which the City of Glen Eira and the local community, in particular the

Glen Eira Residents Association and the Glen Eira Environment Group, have long called for. The preferred option of the working group is to establish a separately legislated trust, which could be based on existing models such as the MCG, Melbourne and Olympic Parks or Kardinia Park trusts. My question is: whatever model is used or established, how will the minister ensure that the Glen Eira council and the community are fully involved in improving public access to Caulfield Racecourse Reserve?

Southern Metropolitan Region

Ms FITZHERBERT (Southern Metropolitan) — My constituency question is to the Minister for Public Transport. The environment effects statement for the Melbourne Metro project confirms that 223 trees will be removed in the construction zone for Domain station. Major infrastructure cannot be built without losing trees, but more effort should be made to minimise destruction of St Kilda Road's iconic trees. Does the government intend, or is it considering whether, to introduce this concept into the tender process for Melbourne Metro — for example, by including it in the request for proposal or equivalent, by including it in a tender requirement and by assessing applicants in part on their capacity or plan to preserve trees?

Western Metropolitan Region

Mr FINN (Western Metropolitan) — My constituency question is to the Minister for Roads and Road Safety. Congestion on the Sunbury–Melbourne road continues to worsen daily. As Sunbury grows it will undoubtedly deteriorate significantly. As I am sure the minister is aware, Hume City Council has joined my call for the duplication of this road. Will the minister inform me and the Sunbury and Bulla communities what plans the government has to duplicate the road between Sunbury and the Tullamarine Freeway?

Western Victoria Region

Mr RAMSAY (Western Victoria) — My question is to the Minister for Planning, Richard Wynne, and it is in relation to a promise made by the now Minister for Police, the member for Bellarine, at the Wye River Surf Life Saving Club after the fires in December. This meeting was held in January, and it was particularly in relation to how those Wye River home owners that were burnt out could replace their houses. A promise was made that the planning regulations and building regulations would not change, so that they could rebuild without any onerous objective assessments. We now

find that a new planning scheme amendment, C089, has recently been introduced and will be enforced, which has been highly subjectively assessed and will stop many of those home owners rebuilding. Who is telling the truth in relation to what Ms Neville said and what the planning minister has invoked in relation to amendment C089 to allow these home owners to rebuild in the same places their houses previously were?

Northern Victoria Region

Ms LOVELL (Northern Victoria) — My question is for the Minister for Sport and it is regarding the need for change facilities for female athletes at a number of sporting grounds across Greater Shepparton. Earlier this year I raised this issue in relation to a funding application from Greater Shepparton City Council for female change facilities at Deakin Reserve, and I outlined many other local grounds that were also in need of these facilities.

Deakin Reserve now has its grant; however, there is a desperate need for additional funding for change facilities at several other grounds, including Princes Park, where female athletes have to change in the public toilets and have nowhere to leave their belongings while they play. This is not good enough. Action needs to be taken immediately to give these athletes the privacy they deserve and the security and convenience of having facilities that they can get changed in, leave their belongings in and shower in post game. Will the minister proactively work with Greater Shepparton City Council and local sporting groups to provide funding for facilities to ensure that our female athletes are able to enjoy the same level of amenity as is provided to our male athletes?

LIVESTOCK DISEASE CONTROL AMENDMENT BILL 2016

Committee

Resumed; further discussion of clause 7.

Mr DAVIS (Southern Metropolitan) — I had only one short further comment to make on this. We were in a discussion with the minister before question time began. Now that that has been completed and we are back in committee, I just want to conclude by saying that it is a very reasonable point to seek a definition of 'restricted area'. The minister has not provided that. That is disappointing. Nonetheless, the community will make their own judgements about these matters.

Clause agreed to.

Clause 8

Mr DAVIS (Southern Metropolitan) — I want to make a small point on this and seek some information from the minister. I note the explanatory memorandum at the front of the bill. Clause 8 is headed 'Control area' and says:

- (1) For section 29(4) of the Livestock Disease Control Act 1994 substitute—

“(4) The Minister must ensure that in relation to an order declaring a control area—

- (a) the order is published in full in the Government Gazette; and
- (b) notice of the order is published in a newspaper circulating generally in the vicinity ... to which the order relates.”.

That is all very reasonable, and I understand that this is largely a replication of what already exists in practice. Nonetheless, I would seek from the minister some definition of what she means by 'control area'.

Ms PULFORD (Minister for Agriculture) — I thank Mr Davis for his question. I refer Mr Davis to clause 29 of the Livestock Disease Control Act 1994. A control area is any land, premises, place or area where I believe, as the minister, it is reasonably necessary for the purpose of preventing, controlling or eradicating an exotic disease that there be prohibitions, restrictions or requirements that are to operate within that area.

Mr DAVIS (Southern Metropolitan) — I thank the minister for that. It is helpful to have that on the record with respect to that being in direct apposition to this clause. As a further question, I seek from the minister an example of a control area as she has now defined it.

Ms PULFORD (Minister for Agriculture) — Again this is beyond the scope of the bill. The clause that Mr Davis is interrogating is about the printing of notices in newspapers.

The DEPUTY PRESIDENT — Order! Mr Davis, any further questions?

Mr DAVIS (Southern Metropolitan) — I just want to make the comment that I think the minister is determined to avoid assisting the committee in the way that people would expect. Whilst, as I said, the opposition has no quibble with this bill and understands its genesis, what it does and the explanatory memorandum — and I thank the minister in relation to this clause for at least being prepared to put in juxtaposition the definition in the way that I have sought — nonetheless, I am disappointed that she has

not been prepared to provide an example in this committee stage.

Mr RAMSAY (Western Victoria) — I want to ask the minister: while many communities will have a number of newspapers in their local areas in relation to publication, how do you determine which newspaper you would actually publish in if in fact there was a requirement within an area that has a number of competing newspapers?

Ms PULFORD (Minister for Agriculture) — Precisely the same way that has been past practice. This legislation does not go to the question of what the local paper is; it simply modernises the notification requirements.

Mr RAMSAY (Western Victoria) — It does more than that. In fact it actually extends the requirement to publish through a *Government Gazette* and a newspaper in a local area, but I do not want to dwell on that because there are a number of clauses that I want to ask about. I note it is nearly lunchtime, so I am flagging with you that I have some specific questions that are actually relevant to the bill that I would like to ask after lunch.

But anyway, before the Deputy President decides what time lunch might be, I want to ask a question in relation to the extension of the original order. If the minister would not mind just telling me, does she seek advice from the chief veterinary officer (CVO) in relation to that decision, or is it a decision made by the local disease control office or other stakeholders? I am just interested to know, when the minister extends an order for a control area, if that is based on advice from the CVO. What advice do you receive to make that decision?

Ms PULFORD (Minister for Agriculture) — Again, there is no change to current practice. There are orders that have existed since the current section 8A was written into law in 2010. The contents of the orders are being moved to the act to make this clearer for people who have an interest or a responsibility in this regard. The practice of taking advice from the department about the suitability and appropriateness of control orders and the need to extend them or end them when necessary is entirely unchanged.

Clause agreed to.

Sitting suspended 1.00 p.m. until 2.03 p.m.

Clauses 9 to 11 agreed to.

Clause 12

Mr RAMSAY (Western Victoria) — I have a question to the minister in relation to clause 12, which inserts new section 41A(1), in respect of the conditions under which:

The secretary may issue a permit to a person authorising that person to feed material originating from a mammal or that has been in direct contact with material originating from a mammal to a wild pig ...

I am just wondering in relation to that clause: are the current conditions relating to the secretary issuing a permit different from what is being proposed under this bill?

Ms PULFORD (Minister for Agriculture) — I thank Mr Ramsay for his question. There will be no practical effect to the current operation and no change to the way in which the secretary will exercise that function.

Mr RAMSAY (Western Victoria) — I have a further question, and it will be my last one, and in doing so I would like to thank the minister for her responses in relation to the questions asked. For me, it is a very important bill, coming from an animal livestock industry that has seen the effects and impacts of emergency animal diseases in other countries. Certainly because of the importance of protecting our own borders here in relation to animal biosecurity, I see this as not a flippant bill and not a bill to be trifled with. On that basis, my questions have been legitimate in their request for information.

In doing so, the question I would perhaps pose to the minister — and as I said, it will be my last one — would be in relation to resources allocated for checking premises in relation to those that potentially are using waste product to feed swill to animals. In relation to the permits that are issued in authorising persons to feed material under whatever circumstances that might be, but more so the surveillance of those who are attempting to use swill to feed whether it is pigs or other animals, and in relation to the resources required by your department in relation to the inspection of those premises, would you expect, given the very small technical changes made in the bill, that more resources would be appropriated to continue to protect our biosecurity in relation to the use of swill to feed particularly pigs?

Ms PULFORD (Minister for Agriculture) — I thank Mr Ramsay for his question and for his questions in this committee stage and for his observations about the importance of our livestock biosecurity. I note the

comments made by Mr Ramsay in his second-reading speech and some of the opportunities he had when he was the president of the Victorian Farmers Federation to see what happens when this all goes very, very wrong as being a really considered and useful contribution to the debate, so I thank him for his question and for his introductory remarks to the question. In response to that question, this is already recognised as a high-risk area, and so surveillance is high and considerable resources are dedicated to it. There has been no permit issued for many years, I am advised, but certainly if I or the department were ever of the view that there were additional resources required, they would be directed to it. Because of the nature of the risk, it is an area that is very closely monitored.

Clause agreed to; clause 13 agreed to.

Reported to house without amendment.

Report adopted.

Third reading

Ms PULFORD (Minister for Agriculture) — I move:

That the bill be now read a third time.

In doing so I thank all members for their contributions to the second-reading debate and the committee stage and note their commitment to improving livestock biosecurity in Victoria.

Motion agreed to.

Read third time.

LAND (REVOCAION OF RESERVATIONS — REGIONAL VICTORIA LAND) BILL 2016

Second reading

Debate resumed from 23 June; motion of Mr HERBERT (Minister for Training and Skills).

Mr ONDARCHIE (Northern Metropolitan) — I move:

That the debate be adjourned until 13 October 2016.

House divided on Mr Ondarchie's motion:

Ayes, 22

Atkinson, Mr
Barber, Mr
Bath, Ms

Lovell, Ms
Morris, Mr
O'Donohue, Mr

Bourman, Mr
Crozier, Ms
Dalla-Riva, Mr
Davis, Mr
Dunn, Ms (*Teller*)
Finn, Mr
Fitzherbert, Ms
Hartland, Ms

Ondarchie, Mr (*Teller*)
Pennicuik, Ms
Peulich, Mrs
Ramsay, Mr
Rich-Phillips, Mr
Springle, Ms
Wooldridge, Ms
Young, Mr

Noes, 16

Carling-Jenkins, Dr (*Teller*)
Dalidakis, Mr
Eideh, Mr
Elasmar, Mr
Herbert, Mr
Leane, Mr
Melhem, Mr (*Teller*)
Mikakos, Ms

Mulino, Mr
Patten, Ms
Pulford, Ms
Purcell, Mr
Shing, Ms
Somyurek, Mr
Symes, Ms
Tierney, Ms

Mr Ondarchie's motion agreed to and debate adjourned.

Debate adjourned until Thursday, 13 October.

Mr Davis — On a point of order, President, Minister Dalidakis just left the chamber in some high dudgeon, but in doing so he yelled to the gallery, pointing directly to Mr O'Sullivan, saying 'This is the closest you'll get to this chamber', threatening in a very intemperate way. President, it is not acceptable to refer to the gallery in that way, and there is good reason for that, and that is that members in the gallery are not able to threaten those in the chamber and those in the chamber are not able to threaten those in the gallery. That standing order has significant relevance, and I think Mr Dalidakis has directly breached it.

Mr Herbert — On the point of order, President, that is absolute nonsense, quite frankly. There was no threat whatsoever. I did not hear it; you must have superhuman hearing. Quite frankly, for you to allege that any comment of that sort was a threat is a disgrace. It is an absolute disgrace. Stop playing games. Get on with the job you have got to do, and get some legislation through this place.

Mrs Peulich — On the point of order, President, you heard the tenor and the remarks yourself. The clerks did, and can I say judging by their body language and facial expressions, there was certainly something that I have not seen or heard in the 20 years that I have served in Parliament. Not only was it inappropriate to be addressing the gallery, but he was coercive and threatening, and I believe that is not something that ought to be condoned by this chamber.

Mr Ondarchie — On the point of order, President, for the sake of Mr Herbert, he and I were at about the same geography in the chamber at the time we were crossing over, and I heard it clearly.

The PRESIDENT — Order! Again, that is not a point of order. Mr Davis's was a point of order. Mr Herbert addressed the point of order. Mrs Peulich addressed the point of order. Mr Ondarchie did not have a point of order. He was simply trying to substantiate a position that had been put; that is not a point of order. It makes proceedings very difficult if people try to use points of order inappropriately to produce a debate.

In respect of the position put by Mr Davis in his point of order, I did hear the remarks. I heard a number of remarks by Mr Dalidakis while he was in the chamber, and I think that all of them demeaned the Parliament in terms of the lack of respect that they showed to other members of this place and then in turn to someone in the gallery.

There are two things that I want to emphasise on this. I go to Mrs Peulich's comment first of all about the demeanour, as she saw it, of the clerks of this Parliament. It is inappropriate to actually reflect on or to provide any sort of a reference to any of the behaviour of the clerks or what might be perceived as, for the sake of argument, body language or expression or suchlike. The clerks, the Hansard people and the red coats are here doing a job of work, and as far as I am concerned they are invisible — —

Mr Herbert interjected.

SUSPENSION OF MEMBER

Minister for Training and Skills

The PRESIDENT — Order! Thanks, Mr Herbert. Out; 15 minutes.

Minister for Training and Skills withdrew from chamber.

The PRESIDENT — As far as I am concerned, the staff of this Parliament are invisible to members of Parliament and should not be subject to references in debates, in points of order or in any other contributions to this place that might apportion to them a particular opinion, view or behaviour. I know Mrs Peulich was not trying in any way to reflect on them — I understand that — but it does give me the opportunity to make this point, and it is an important point as far as the Chair is concerned.

Secondly, coming to Mr Davis's specific point of order, he is actually quite right that our standing orders do not allow members to refer to people in the gallery. Occasionally there are references; I noticed in one of the ministers speeches earlier this week there was a

reference to somebody in the gallery, and it was a positive reference. I let it slide that time, partly because it was a positive reference, but the reality is that our standing orders do not permit us to refer to people in the gallery. The only basis upon which we do it is if in fact I from the chair or one of my representatives in the chair acknowledge a former member, a dignitary or a visiting delegation. On that basis that is an acceptable practice and consistent with the conventions of the house and the courtesy that the house extends to visitors to this place.

Earlier today Mr Dalidakis referred on a number of occasions during question time to the nominee of the National Party coming into this place at some point, and it was inappropriate then to be making those remarks. I let it slide because it was a fairly boisterous question time, but certainly the remarks made during that vote and subsequent to that vote were most inappropriate.

I uphold the point of order and say to members again we are not to refer to people in the gallery. It is outside our standing orders. I will not rule specifically on whether or not it was, as characterised by the opposition, a threat or intimidatory behaviour — I am not going to enter into that sort of discourse at this point — but I certainly do not want to see that sort of behaviour again.

VICTORIAN FUNDS MANAGEMENT CORPORATION AMENDMENT BILL 2016

Second reading

Debate resumed from 23 June; motion of Mr HERBERT (Minister for Training and Skills).

Mr ONDARCHIE (Northern Metropolitan) — I move:

That the debate be adjourned until 13 October 2016.

Ms MIKAKOS (Minister for Families and Children) — I would like to respond to Mr Ondarchie's motion to defer debate on the Victorian Funds Management Corporation Amendment Bill 2016, and I do so because, as we have just seen in the last few minutes, we have had a situation where both the coalition and the Greens political party have joined forces yet again in this house to defer consideration of a bill by this house. No doubt what is intended here is to work our way down the notice paper to a situation where members bring about a situation where the house does not have any bills to consider.

I find this to be an extraordinary act, an extraordinary bastardry of our parliamentary democracy, because we have been elected to this house to do a job — that is, to consider the legislation that comes before this house, to do so in a vigorous way representing the views of our constituents and to make sure that we can pass legislation in this house and in this Parliament that serves the best interests of the people of Victoria.

We have a number of bills that were flagged with all political parties in this house on Monday where the government expressed the view that they needed to be passed by the end of this sitting week. In fact six bills were flagged as needing to be passed and debated and considered by this house and to be passed by the end of this sitting week. We have had so far two such bills considered by the house, the third one has just been adjourned off till the next sitting week and now the coalition and the Greens political party are seeking to defer off the fourth such bill, which deals with a number of very significant changes which I will come to in a moment.

We are seeing here a circumvention of our parliamentary practices and the democratic principles of this house time and time again. Starting from the turfing out of the Leader of the Government, Mr Jennings, from 25 May and his being unable to represent his constituents in this house, we have had a complete circumvention of all precedents not just in this Parliament but in other parliaments. We have had a consideration of precedents in the Westminster tradition. Mr Mulino went into considerable detail in the past around these issues, and we saw numbers being used by the coalition and the Greens party to turf out the Leader of the Government for months — for months being unable to represent his constituents.

Now, because the Greens political party and the coalition decide that they want to go home early — they do not want to be here tonight, they do not want to work on a Friday — they have decided to give themselves a holiday. But coming to question time, we had the coalition question the issue of the grand final public holiday. They want to take away a public holiday from the people of Victoria, but they want to give themselves a public holiday on the taxpayers dollar, despite the fact that they have been elected to do a job. They do not want to be here tonight and they do not want to be here tomorrow, so they have decided to use a procedural debate not to consider important legislation before this house but to give themselves an early holiday — give themselves a public holiday tomorrow — without needing to be here.

President, we had a situation last week where, again, the coalition members and the Greens political party joined forces together to have a nonsense procedural debate which actually deferred consideration by this house of a bill that dealt with child sex offences and deferred consideration of a bill that dealt with banning e-cigarettes being sold to children, and we went on for hours and hours on a procedural debate because they wanted to bring on a whole lot of notices of motion for consideration moved by government members, even when government members made it clear that their preference was to debate legislation.

Here we have had days of ample notice given to all members of this house that the government considered important that we consider and debate — six bills in this house, six bills this week — and now we have got to bill no. 3, and they have adjourned that off for a week because they do not appear to be ready or prepared to bring that bill on for debate. Now we have had the fourth bill adjourned. This is outrageous — an outrageous process.

Mr MELHEM (Western Metropolitan) — It is a new process for the coalitions — I will say the coalition of the not willing to work: the Liberal Party coalition, the National Party coalition and the Greens party coalition. They are looking forward to going home early today and not coming to work tomorrow. I get it: the National Party are aggrieved by the decision of the Assembly not to set a date to fill the casual vacancy, just as we are aggrieved by the decision the coalitions made in relation to Mr Jennings, but that is not an excuse to adjourn the Parliament. By adjourning every single bill we are basically closing down this place for today and tomorrow and possibly for the next sitting week until 13 October and so forth. That has become the new tactic. Instead of doing the right thing by doing your job — which you are getting paid for handsomely, I might add — debating legislation which will have an effect on Victorians, who pay your wages — —

Mr Ramsay — And yours.

Mr MELHEM — I get it, they are paying mine — I am here for tonight, I will be here tomorrow and I will be here next sitting week to debate your motions and to debate every bill this government will bring into this house. I will not use a grievance you might have with the government in relation to whether or not the Assembly agreed to your motion or our being aggrieved with your decision to expel the Leader of the Government as an excuse.

You have crossed the line. You have been wasting time; I get it. But look at yourself in the mirror. When

you go and face your constituents, people are going to ask the question. Will you say, 'We don't feel like debating any bills or passing any bills because we are not happy with the government or with the Assembly because they did not agree to a date or to set a date to replace a vacancy'? Put that aside; right or wrong, that is your excuse. Basically you will shut the Parliament. That is basically what you are doing; you are shutting down the Parliament. That is exactly what you are doing, and you are still getting paid for it. Shame on you!

If we are fair dinkum about doing our job, we should be debating these bills before the house, not simply relying on technicalities. You are so happy you have got the numbers — you have got your new mates, you have got your new-found friends — and basically you want to punish the government. But you are not really punishing the government. Looking at all these bills on the notice paper, I have not heard anyone actually have any major problem with them. They are not controversial bills, they are not bills about which the coalition or the Greens party have indicated that there is any major controversy. They are bills that will make changes to the lives of some of our constituents and residents. They are not controversial. So instead of sitting down, debating these bills and voting accordingly —

Ms Bath interjected.

Mr MELHEM — You have got other avenues to deal with your grievances, Ms Bath. I have already said that. We had our grievance about your decision in relation to Mr Jennings, but we did not go and shut the Parliament because we did not like the decision. You cannot simply, because you have a grievance, because you do not like the other house and whatever decision they have made, go and shut this house down. That is not the response. That is exactly what is happening. Just go and look at yourselves in the mirror. You have started this, not us. We are here, we will be here until midnight if we need to be and we will be here tomorrow doing our job representing Victorians, but obviously you have got no interest in being here. You just want to have a holiday today and tomorrow and perhaps next sitting week, and you want to be paid for it. Shame on you!

The PRESIDENT — Order! Can I indicate something I actually meant to say when I was on my feet before. Particularly given the tension on this matter and some related matters, I remind members that it is important to direct their remarks through the Chair rather than directly to other members in this place, particularly where that might involve gesturing. We are

able to conduct a much more constructive debate if in fact those contributions go through the Chair.

Mr ELASMAR (Northern Metropolitan) — President, I have been in this chamber for the last 10 years, and you have been here longer than I, and for the first time I find a motion without a background. The opposition moved a motion to defer the bill till October, and they sat down. They did not have any excuse. They did not say what the reason was behind it. When we raise a point of order we say why we are raising that point of order. I thought after the first motion that maybe they had some issues with the bill and maybe they wanted to have more information on it — I did not know; I was lost. But now I know what was behind it. Now I am awake to what has been happening in the chamber.

I agree with my colleagues who spoke on it previously, the Honourable Ms Mikakos and Mr Melhem. This is not a tactic. We have to remember why we are here, why we have been elected and what our job is: it is to work for Victorians regardless of which party we are of or where we came from. Our job is to deliver to Victorians the best for them, not the best for us. What we are doing today is delaying the process. We are delaying the bills. We are delaying benefits for Victorians. People will not forget. People will remember what has been happening in this chamber.

Unfortunately for the first time I find that I have to stand up and speak from the heart. I have to stand up and defend those people who are not here to defend themselves and make sure they are being heard in this chamber. That motion has no grounds, and it has not really convinced any of us why we are deferring the bill. Shame! Allow me to say the word 'shame', which is not usually in my vocabulary, but when it comes to the benefit of Victorians we are here to stand for them.

Mr BARBER (Northern Metropolitan) — If it is of assistance, President, I will keep my hands in my pockets to avoid any gestures at anyone. When Ms Mikakos, on behalf of the government, described this motion to defer debate on the bill as an extraordinary act, two things immediately came to mind. The first is that it is a matter of routine in the other house that on a Tuesday morning the government with its numbers comes in and announces the guillotine and announces which bills will be debated or will be voted upon by 4.30 p.m. on a Thursday afternoon. This from a government that went to the election promising that they would be taking bills in the lower house to the committee stage so that they could be subject to routine scrutiny, so it is absolutely run of the mill in the other place. In fact they have become so used to it since the

days of Jeff Kennett that it is hard to know if there is anyone down there who can imagine the Legislative Assembly operating in any other way.

But when it comes to extraordinary acts I have to say that what we have been experiencing over this year in relation to some important constitutional matters has been quite extraordinary. First of all, after a very long series of debates and having given the government ample opportunity in relation to a number of important documents motions, this chamber passed a lawful motion to suspend the Leader of the Government from the house until such time as he provided certain documents to the chamber. The documents are important documents relating to matters such as coal development. They relate to level crossings and signalisation of the Cranbourne-Pakenham line. They relate to a huge privately funded road project that is coming from the western suburbs into the central city, and so on and so forth.

These are matters that continue to be considered very important from the public's point of view. Ask some people on the trains last night and the night before if they think the government's plans or changes to plans for signalisation and level crossings are an important matter of public interest. Should this Parliament be demanding some sort of explanation from the government about why it has cancelled one set of plans and introduced another set of plans in relation to our rail system, and so on and so forth?

Since it is the Attorney-General who writes to the chamber in regard to those documents motions, I did seek a meeting with the Attorney-General to discuss the documents motions, to discuss the documents and to work out what we could do about those. I did have the meeting, but ever since that meeting the Attorney-General has been running around saying that Greg Barber has no interest in any compromise on this area and that he demands every single document be tabled every single time. It is unfortunate that my position has been misrepresented in that way, because it is actually one of the barriers to us moving forward, if indeed that is the version he is giving to the public, to this house and perhaps to his own colleagues. There is still plenty of room for negotiation and movement in relation to those documents.

But the government in tit-for-tat fashion — they have admitted it — decided to do another extraordinary act, and that is to prevent a joint sitting and to prevent a member taking up his seat in this house. We have spoken on that a number of times, and every time I have spoken on that motion I think I have been pretty clear in articulating how seriously the Greens take that

move by the government and how it puts us into extraordinarily dangerous constitutional territory. I have repeated that on a number of occasions when we have debated that motion, and the government appears to be implacable on that. But now they are shocked.

There is one matter that we could be dealing with here today if we move our way down the notice paper. Order of the day 26 in relation to the joint sitting may be what we end up debating today, as is necessary.

Mr MULINO (Eastern Victoria) — Mr Barber alluded to some matters of principle, and those opposite have either spoken about matters of principle or interjected in relation to matters of principle, but let us be very clear: in my opinion this is clearly a stunt and its origins are a stunt. That stunt, which is the origin of what we are seeing right now, is a six-month suspension of our leader. That is the origin of what we are seeing here. If we go back to that matter, what we see is an unconscionable action, in my view, which is motivated by a motion. And I understand why the Greens support it, because the Greens basically read in relation to executive privilege from the Julian Assange playbook. I get it — they want everything on the public record — but those opposite have the hypocrisy and the temerity to suspend the leader for not producing a whole raft of documents that they themselves would never release, they did not release when they were in government and, if they were ever on these benches again, they would not release, so I hold them particularly culpable.

Why I say that is the origin is that since then the opposition and the Greens have had the audacity to suspend our leader for six months, longer than any suspension in the history of the Westminster system. But they then expect every single working of the government to continue as if nothing had happened. They expect all matters of giving leave and all matters of courtesy to continue as if nothing had happened. They want a completely unrealistic situation. I understand that some people in any kind of world that we are in will say that some matters are not related to other matters, but why I say it all goes back to that point in time is that if you undertake an action so dramatic and so clearly hypocritical and unjustified, the notion that everything else continues on as if nothing had happened is completely unrealistic.

I want to go for a moment to this bill, because what we are doing today is deferring a bill that directly relates to the interests of the Victorian taxpayer through the way in which tens of billions of dollars are managed. There are some elements in this bill which sound very technical — for example, the fact that funds

management in Victoria has moved from a manager of managers model to a centralised investment model. Now, some people might say, 'Ho-hum, technical matter', but it is very much a move that has increased the long-run returns for the people of Victoria. This bill is very much about aligning the legislation with what the Victorian Funds Management Corporation's (VFMC's) medium-term trajectory has been — a trajectory, as I said, that is very much in the interests of the Victorian taxpayers — and increasing the long-run returns on tens of billions of dollars, one of the largest funds in Australia, is an extremely material matter.

Now, those opposite have made it very clear in their speeches and in their interjections that what they are undertaking today is a stunt, a tit for tat action. They will say that this is in response to this or that action from the government that they do not like, but they also have to acknowledge that what they are doing by adjourning bill after bill is taking matters of material interest to the Victorian community and deferring them from the consideration of the Parliament. Going back to the original motion, which I believe has increasingly caused disquiet in this place, it is absolutely ludicrous and unrealistic to expect those opposite can pass a motion that is unprecedented in the world of Westminster parliaments and then for everything else to continue on exactly as they want it — for everybody to be nice, for leave to be given and for no ripples to occur in the system.

I want to be very clear that what we are seeing today in the deferral of this bill is the deferral of a very material matter for the Victorian people. We are talking about a bill which removes ambiguity in relation to the VFMC's powers, clarifies the definition of investment and clarifies important matters of governance which, as I said, are a matter of the VFMC's operations that have been evolving over recent years. Rather than clearly and transparently not being about principle, those opposite should get up and explain why it is that indulging in petulant knee-jerk reactions to what they do not like about some elements of the practices over the recent weeks and why the people who will be affected by this bill, people who are affected by the returns of the VFMC, do not matter and their interests are subordinate to those opposite and the way they would want this chamber to operate.

The PRESIDENT — Order! I indicate, Ms Shing, that you have a very short time in which to make a contribution. The procedural motion is half an hour.

Ms SHING (Eastern Victoria) — Three minutes and 28 seconds, is that what I am reading?

The PRESIDENT — Order! No. There is the right of reply of 2 minutes that I have to allow for.

Ms SHING — Good Lord! I am going to have to speak very quickly. Thank you very much, President, for that heads up in relation to the time.

This is in effect the mother of all dummy spits from those opposite, who are not satisfied with having made a series of demands but have gone on to hold the notice paper to ransom. In relation to the passage of legislation through this place, this bill, as Mr Mulino has indicated, gives significant benefit to Victorians in the shape of improved management of \$50.9 billion worth of funds which are under management from the Victorian Funds Management Corporation and will improve integrity and the overall way in which it is managed.

Those opposite crow and get on their high horses repeatedly in relation to the way in which business should be done in this state and yet, when it suits them, are all too prepared to actually turn and run for the hills around any preparedness to participate in the debating of bills which were in fact the subject of meetings and discussions earlier this week. There have been a series of attempts to actually pass legislation through this house, which those opposite have steadfastly refused to engage in to the great expense of those Victorians who have now, and probably erroneously, given their trust to those opposite to actually deliver on as part of making sure that government in Victoria delivers what it stands up to promising. It is a great shame and a great tragedy that those opposite, including but not limited to Ms Wooldridge and her five interjections, would seek to delay this further bill.

Mr ONDARCHIE (Northern Metropolitan) — Ms Mikakos, by way of debate, talked to us about upholding parliamentary democracy, about undertaking actions that best serve the interests of the people of Victoria, about valuing the importance of parliamentary precedent and about ensuring the integrity of the Victorian constitution. Mr Melhem talked about this chamber doing the right thing. Mr Elasmr said that we should stop delaying the process. All those things the opposition agree with, but it is paramount that in this debate we ensure that we do all those sorts of things so that the people of Victoria, and particularly those in Northern Victoria Region, are duly represented. So if you want to uphold parliamentary democracy, if you want to take actions that best suit the people of Victoria, and uphold the importance of parliamentary precedents and the integrity of the Victorian constitution, the government should walk the talk. To do that is simply to agree to the joint sitting as agreed to by this house

and we can progress those other matters. I commend my motion to the house.

House divided on Mr Ondarchie's motion:

Ayes, 23

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

Noes, 15

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

Mr Ondarchie's motion agreed to and debate adjourned.

Debate adjourned until Thursday, 13 October.

**OWNERS CORPORATIONS
AMENDMENT (SHORT-STAY
ACCOMMODATION) BILL 2016**

Second reading

Debate resumed from 31 August; motion of Mr DALIDAKIS (Minister for Small Business, Innovation and Trade).

Mr ONDARCHIE (Northern Metropolitan) — I move:

That the debate be adjourned until 13 October 2016.

This is due to the government's failure to hold a joint sitting to fill the vacancy in the Northern Victoria Region.

Ms SYMES (Northern Victoria) — I wish to move an amendment to Mr Ondarchie's motion. I move:

That all words after 'until' be omitted with a view of inserting in their place 'later this day'.

Mr LEANE (Eastern Metropolitan) — I would like to speak on Ms Symes's amendment — no?

The ACTING PRESIDENT (Mr Elasmar) — Order! On the amendment or on the amendment and the motion?

Mr LEANE — I will have a crack at both. The reason Ms Symes has moved an amendment to Mr Ondarchie's dummy spit motion is that the chamber is actually here and available to proceed with important business. The business is not about the egos or feelings of people in here being hurt. The business is about important issues concerning the people who live in Victoria. It is a bit of a shame that Mr Ondarchie and the opposition feel they need to go this way. As far as the government is concerned, in line with Ms Symes's amendment, we are here and we are happy to keep debating bills. We would love to be able to pass bills, but if the opposition feel they need to talk them out, well, that is their prerogative.

I think to completely collapse the chamber is an outrageous situation. If it is tied, as Mr Ondarchie's motion says, to a joint sitting to appoint a new member and back to the argument that we had yesterday about how outrageous it is not to have a sitting to appoint a replacement of Mr Drum, well, Mr Drum actually gave notice in this place months before he vacated. He could have vacated and been the candidate — he could have done the work he was actually doing as a candidate — rather than not doing the work he was being paid here to do as a member for northern Vic.

Then once Mr Drum finally did exit, it took months for the National Party to appoint a replacement. If we want to speak about denying representation to Northern Victoria Region, well, the National Party decided to do that themselves for a period of time. I know that their Liberal colleagues were not jumping up and down in outrage at them at the time; they seemed to take it without any concern at all. It is a bit strange that all of a sudden the opposition feels that they need to — —

Ms Tierney — Shut down the Parliament.

Mr LEANE — Basically, right, Ms Tierney — shut down the Parliament. Along with the Greens they want to completely shut down the Parliament. Maybe there are a few more bills on the notice paper that the opposition and the Greens think are a bit more important so when we get to them later this day we might start debating them. But I think that Ms Symes has flagged that she would like to see us support her amendment and get on with the business that the people of Victoria have elected us to do. No members have been appointed here; I think we are all elected members — I might be wrong. We should go on and do what the people of Victoria elected us to do: debate

bills — maybe not spit the dummy, maybe toughen up a bit — and get on with our work.

We are happy to keep going into tonight or into tomorrow. Maybe there is some concern by people who are worried about flying out for their break somewhere, but we are paid to be parliamentarians. We should be here at Parliament, especially in the upper house. We have got an important job to do. We will be asking the opposition to let us get on with our job or at a minimum support Ms Symes's amendment so that we can come back to this bill later this day.

Maybe we can start debating other bills. Like I said, I am not too sure if the opposition are keen on debating bills further down the notice paper. Surely they are not going through a sham process of adjourning off all 12 bills on the notice paper! Surely they would not be that precious and would not have that contempt for the Parliament. I would be surprised if they had. We will wait and see if they want to debate the next bill. We are ready to debate that. We can debate that, and then we can come back to this bill later this day, as Ms Symes's amendment to the motion indicates. We are happy to do that, and we look forward to the opposition supporting us on that.

Mr MELHEM (Western Metropolitan) — Yet another motion has been moved by the opposition to prove the exact point I was making earlier — the only reason they are seeking to adjourn this bill is not that they have an issue with the bill itself, as Mr Elasmars was saying about the previous bill, but simply that they have issues with what the other house has decided to do. The Assembly has decided not to appoint someone or set a date aside to fill the casual vacancy, so they want to shut down the debate in this house and basically close it down. That is going on strike.

That is basically what they are doing — going on strike. They do not want to work; they want to go home. Basically that is what you are doing. They criticise unionists for walking off the job and withdrawing their labour, but what are they doing here? They are doing exactly what they say they do not believe in. This is the first time I have heard conservative members of the Liberal Party and the Greens party decide they are not happy with the other house so therefore the best response is to say, 'We'll just go on strike' — and they still want to get paid.

I turn to the amendment moved by Ms Symes to debate this bill later this day. Looking briefly at the bill, it is not controversial. It is talking about some problems currently experienced with the short-stay accommodation industry and trying to tidy up some

loose ends to make sure that the level of abuse that is currently taking place in that sector stops, to put a bit of balance into the system and to make sure the owners basically live up to their commitments — and the same things will apply to the tenants — and it defines 'short-stay accommodation'.

Looking at the summary of the bill, you would think it is straightforward. We should be debating this very briefly, passing it and sending it back to the Assembly so that people can get on with their lives, but no, Mr Ondarchie, on behalf of the coalition of the willing — the Liberal Party, the National Party and the Greens party — is going through the list of the orders of the day and basically shutting down debates, closing down the house and making no apology. He actually said it: 'The reason we are doing this is because we are not happy with the other house. The other house did not agree to our request in a timely manner, so therefore we're going to shut down this house'. Explain that to me. That is a tactic coming from the other side, who criticise — —

Mr Dalidakis — I think the CFMEU works more than the opposition.

Mr MELHEM — They criticise the Construction, Forestry, Mining and Energy Union about allegedly using bullying tactics, but that is what they are doing — bullying. Basically they are bullying this house and saying, 'If the other house does not agree with us, we're going to shut this house down. We are going on strike, and we want to get paid for it'. My challenge to the coalition is this: if this house adjourns — if you shut it down tonight and tomorrow — are you going to forfeit your pay? Are you going to basically write an email to the pay office and say, 'We have gone on strike for Thursday, 15 September, and 16 September, and therefore we do not deserve to be paid. Please dock our pay'?

By the way, it is illegal to actually go on strike and ask for payment. I do not know whether you have thought about that; you should have thought about that. So basically you are actually taking unlawful industrial action by shutting the place down. You are actually going on strike. Well, good on you. You are actually going on strike. You do not understand that when workers in this country have got grievances with their bosses and they withdraw their labour, the first reaction they get from the conservative forces of the Liberal Party and now the Greens is they get hammered for daring to withdraw their labour and go on strike. That is exactly what you are doing.

I will finish off by saying I think you should reconsider your position. Let us do the right thing by Victorians. Let us do our job. Let us get back to the agenda and do our job, and hopefully everything else will sort itself out.

Ms SHING (Eastern Victoria) — I rise to again support the amendment moved by Ms Symes and also to speak to the substantive motion raised by Mr Ondarchie. In doing so, I would just like to note at the outset those people who on principle felt so strongly about the issue of a joint sitting. I note Ms Wooldridge's persistent interjections; I think at least five times in the initial contribution today she said, 'Why don't you just call a joint sitting?'. She is not here any longer in the chamber. In fact I count only two members of the opposition bench who are actually here in attendance.

Mr Rich-Phillips interjected.

Ms SHING — Yes, Mr Rich-Phillips, we do have a quorum. Thanks very much for checking on those numbers. I note also that we have two members of the Greens here to listen to the contributions that relate to the ridiculous withholding of parliamentary process at the expense of legislation which will benefit Victorians, which has been on the notice paper for some time and which was agreed to be part of the debate and discussion this week until it became a tactical opportunity.

It is unfortunate that the Liberal members — and indeed there are no National members in the chamber either — are not actually contributing to this particular debate. Maybe they do not have anything to say on it. Maybe they do not have anything to demonstrate any level of sincere interest in this. Maybe they are in the bar. Maybe they are having a drink on the job, actually kicking back on the taxpayers dollar and in fact having a bit of a go-slow. That is a bit rich coming from those opposite, if indeed it is the case.

On the one hand we hear from the Greens these lofty ideas about the notions of the primacy of the constitution and of the importance of making sure that we do not go down a rabbit hole that indicates the decay of respect for parliamentary process; on the other it becomes all too convenient for the Greens-coalition alliance to vote to make sure that legislation is not in a position to be debated. That would be a very convenient coalition — a coalition of the not-so-thrilling, made up of the Liberals, The Nationals and the Greens — to actually make sure that we do not see any progress and we do not see any legislative progress in a way that would demonstrate that this house is doing its job.

On the one hand the coalition was all too prepared to argue that in fact Mr Jennings's suspension from the house for a record six months was in fact not tied at all to anything else in relation to the attendance of a new member for Northern Victoria Region from the National Party. Yet now we see their true colours on display. They just cannot be bothered keeping up the pretence any longer. They cannot be bothered showing up to the chamber. We have got three Liberal Party members in here now. They are not going to have any difficulty in springing to their bank accounts to find that they have been paid this week for effectively demonstrating little to no value as part of their efforts.

I would like to say that 'efforts' really belongs in inverted commas, because this is nothing short of procedural sabotage in relation to the carriage of legislation that has absolutely no bearing on anything which is currently before the house around the suspension of the Leader of the Government from the house on the same day that Mr Drum gave his valedictory speech or the lengthy period of time which elapsed between then and Mr O'Sullivan's introduction to this place as a potential new member to be sworn in and to give an inaugural speech.

We now see that in fact the gloves are off and the opposition does not care. They do not care to turn up here. They are probably enjoying a dry martini or a glass of local wine — probably French imported, actually — sitting around taking their pay cheques and wondering how long they can keep this up for, because effectively they will keep this up. They will keep this up for as long as they need to and as long as they want to because, quite frankly, they do not care about legislation. They do not care about the obligations and responsibilities that are attached to being members of Parliament.

They do not care enough to turn up, but they do care enough to follow the power of the almighty dollar that lands in their accounts every couple of weeks and that compels them to continue to at least physically show up from time to time without in fact being prepared to be part of the processes which are established and which are there to do a particular job around the passage of legislation through the Victorian Parliament.

Mr MULINO (Eastern Victoria) — We see this farce from those opposite continue, and as a number of speakers have outlined very eloquently, it is quite ridiculous for those opposite to be claiming principle in this matter. I once again go back to the genesis for this whole sorry episode that those opposite are bringing upon this house. I want to get on the record for each bill briefly that this started with a completely unjustifiable

action by a series of members of the opposition, some of whom are ex-ministers, who are betraying the most unbelievable hypocrisy. They themselves did not give up documents that they now deign to suspend our leader for six months over the non-production of.

I also think the Greens need to be held to account as well for their part in this. It is just remarkable for those opposite to attempt in any of their contributions today to cite any skerrick of principle. It is absolutely absurd. There are times in this place when some of us say things with a straight face that we know maybe there are elements of that we do not necessarily 100 per cent believe in, but those opposite must be really struggling with some of the statements they are putting out there today. They stand up here and piously lecture on and on about democracy and representation when Mr Jennings is not able to represent his electorate for six months with, frankly, no justification.

As I said, I find the Greens culpable in this. They believe their position on this. I find it ludicrous; I do not think government would work. But I know those opposite do not believe what they are putting forward in that motion. I know it because of their actions. Ms Wooldridge, Mr Rich-Phillips and Mr Davis are people who behave completely in contravention of the motion they put up to suspend our leader. Their behaviour is in complete contrast to this motion to suspend for six months. As I said, they have the temerity, hypocrisy and audacity to put through this place that motion for a six-month suspension and then to swan in here to lecture everybody else. They say, 'It's about democracy and representation. Look, Mr Jennings doesn't matter. We need the F1 documents'.

Ms Wooldridge, Mr Rich-Phillips and Mr Davis, as bizarre as it might seem, were members of a cabinet; it was a one-term cabinet, so that makes more sense. And Mr Campbell, who I consider at times to be quite insightful, observed that it is one of the worst performing shadow frontbenches he has ever seen. The point here is they were in cabinet and they did not give up any documents. Their personal behaviour when they were in government is at complete odds with the motion, which is a wrecking motion and a stunt. Ms Wooldridge very much hoped she would be too clever by half in suspending the leader for six months. She very much hoped that she would be able to cobble together some deal where she would be able to convince the Greens that it was all about transparency. She said, 'We're on your side now. When I was minister for four years I wasn't, but I've seen the light'. Now Mr Rich-Phillips, Ms Wooldridge and Mr Davis, who for years used the line, 'It's executive privilege.

We're not giving the documents up', are suddenly having these little secret meetings with the Greens and saying, 'We're on your side now'.

But Ms Wooldridge is realising now that you cannot have a stunt without repercussions. She wants all the glory in her party room for suspending Mr Jennings. She wants to swan into her party room and say, 'I suspended their leader by cobbling together a temporary alliance with the Greens'. She wants to go in there and take all the credit for that, but she of course does not want to go into her party room and have to explain what happens as repercussions for that. I think Ms Wooldridge must be having second thoughts. I think a number of those opposite are having second thoughts about what exactly it is that they are going to say in this chamber should they ever return to government. I cannot wait for Mr Rich-Phillips, should he be on the Treasury benches, to explain how he is going to give every Treasury document to the public. I cannot wait.

Of course we know that is not going to happen. We know he is going to have another change of mind. We all know what they can behave like when they have the responsibility of government, because it is what they were like — —

The ACTING PRESIDENT (Ms Dunn) — Order! That is time, Mr Mulino. Before I call any more speakers I would give an opportunity to the Greens, the crossbench and the opposition. Are there any further speakers?

Ms PENNICUIK (Southern Metropolitan) — If I could just say that having listened to several speeches by ALP members, it seems to me that they do not comprehend the enormity of what the Andrews government has done in acting in contravention of section 27A of the constitution, which states very clearly that in the event of a vacancy in a seat in the Legislative Council a joint sitting must be held to fill that seat. That is what the constitution says. It uses the word 'must'. Arguments about the suspension of the Leader of the Government against what the ALP government has done in refusing to hold this joint sitting just do not stack up. That was a lawful motion, as my colleague Mr Barber said. It is not lawful for the government to not comply with the constitution. Ms Shing — Ms Shing is a lawyer — Mr Leane, Mr Melhem and Mr Mulino are throwing adjectives around, but their arguments are all very weak in comparison to the extraordinary unconstitutional precedent that this government has sadly set for all time, in contravention of the constitutional changes made by its own predecessor, the Bracks government.

What we are doing today in adjourning off some bills to the next sitting week is not extraordinary; it happens pretty well every week in this place. If we go back to that, the Victorian Parliament is anachronistic in its use of the guillotine in the Assembly. It is not the practice of other parliaments to ram bills through the Assembly in a week and expect them to be dealt with in the order the government wants the following week in the upper house.

Mr Melhem said the reason we are here is that we are upset about what was going on in the Assembly in refusing to hold the joint sitting. In fact in the previous week the motion to hold the joint sitting that was put in this place was not opposed by the government, but yesterday it was opposed by the government. The government divided on that motion, so it is not just the Assembly; it is the whole Andrews government that has set this very sad and sorry precedent for all time against the constitution. In terms of moving motions with regard to documents or moving adjournments of bills, they are nowhere near as serious as what the government has done in failing to comply with the constitution. A government may have its legislative agenda and it may have its political agenda, but in my view the government and the executive of the day should also be custodians of the constitution and they should be custodians of the conventions, and they have not been. That is a serious issue and is at the nub of what is happening today. Rather than Mr Mulino telling us that we should rethink, the government should rethink its position on the joint sitting and should comply with the constitution and hold that joint sitting.

Ms MIKAKOS (Minister for Families and Children) — I rise to speak in opposition to Mr Ondarchie's motion and to support Ms Symes's amendment to it. I do so because what we have here is a completely outrageous act by the Liberal-Greens alliance to shut down this house, to send themselves home early, not to have to sit tomorrow and to give themselves that taxpayer-funded public holiday tomorrow, despite the fact that they want to take away a public holiday from Victorians, because they are just too lazy to get on and do their jobs.

We made it clear — there were discussions across all the parties on Monday evening that made it very clear — that the government's intention was to debate six bills in this house. We have got to the third bill on the notice paper as per that agreed list that all parties had input into and that was agreed by all parties on Monday evening, and then one by one we have had the Liberal-Greens alliance seeking to adjourn every single bill until the next sitting week so they do not need to get on and do their jobs.

The irony here is that they failed to articulate even a reason for this on the previous procedural motions. They have belatedly decided they had better give themselves some justification for doing so on this procedural motion on this particular bill, and they have done so on the pretext of trying to say that they are the upholders of constitutional democracy in this state. We have seen the Liberal-Greens alliance chuck out all conventions in this Parliament, chuck out all conventions in this house, by suspending the Leader of the Government for six months — and he has not been able to take his place since 25 May —

Ms Bath — On a point of order, Acting President, the minister is forgetting to say the Liberal-Nationals-Greens alliance.

The ACTING PRESIDENT (Ms Dunn) — Order! Ms Bath, that is not a point of order. Please continue, Ms Mikakos.

Ms MIKAKOS — The National Party took ages to get itself into the act of saying that that they too want to go home early. The National Party, too, want to go home early tonight and give themselves a holiday tomorrow as well. It is good that the National Party has decided to grace us with their presence finally to try to demonstrate to Mr O'Sullivan that they are actually interested in his fate. But getting back to the substance of the matter here, we have this unholy alliance, this continuous alliance of the coalition and the Greens party, working together to circumvent the conventions of this house, to chuck out the Leader of the Government — which is unprecedented in nature in terms of suspending a member for six months, leaving him unable to take his place in this house to participate in debate —

The PRESIDENT — Order! Thank you, Ms Mikakos.

Mr ONDARCHIE (Northern Metropolitan) — The irony of this Labor government coming in here lecturing this chamber about strikes, particularly when they are on strike during question time, refusing to answer questions! They bully 60 000 CFA volunteers, they bully women in the workplace and now they are bullying the people of northern Victoria by denying them a representative. This is not a strike. The solution is simple: hold a joint sitting so the democracy they claim to uphold can be realised and the people of northern Victoria can get their representative. The opposition will be opposing Ms Symes's amendment.

House divided on amendment:*Ayes, 15*

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

Noes, 23

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

Amendment negated.**House divided on Mr Ondarchie's motion:***Ayes, 23*

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

Noes, 15

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

Mr Ondarchie's motion agreed to and debate adjourned.**Debate adjourned until Thursday, 13 October.****MELBOURNE COLLEGE OF DIVINITY
AMENDMENT BILL 2016***Second reading***Debate resumed from 31 August; motion of
Mr DALIDAKIS (Minister for Small Business,
Innovation and Trade).****Mr ONDARCHIE** (Northern Metropolitan) — I
move:

That the debate be adjourned until 13 October 2016.

I move this motion due to the government's failure to hold a joint sitting to fill the vacancy in Northern Victoria Region.

Ms PULFORD (Minister for Agriculture) — I
move:

That all the words after 'until' be omitted with the view of inserting in their place 'later this day'.

Well, where to begin, really? The Liberal-Nationals-Greg Barber alliance has really reached new heights here this afternoon. We have a number of pieces of government legislation that are largely agreed and another for which amendments have been circulated by the Greens political party. These are matters that are important to those who they affect, and they are being deferred because the coalition in the upper house are having the mother of all tantrums.

If I could just reflect on some of the comments made during the course of this debate and the many manifestations it has had in this place over now a number of sitting weeks, as we all observed yesterday, part of its root cause — most of its root cause — is the fact that the Liberal Party hold this government to a standard on documents that they would never hold themselves to. This resulted in the extraordinary and unprecedented suspension of the Leader of the Government for six months.

Members opposite have spoken with faux outrage about the terrible disenfranchisement that is occurring to The Nationals voters of Northern Victoria Region. I will just respond in the few moments I have with some hard facts about just how much that mattered to them in March, April, May, June, July and August.

On 29 March The Nationals nominations opened for the federal seat of Murray. On 30 March it was reported that Damian Drum would seek the National Party preselection for Murray. On 11 April — this is the world's quickest preselection; we go in for a bit more internal democracy in our party — nominations closed

for The Nationals preselection, and Damian Drum was preselected for Murray unopposed. On 12 April there were initial reports that Mr O'Sullivan would nominate for Northern Victoria Region. On 25 May 2016 — as it happened, the same week that the coalition of the Greens, The Nationals and the Liberal Party voted to suspend Mr Jennings for six months — Mr Drum delivered his final speech. I think we all noticed Mr Drum campaigning on the taxpayers coin during that period, and of course the federal election was not until 2 July.

I recognise that there was a winter break during this period that did make parliamentary sitting week time seem longer than it otherwise was, but there were multiple occasions in this Parliament on which The Nationals, if they actually cared, could have sought to fill that vacancy. But instead on 4 July they opened the nominations for that vacancy, on 15 July they closed them and on 30 July they preselected their nominee to replace Mr Drum in this place — 40 days between Mr Drum's official resignation and the opening of nominations for Northern Victoria Region, 44 days between Mr Drum's preselection for Murray and his resignation from the Victorian Parliament. I mean, jeez! That is nice work if you can get it. I can think of lots of hardworking marginal seat candidates from all walks of politics that would do anything for a deal like that.

And the days add up and they add up and they add up — 123 days between reports that Damian Drum would resign from the Victorian Parliament and Luke O'Sullivan's preselection. The Nationals did not care, and the coalition and the Greens did not care, and this week they are using it as a fig leaf to cover the fact that they are taking their public holiday early. They want a day off on Friday because they have no commitment to the conventions of this place and they have no interest in allowing the smooth functioning of this place on any number of pieces of legislation, including this one, the Melbourne College of Divinity Amendment Bill 2016. I think we can all agree it is not a contentious piece of legislation, and there is no sound reason to hold it up at all.

Mr HERBERT (Minister for Training and Skills) — You see a lot of things in the time you are in this place, and I must say when someone asked me, 'Are you going to the upper house — —

An honourable member interjected.

Mr HERBERT — Someone on your side, as a matter of fact. I will not disclose it; it was someone on the coalition side. They said, 'It's all port and skittles'. I said, 'How wrong you are — how very wrong you are.

What a house it is of hard work, high endeavour and high ideology'.

Perhaps I need to revise after the antics we have seen here today, the antics of simply laying down tools and sitting back and saying, 'No, we're not going to pass it, even though our job is to bring legislation to Victoria, even though our job is to pass bills that will make Victoria a better place, that will help people, that will establish a better life for people'. No, not in here today. What we have seen here today is just a frustration effort to close down this Parliament, close down legislation and close down real progress on our legislative agenda.

And what an irony — what an absolute irony. As far as I can tell, the argument for this laying down of tools — this lying on the chaise longue and the couch having a little nap, saying 'Let's not do any work for the money we're getting' — is that Mr O'Sullivan needs to work for his electorate. They say, 'He needs to get elected to represent his electorate and work for them', and the vehicle they choose to apply pressure, even though we know this is about Minister Jennings, is to lay down tools and do nothing. Can you not see the absolute hypocrisy in your position? 'We're not going to do any work. We're not going to pass any legislation. We're laying down tools. We don't care what it does for Victoria. We don't care about that, because we want him to represent'. Well, if that is the way you go about it, why would anyone feel confident that when he does get into this place he will actually do any work?

Let me talk a little bit about some of the impacts of the stances you are taking here, regardless of the bill, regardless of what it does to communities and regardless of what it does to organisations. Here we have a very, very simple bill. It changes the name of an organisation that has been in transition from the Melbourne College of Divinity as a teaching-type enterprise to a university. They have worked on this for years and years; they are all waiting for it. They have got their branding ready to go, they have got their recruitment strategy ready to go and they have got their enrolment processes ready to go for the start of next year. They are all waiting for this bill to come through here — a simple bill — and I would be absolutely amazed if anyone opposed it. It is simply changing the name so that they can press the button, change their branding, change their structure and get out there and try and recruit students.

They want to move to a higher place, but not in the Victorian upper house with you over there, with the coalition's viewpoint. No, it does not matter how hard they have worked. All their schedules and all their work do not matter. It does not even matter to you that the

federal minister, Simon Birmingham, has supported this and wants this to go ahead. You do not even care about your — —

Mr Ondarchie interjected.

Mr HERBERT — Of course it is. He has already approved it. You do not even care about that. You do not even care that you are in direct contravention of the federal government's agenda. You do not care about that, no. It is all about downing tools, knocking off early, going home, being petulant and being self-indulgent no matter what the cost — no matter what the cost to integrity, to the reputation of this place and to the work ethics that the Victorian people expect of us. None of that is important to you.

None of what it does to this organisation and its plans is important to you. It does not matter if it ruins next year's enrolments. It does not matter one iota to you. I does not matter if it has been through the commonwealth for ages. It does not matter if they are ready to get new schools enrolling and people moving into new positions — all planned, all scheduled, all agreed at a commonwealth and state level. It does not matter to you, because this is just a little petulant tactic that you are prepared to play, and you do not care who suffers for it. I say to you it is a disgrace, it is not good enough and you ought to go home and have a good look at yourself in the mirror. That this sort of tactic impacts not on us but on an organisation like the Melbourne College of Divinity is just disgraceful.

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — It is my great pleasure to rise to speak against the motion that Mr Ondarchie put. It is interesting that when Mr Ondarchie put the motion he made specific reference to the fact that he wanted to see Mr O'Sullivan effectively enter this chamber through a joint sitting. I appreciate and respect Mr Ondarchie moving that motion on behalf of that side of the chamber. He is doing of course the bidding of his leader, Ms Wooldridge, and that is okay too, but the sin of omission here is that on the very nature that they are wanting to bring somebody into the chamber, all we are asking for is exactly the same treatment with our leader, the Honourable Gavin Jennings. He was very unfairly booted out — without paraphrasing your words, President — in a suspension that was unprecedented, a suspension for a period of six months, for doing nothing other than keeping documents that the coalition authored and signed when they were in government from being released. These are documents they refused to release when they were in government.

The hypocrisy of this is absolutely galling, and for them to then come in and abuse the chamber — as one of my colleagues said, to down tools — is both unfortunate and makes them unfit to be in government, because we all have a requirement to fulfil our roles and responsibilities in this place as legislators. The reason that the word 'legislature' is included there is that that is what we are trying to debate — legislation — and we are being denied the ability to do that right now with this contemptuous act by those opposite and the hypocritical stance they have taken to try and bring somebody into this place when they keep somebody from our side of Parliament out of this place for stopping us from releasing their documents.

There is nothing about this that is edifying. This is a race to the bottom, but it is a race to the bottom that was started when they suspended the Honourable Gavin Jennings for six months in a pre-emptive strike that was unprecedented. It was unprecedented because the closest that we can find back in the Westminster system is some bloke in England that was suspended for 11 days for stealing. So you have gone way past precedent provided by the Westminster system in the Old Dart, the United Kingdom, through the house of Commons, which was 11 days for stealing, and you suspended Gavin Jennings for six months for not releasing your own documents. Well, President, I do not know how you feel about that, but I do not think that that is very edifying. I do not think that the conduct that has been portrayed and undertaken in this place is edifying on either side of the chamber — and that includes my behaviour; and I am okay with that.

As much as the coalition would like to stand up and pretend that they, with their new coalition partners, the Greens, who outnumber their existing coalition partner, The Nationals — in fact the Shooters, Fishers and Farmers Party outnumber The Nationals at the moment. Mr Purcell, who is not here, a member for Western Victoria Region, representing great cities like Warrnambool, Port Fairy and others, equals the current National Party number in this place, and he only just started his political party at the last election. Imagine what he could do over 100 years! Clearly The Nationals are labouring here in this state.

The fact remains that we have a motion before us that completely perverts the course of democracy. Their coming in here and wanting to adjourn each and every piece of legislation before us is nothing more than them having a tantrum. That is what it is; they are having a tantrum. On the one side, on the government benches, we are wanting to put forward legislation that deals with a whole range of very important policy issues and constructs, issues that the coalition will likely vote with

us on when they get to debate those issues. They are wanting to suspend the ability for us to do so, and they are wanting to chuck the very nature of everything that we hold dear in demos and kratos — democracy, the very root of the foundation of this contribution. I look forward to making further contributions later as Mr Ondarchie and his colleagues look to pervert the course of democracy.

Ms SYMES (Northern Victoria) — I rise to make a contribution on Ms Pulford's amendment and also in relation to Mr Ondarchie's substantive motion, which is seeking to adjourn the Melbourne College of Divinity Amendment Bill 2016 — a lot of repenting needing to be done by Mr Ondarchie after this move — until the next sitting week. We have heard from a lot of members in relation to the joint sitting about the tit for tat, but I just wanted to bring another perspective to the Parliament in relation to the deplorable nature of this motion.

Many members in this chamber would know that on a Monday night we have a meeting between representatives from all of the parties that make up this chamber. It involves the leaders of the government, the leaders of the opposition and the whips and representatives of the crossbench and the Greens. The purpose of that meeting is to basically come together and have a conversation about how the week is going to run. It is one of those meetings where we as the government say which bills we are hoping to pass throughout the week, and I get to ask questions and obtain information from the other parties about whether they are opposing the bill, whether they have amendments, whether they should be taken to committee — it is really useful for the functioning of this house, not only for the members but for the clerks and for the staff who ably help us during the week.

There is something that is quite annoying, and not just for the people in the house. One of the commitments I gave on Monday night was that we wanted to get through six bills. Last week there was a very obvious tactic by the opposition to put in a bit of a go-slow motion in order to frustrate the government's legislative agenda. I have always been pretty up-front — I do not really care what you do; I do not judge what you do. When I am having a decent conversation with you it is just useful to know so that the place operates in a somewhat functional manner. At that meeting on Monday I committed that on Tuesday night we would have a rough idea of how we were tracking and I would be able to tell you whether we would be sitting on Friday or not. Late Tuesday night I was able to confirm with the opposition, with the other parties, with the kitchen, with the clerks and with the staff that, yes, we

will be sitting on Friday because we want to get through six bills and that is obviously what it is going to take.

If you put that into context, we have got kitchen staff hovering around here now going, 'What's going to happen? We've got food for tonight, we've got food for tomorrow. You said we were sitting on Friday'. I said, 'I know I said we were sitting on Friday, because that's what I was advised. That's what I advised everyone we would do'. The added cost to the Parliament that this stunt is going to bring about is just deplorable. I am a country member. I have got accommodation booked. It is probably looking as though I might not be using it tonight if we are not sitting tomorrow. Do I put my claim through and have an empty apartment there tonight at a cost to the Parliament? We have got staff that have accommodation booked tonight to sit tomorrow. We have got staff that have allegedly made plans to work tomorrow and now will not be working tomorrow because we might not be sitting tomorrow.

This game playing and tit-for-tat — I get it, but the consequences need to be considered. It is very selfish to inflict this on the members —

An honourable member interjected.

Ms SYMES — I do not think that punishing the staff of this place because of your political views is a justification. As I said, I do not judge you on your tactics, I would just like to know about them so that I can do my best to inform this Parliament about what the hell is going on and what they can expect to happen. I just think it is completely disrespectful. Whatever you think of your political opponents, not thinking of the consequences for the rest of the people who help us in this place is deplorable.

I would actually like to debate the Melbourne College of Divinity Amendment Bill. It is a really simple bill. It is one of those bills that we could have done in probably 10 minutes. We could have taken it off the notice paper and been done with it, and the good people of the Melbourne College of Divinity, which I think is going to be renamed something because of this bill —

An honourable member — Or not.

Mr Ondarchie — Haven't you read the bill?

Ms SYMES — I have got a summary here, Mr Ondarchie. It is a bill about divinity, and divinity is —

Mr Ondarchie — 'Difinity' or 'divinity'?

Ms SYMES — Divinity.

Honourable members interjecting.

Ms SYMES — It is the state of things that come from a supernatural power such as a god, supreme being, creator or spirit and therefore is regarded as sacred and holy. I was looking at the definition of divinity, and the state of things that have been brought about in this house today are certainly not brought about by anybody that has any — —

The ACTING PRESIDENT (Ms Dunn) — Order! The member's time has expired.

Ms MIKAKOS (Minister for Families and Children) — I rise to speak in opposition to Mr Ondarchie's motion and to speak in favour of Ms Pulford's amendment to the motion. Yet again we are seeing an act of political bastardry by the Liberal-Greens alliance in this house where they are seeking to circumvent the practices of this house. Ms Symes has made some very important points about the additional costs that are going to be incurred by this Parliament which had been advised, following a cross-party room discussion on Monday evening, that this house was expected to be sitting late this evening and sitting tomorrow as well, so costs are going to be incurred unnecessarily.

But most importantly, the people of Victoria have elected us all to do a job. They have elected us to do a job, and we on this side of the house are prepared to earn our pay and to work into the night, if necessary, and tomorrow to enable the bills that were flagged on Monday evening with all parties to be considered by this house and to be passed into law. And of course it is our obligation as members of Parliament to always act in the best interests of Victorians. We have been elected to do a job, and the members opposite, those in the Liberal and Greens party alliance, are failing to do their job.

We know that the Greens political party are just not used to hard work; they never need to worry about governing. And when it comes to the Liberal Party, they got a chance in 2010, and we know that they blew it because they did nothing for four years. They just did not work hard enough to hold onto government and they are just accustomed to working slowly. They are accustomed to not doing the work that the people of Victoria have elected them to do and expect all of us to do.

The Liberals had four years of doing nothing, being slack and stopping work every day, and now they want

to continue doing nothing for the entire term of our government.

An honourable member interjected.

Ms MIKAKOS — We had discussions with all the parties in this house on Monday evening. It was made very clear that the government was very keen to see six bills considered by this house, including the Melbourne College of Divinity Amendment Bill 2016, and now we have political retribution. The coalition are having a dummy spit because one of their mates cannot draw a salary.

You need to be honest here that that is what this is all about. You have made it very clear that all this is about is putting the interests of your mate above the interests of the people of Victoria. You are putting the interests of your mate above the interests of the people of Victoria. You have not a prayer or a hope of being able to convince people that this is a justified action. This is completely outrageous. I have been in this house for a very long time, and I have never seen this kind of outrageous behaviour before.

We had the Liberal-Greens political alliance join forces earlier in the year to suspend the Leader of the Government for six months, a completely unprecedented act in this Parliament — in fact across every Parliament in Australia. There is no such precedent for suspending a member of Parliament for six months for not handing over cabinet documents, some of which are documents that relate to the previous government. And yet they have suspended the Leader of the Government for six months and not allowed him to take his place, despite the fact that he was democratically elected to represent the people of South Eastern Metropolitan Region. They have suspended him since 25 May. He cannot take his place here and participate in question time — and has that not been an own goal! That has been a complete own goal on the part of the Liberal Party in not having Mr Jennings here to be able to respond to questions. Then they have the temerity to come in here and say they are going to shut down the house, shut down the Parliament from being able to consider important legislation. This is a travesty of democracy — —

The ACTING PRESIDENT (Ms Dunn) — Order! The member's time has expired.

Mr MULINO (Eastern Victoria) — There have been a couple of minutes left at the end of each of these scintillating conversations, but I want to make two brief points. They are new points. I want to reflect on a point that I think Mr Dalidakis made — the best that I think

anybody has made in this debate. There was some self-reflection on the point that we are in a race to the bottom, and I believe that all of us in this chamber after we leave here today should have a bit of a think about what has been going on on all sides. I think the point is that I have made some strident points here about things that I think have been done incorrectly on the other side, and I do not resile from those. But I do think that there is nobody in this place who should be too pious and there is nobody in this place who should come in here and throw around notions of democracy and this or that. We are in a very unfortunate situation, and I think Mr Dalidakis captured that well.

The other point I want to make very briefly is a point that Ms Pennicuik made. She made the distinction between whether or not a legally binding motion was passed to suspend Mr Jennings and whether or not conventions have been breached. I do accept the fact that there is a distinction between whether something is lawful and whether it breaches conventions. The only point I want to make is that breaching conventions, I believe, is an extremely serious matter in our system.

Ms Pennicuik — Why did you do it then?

Mr MULINO — No, the convention that you are breaking is an unprecedented six-month suspension, which is orders and orders of magnitude greater than any other in the world ever in a Westminster system for what is, in relative terms, a trivial crime. I go back to 1975 federally; I go back to all sorts of conventions that are of the utmost importance. I do not think it is right to say that breaking conventions does not matter or is relatively unimportant. Our system is held together by glue, which includes conventions. We should not assume that our system will continue to work as brilliantly as it does if we just flout conventions in the way that I believe occurred back at the genesis of this sorry episode.

The ACTING PRESIDENT (Ms Dunn) — Order! That is time, Mr Mulino.

Mr ONDARCHIE (Northern Metropolitan) — Is it not interesting that those across the chamber from us want to come in and lecture us about upholding parliamentary democracy? Well, I tell you the best way to uphold parliamentary democracy and to ensure the importance of parliamentary precedent is to do what has been done and hold the joint sitting.

Mr Melhem interjected.

Mr ONDARCHIE — As Mr Melhem interjects in this place about upholding parliamentary precedent, I will remind him how he got here. He got here through a

joint sitting, and who signed his application? Bill Shorten, Steve Bracks, Ben Davis, Luke Donnellan, Anthony Carbines, Nazih Elasmr, Robin Scott, Marlene Kairouz, Michael Donovan, Jane Manning and Martin Pakula all got behind Mr Melhem and ensured there was a joint sitting of the two houses so that he could join the Parliament. All we ask of this government is that they walk the talk. You said you want to hold up parliamentary precedent. You said you stand for democracy. You said you stand for the people of Victoria being truly represented. Hold the joint sitting and let the people of Northern Victoria Region be represented, and then we can get on with it. We oppose Ms Pulford's amendment.

House divided on amendment:

Ayes, 15

Dalidakis, Mr (<i>Teller</i>)	Patten, Ms (<i>Teller</i>)
Eideh, Mr	Pulford, Ms
Elasmr, Mr	Purcell, Mr
Herbert, Mr	Shing, Ms
Leane, Mr	Somyurek, Mr
Melhem, Mr	Symes, Ms
Mikakos, Ms	Tierney, Ms
Mulino, Mr	

Noes, 23

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

Amendment negatived.

House divided on Mr Ondarchie's motion:

Ayes, 23

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

Noes, 15

Dalidakis, Mr	Patten, Ms
Eideh, Mr	Pulford, Ms
Elasmr, Mr	Purcell, Mr

Herbert, Mr
Leane, Mr (*Teller*)
Melhem, Mr
Mikakos, Ms
Mulino, Mr (*Teller*)

Shing, Ms
Somyurek, Mr
Symes, Ms
Tierney, Ms

Mr Ondarchie's motion agreed to and debate adjourned.

Debate adjourned until Thursday, 13 October.

**LEGAL PROFESSION UNIFORM LAW
APPLICATION AMENDMENT BILL 2016**

Second reading

**Debate resumed from 1 September; motion of
Ms PULFORD (Minister for Agriculture).**

Mr ONDARCHIE (Northern Metropolitan) — I move:

That the debate be adjourned until 13 October 2016.

If the government will hold a joint sitting to fill the vacancy in Northern Victoria Region, we could probably get on with it.

Mr LEANE (Eastern Metropolitan) — I would like to move an amendment to Mr Ondarchie's motion. I move:

That all words after 'until' be omitted with the view of inserting in their place 'later this day'.

I would like to speak on the amendment and also Mr Ondarchie's motion. I think I am starting to see a bit of a trend here from the opposition. I was originally thinking there is no way they could be so irresponsible and have such regard for the good people of Victoria that they would want to adjourn off every piece of legislation on the notice paper, but that is what seems to be happening here. Originally I thought they might want to move on to a different piece of legislation that they were pretty keen to start debating, but obviously there seems to be a pattern. It appears to me at this point that the opposition intend to adjourn off every piece of legislation on the notice paper and collapse the house, because maybe some of them have got flights tomorrow and they are organised — —

Mr Dalla-Riva — Yeah, I do!

Mr LEANE — Yes, I would have imagined. And they are organised to fly out with committee trips and different junkets and so forth and not too keen to be back here tomorrow. But I am not too sure what the plan is. If that means that we as a house get every piece of legislation adjourned off to October by the

opposition, then when we turn up in October, well, what are you going to do then?

Honourable members interjecting.

Mr LEANE — Same thing? Are you going to do the same thing when you come — —

The ACTING PRESIDENT (Mr Morris) — Order! Mr Leane, thank you. Through the Chair.

Mr LEANE — Well, the opposition are yelling out, 'Joint sitting', but I suppose it is the government's responsibility to set the program, and I would imagine that the government would be pretty keen to be coming back in October to go through the legislation — to start with the legislation from the top again. So what is the opposition going to do then? Are you going to adjourn everything off at the start of the sitting week? Are you going to adjourn everything off at 12 o'clock on the Tuesday at the start of the October sitting week? I suppose that is a decision for you and your Greens coalition partners. I suppose we will wait and see where that ends.

I want to touch on something Mr Ondarchie indicated in one of his previous contributions on a previous motion — very similar to this one — when he talked about bullying. I am not too sure where he was coming from with that, but I have to say the Liberal Party and The Nationals and others have been engaged in an outrageous program of bullying men and women who actually get paid to put fires out and save people's lives in this state. It is outrageous, and I am sure they have been part of the union-busting exercise that has been exposed. I am sure they are the ones who brought in Seyfarth Shaw and set up the plan to not actually negotiate in good faith, to string out the negotiations and to then try to force a non-union agreement, maybe one with lesser conditions, similar to what Carlton & United Breweries are trying to do to their workforce. I very much suspect that the coalition have been party to that, along with some of their political operatives, or at least one political operative at the Volunteer Fire Brigades Victoria, Andrew Ford. I am sure he might have something to do with it, as far as — —

Ms Fitzherbert — On a point of order, Acting President, on relevance, I fail to see what the union movement has to do with any of this. I think Mr Leane is just scraping the bottom of the barrel to make up time.

The ACTING PRESIDENT (Mr Morris) — Order! Thank you, Ms Fitzherbert. I encourage Mr Leane to come back to talking about his amendment.

Mr LEANE — I will just go back to my contribution and say that there is some industrial action happening now by the coalition. They are embarking on industrial action as in they are going on strike. You could tie it in with the underhanded industrial relations activities that they were involved with previously when they were in government, along with some of the management of the Country Fire Authority, and how they embarked on attacking brave men and women that put fires out for a living. I think there is more to say on that, and I might say more if there is a similar motion. If there is a trend, I might actually reiterate the next time — —

The ACTING PRESIDENT (Mr Morris) — Order! Thank you, Mr Leane. Your time has expired. I call Mr Melhem.

Mr MELHEM (Western Metropolitan) — Thank you, Acting President.

Mr Ondarchie — How did you get here? How did you arrive at this place? It was a joint sitting, I am sure.

Mr MELHEM — Well, I am glad you raised that, because in my case it took about three months to fill my vacancy. For Mr O'Sullivan, it is not three months yet.

An honourable member interjected.

Mr MELHEM — No, there was actually a fair while between Mr Pakula resigning his position — —

An honourable member interjected.

Mr MELHEM — A few months. I can check the exact time. But that is okay. I am not complaining. No-one on our side is complaining. I hope Mr O'Sullivan will actually join us soon, because we would like him to join us soon.

Can I just talk about what the opposition are doing here today. So far five bills have been adjourned, and there are six bills to go. Do you know what? To me that is not working as directed by taxpayers and not following lawful instruction by the constitution and the Parliament to actually do your work and debate bills. That is an unlawful ban. You are actually putting bans in place. Some people call it work to rule, but that is not even working to rule; it is basically not doing what you get paid to do.

My advice to you is this: be brave, be a bit bold and just walk off the job and go home, instead of wasting everyone's time going in circles with one clear intention. The intention is, 'Let's frustrate the process; let's not debate legislation as we are supposed to'. They

are getting paid, as I said in my earlier contribution — a reasonable salary, I might add — to do what? To not debate bills which they do not have a problem with.

I get it if you have got a strategy where there are certain bills on the notice paper you have got real problems with and you want to delay them and gain some advantage so you can negotiate with government to try to get some compromise, but no, the only reason you are doing it is that you are not brave enough to say, 'We don't want to be here. We're too scared to go home and go on strike'. Well, go on strike. Be brave: just go. Be brave for once: go on strike. But I tell you what — you are not brave at all. You just want to stay inside but do not want to do your job.

We can play this game. We will be here to 10 o'clock, midnight, whatever it is. We can come back tomorrow, we can come back on 13 October and you will continue your game. Guess what? Victorians are watching as we speak. They are watching. They do not give a damn about your grievance. They do not give a damn about our grievance about Mr Jennings; they do not give a damn about your grievance about Mr O'Sullivan or your respect for Mr O'Sullivan. They do not give a damn about that. They give a damn about one thing: they are paying your wages to debate bills and to talk about their issues — issues relevant to them, not to your political parties, and not your grievances.

I get it. I said earlier, 'If you've got a grievance with the Assembly, don't take it out on this house; take it up with them. Don't punish the whole Council'.

Mr Ondarchie — You voted against it.

Mr MELHEM — Well, Mr Purcell did not vote against it. You are punishing him. He cannot debate any of the bills on the notice paper. Do not punish the very people who are paying your wages to do your job. As I said, if you actually want to go on strike, just do it. Do the right thing: just walk off and go home. At least — —

An honourable member interjected.

Mr MELHEM — Well, they took a stand; they actually went home. But instead you say, 'We're just going to adjourn everything'. That is fine. We are not going anywhere; we are going to be here. We are here to debate bills. If you have got grievances, take it up with the Assembly. I am afraid the opposition have lost their mojo. They have got nothing else to do apart from wasting taxpayers money, sitting here and waffling on and on. They have not offered a single reason why any of these bills should be adjourned. If you had offered one single reason, I would get it, but you offered none.

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — It is my pleasure to rise to speak on yet another dummy-spit motion by those opposite. I am quite comforted by the fact that Ms Wooldridge is in the chamber this time to actually hear what I have to say, as uncomfortable as it may be, because the reason we are in this position at the moment is that Ms Wooldridge decided to take a course of action that was, in the words of the President himself, unprecedented. ‘Unprecedented’ was the word that the President used to describe the kicking out of the Honourable Gavin Jennings, the Leader of the Government in this place, for six months.

Ms Wooldridge is a newcomer to this place, as am I; this is both of our first terms in the Legislative Council. The Westminster system, which I referred to in my earlier contribution, shows that the longest somebody has been suspended from Parliament is somebody in the United Kingdom for 11 days for theft. For theft they were suspended for 11 days. That is the closest precedent for a period of time numerically in terms of days that somebody has been suspended from the house in the Westminster system, and what Ms Wooldridge has done is throw not just precedent out of the —

Ms Wooldridge — He could be back in tomorrow.

Mr DALIDAKIS — Do you know, I will take up the interjection, Acting President, because Ms Wooldridge wants to pretend that she can be all things to all people, despite cosying up and having some love-in with the Greens. But this is the fact of the matter: they are asking for documents that they authored when they were in government.

When Ms Wooldridge was a minister in the other place in the last term of government under the failed leadership of Denis Napthine, Ted Baillieu and Geoff Shaw, they authored documents that they would not release, and then we walk into this chamber and she has the galling hypocrisy to ask us to release her documents. She is wanting to call upon the government to release documents that they authored in the previous Parliament. They want us to release their documents when they would not release them, and because of that they then suspended Gavin Jennings for six months — unprecedented in the Westminster system, when the previous longest suspension was 11 days for some bloke that was stealing hundreds of years ago under the UK system. Then they come in here and they try and have this dummy spit to try and adjourn all of the legislation that the government has put before us.

This legislation, funnily enough, will probably be legislation that those opposite will vote for. The truth of

the matter is the opposition are likely to vote for the legislation that they are looking to adjourn. Well, do you know what? They cannot have their cake and eat it too, because they are wanting to bring a member into this place when they are preventing a member from coming into this place already. That is the fact of the matter here. Anything else is superfluous.

What I said in my previous contribution is that this is a race to the bottom, and it is a race to the bottom that they started when they shot off the gun and they got Mr Jennings to leave this chamber for six months. That was the beginning of the race. The starter’s gun was shot, like at Little Athletics, and then the race was begun when they kicked Mr Jennings out for six months. That was the beginning. That was ground zero, if you want to use a different term to understand the analogy.

The fact of the matter remains that those opposite are hypocrites. Just like the word ‘democracy’ has its roots in the ancient Greek words ‘demos’ and ‘kratos’ — bravo to my Hellenic brothers and sisters — another word, ‘hypocrisy’, came from Hippocrates in ancient Greece. These people should go and study ancient Greek so that they have a better understanding of the language which describes their behaviour, because —

Mr Ondarchie — To use ‘ground zero’ is outrageous.

Mr DALIDAKIS — Well, ‘ground zero’ is a term that is used for the beginning.

Mr Ondarchie — This week.

Mr DALIDAKIS — No, the beginning. Mr Ondarchie can pretend to have his faux outrage along with his bad ties and his bad behaviour, but the fact of the matter is we are in this position because they are denying Gavin Jennings his rightful place in this chamber. They are denying the people of South Eastern Metropolitan Region representation in Parliament, and without telling us how we can get Mr Jennings back in here, they continue to do that. And do you know what? It will not work. Their desire to get somebody else in this place will only happen when Mr Jennings can come back.

Mr ELASMAR (Northern Metropolitan) — I find myself forced on my feet again, and the reason I find myself forced on my feet again is I do not believe the motion has been put in a way that we should accept. But I believe — and I thank Mr Leane for the amendment he brought forward to the house — that the amendment maybe is a solution that we can work

around. That is why you will find members of the government on their feet supporting the amendment while I ask myself the question of why none of the opposition have supported the motion. None of them have stood up and said, 'I am supporting Mr Ondarchie's motion'. They left Mr Ondarchie to do all the work.

By all means, I have said it before and I will say it again: we are not here to play games. What we are here for is to represent our constituents, to represent our people who elected us, to say what they cannot bring to this Parliament and to be their voices. Now the opportunity is not given to us. Why is that? Because the opposition are trying to stop us from delivering and from passing any bills.

We have so many important bills. We have so many issues to talk about. Unfortunately we have been locked between the walls. We cannot even talk outside of them, because they will not give anything. But the motion itself has no merit. If we look at the motion itself, it has no merit. What we need to do is settle down and work out a way we can fix this problem and not stop the government from delivering the bills. For that reason I stand again in supporting the amendment. I thank Mr Leane for bringing his amendment, and I oppose the motion.

Ms PULFORD (Minister for Agriculture) — I wish to speak in support of Mr Leane's amendment to the motion moved by Mr Ondarchie that debate on this legislation be adjourned. The antics of the opposition and the Greens continue to know no boundaries. In the time that has been spent on these matters since 2.10 p.m., when we finished the Livestock Disease Control Amendment Bill 2016 after a most unedifying performance by not all but some coalition members through the second-reading debate and the committee stage, we could have concluded the Parliament's consideration of half of these by now. Many of these matters are not contested. Many of these matters do not have the kind of complexity involved in their consideration as, say, we had in the detailed committee stage on the Tobacco Amendment Bill 2016 that was being considered in this place on Tuesday evening and indeed in the tail end of the preceding sitting week.

Ms Wooldridge interjected.

Ms PULFORD — Ms Wooldridge interjects and says, 'Hold the joint sitting'. Ms Wooldridge knows full well that there is a resolution before the Legislative Assembly at the moment on this very question and that this is a matter before the Legislative Assembly. Ms Wooldridge also knows that The Nationals were not

that fussed for many, many months about the vacancy that The Nationals caused themselves.

I again return to the extraordinary double standards that the coalition, in particular the Liberal Party and the Leader of the Liberal Party in this place, are applying on the question of the release of documents and the responsibility of members of the executive to conduct their duties and perform their responsibilities cognisant of their obligations to the best interests of the state — to their sworn responsibilities. Ms Wooldridge, as a former minister in a previous government, well knows there are matters that are very commercially sensitive, that there are matters that are the subject of cabinet deliberations and that there are completely reasonable limits that need to be placed on these questions around documents. The opposition likes to talk about this notion of 'to the satisfaction of the house' without ever really bothering to express much detail about what 'to the satisfaction of the house' means.

Mr Barber interjected.

Ms PULFORD — Mr Barber is at least consistent on this with his 'Every document, every Parliament, every time'. At least there is some consistency there. Mr Barber does not care much for executive privilege or those commercially sensitive matters, but the Liberal Party, at least when they are in government, actually do.

Mr Leane — They do not hand over anything.

Ms PULFORD — They do not hand over anything; that is right. The list of documents handed over by this government to members of the former government is a very, very different list to the list of documents that members of Ms Wooldridge's and Mr Rich-Phillips's government ever handed over to any members of this government when the shoe was on the other foot when we were in opposition.

Again the legislative program is being disrupted by members of the opposition. There are matters on the notice paper that we would like to consider that go to the question of protection for women fleeing family violence; there are matters that will be considered in the next sitting week that go to the question of laws in response to carjacking. The infantile games that are being played by members of the coalition have consequences. They will not all be splashy front-page-of-the-newspaper-sized issues, but for people for whom all of these pieces of legislation matter, they matter a great deal. Whether it is the legal profession or whether it is the Melbourne College of Divinity and its name change, these things do matter.

The ACTING PRESIDENT (Mr Morris) — Order! Thank you, Ms Pulford, your time has expired.

Ms SYMES (Northern Victoria) — I understand that we are down to Mr Ondarchie's third motion in a row, and this is an attempt to defer the Legal Profession Uniform Law Application Amendment Bill 2016. We have a very sensible amendment put by Mr Leane, which I will be supporting. In my last contribution, when I brought the house's attention to the additional costs and inconvenience that the opposition's antics are going to cause, part of that was mentioning the fact that I personally, as a country member, have a booking that I cannot cancel at an apartment across the road tonight, which is an expense that the Parliament would not have had to endure had I been provided adequate notice, even if it was yesterday. It did not have to be Tuesday night; there was plenty of time for the opposition to tell us yesterday what their plans were. It has also been brought to attention by other members, who have said, 'Oh, we're actually in the same position'. So everyone is feeling a little bit bad about probably being able to go home tonight and the Parliament footing the bill for all the excess accommodation costs.

I have also been made aware that some people have actually made arrangements for their families to come down. We have got many people in this place who live in the country and do not see their kids Monday night, Tuesday night and Wednesday night, and because it was going to be four nights in a row I know that some have their kids coming down today. They will be missing school tomorrow so they can come and spend some time with their parents. That was actually unnecessary, as we are finding out now as well.

The Legal Profession Uniform Law Application Amendment Bill is something that is reasonably uncontroversial, but it is something that certainly should not be held up by the will of this Parliament. Basically the uniform law scheme was commenced last year, and there are a lot of stakeholders calling for us to deal with this, including the council and the board. They have identified numbers of amendments that are necessary to improve the operation of the uniform law scheme. Adjourning it just because you can, not because you really should, is really just a waste of the Parliament's time. But as we are seeing, I understand that the tactic of the coalition, supported by the Greens, today is to adjourn all of the bills that are on the notice paper until they are exhausted in an attempt to ensure that we are not here tomorrow.

Ms Pulford interjected.

Ms SYMES — Because a lot of members had to cancel what they were doing in their electorates on Friday the message that we are sending to our constituents should be avoided. What is it now — 5 o'clock. We have been dealing with this for almost 3 hours, but we have not been afforded any opportunity to rebook those things for Friday. I actually personally pushed things off that I really did not want to, but I supported the fact that we wanted to get legislation through, endured go-slow tactics of the coalition — —

Ms Wooldridge interjected.

Ms SYMES — No-one out there in constituent-land actually cares that you are playing these games. There is no-one watching. There is no-one listening. I think probably the only person watching online at home is my husband. He is probably thinking, 'They might be finishing tonight'. They sit there and refresh the laptop to see when we will rise.

It is an unfortunate motion to be speaking on, and actually it makes me quite sad. But I do want to support Mr Leane's amendment. I think we could deal with this bill tonight. I would be happy to acquit the bill tonight. I would be happy to make improvements to the Legal Profession Uniform Law to please the lawyers and the courts and the legal counsel, who have been calling for it. Why do we not just do that? Let us support Mr Leane's amendment and oppose Mr Ondarchie's motion.

Mr ONDARCHIE (Northern Metropolitan) — By way of rounding up debate on this motion I should indicate that the coalition and the opposition will be opposing Mr Leane's amendment. But what I found interesting in this debate is that Mr Melhem called for a strike. That would be unusual in the context of Victoria, would it not? It would be unusual if Mr Melhem called for a strike, if the great conciliator in Victoria decided we should have a strike. How unusual is that?

There is a simple way to fix this issue. I know that joint sittings are supported by Bill Shorten, Ben Davis, Steve Bracks, Luke Donnellan, Anthony Carbines, Nazih Elasmr, Robin Scott, Marlene Kairouz, Michael Donovan, Jane Manning and Martin Pakula. I know they support joint sittings because they signed Mr Melhem's application form so he could be part of this Parliament through a joint sitting.

So what I find ironic today is that all these people who supported Mr Melhem's entry into the Parliament through a joint sitting are now opposed by Mr Melhem, because he does not want to have a joint sitting. He voted against it. The very way he got into this

Parliament, signed by these so-called supporters of his, he is now opposing. So Mr Melhem, when you stand up and address us you should be addressing these people and saying, ‘I didn’t agree with you. I didn’t agree I should come in through a joint sitting’.

Simply having a joint sitting, to quote the government’s words, ‘so we can uphold parliamentary democracy and support the importance of parliamentary precedents’, will fix this matter.

Mr Dalidakis — Acting President, I draw the state of the house to your attention.

The ACTING PRESIDENT (Mr Morris) — Order! A quorum is present.

Mr ONDARCHIE — So I say to you, in the last 20 seconds that I have, Acting President — and I say this sarcastically — they reek of sincerity. They stand here and say one thing and do another. We oppose Mr Leane’s amendment and support a safe passage of my motion through the house.

House divided on amendment:

Ayes, 15

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

Noes, 23

Atkinson, Mr	Lovell, Ms
Barber, Mr	Morris, Mr
Bath, Ms (<i>Teller</i>)	O’Donohue, Mr
Bourman, Mr	Ondarchie, Mr (<i>Teller</i>)
Carling-Jenkins, Dr	Pennicuik, Ms
Crozier, Ms	Peulich, Mrs
Dalla-Riva, Mr	Ramsay, Mr
Davis, Mr	Rich-Phillips, Mr
Dunn, Ms	Springle, Ms
Finn, Mr	Wooldridge, Ms
Fitzherbert, Ms	Young, Mr
Hartland, Ms	

Amendment negatived.

House divided on Mr Ondarchie’s motion:

Ayes, 23

Atkinson, Mr	Lovell, Ms
Barber, Mr	Morris, Mr
Bath, Ms	O’Donohue, Mr
Bourman, Mr	Ondarchie, Mr (<i>Teller</i>)
Carling-Jenkins, Dr	Pennicuik, Ms
Crozier, Ms	Peulich, Mrs
Dalla-Riva, Mr	Ramsay, Mr (<i>Teller</i>)

Davis, Mr
Dunn, Ms
Finn, Mr
Fitzherbert, Ms
Hartland, Ms

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

Noes, 15

Dalidakis, Mr
Eideh, Mr
Elasmar, Mr
Herbert, Mr
Leane, Mr (*Teller*)
Melhem, Mr
Mikakos, Ms
Mulino, Mr

Patten, Ms
Pulford, Ms
Purcell, Mr
Shing, Ms (*Teller*)
Somyurek, Mr
Symes, Ms
Tierney, Ms

Mr Ondarchie’s motion agreed to and debate adjourned.

Debate adjourned until Thursday, 13 October.

POWERS OF ATTORNEY AMENDMENT BILL 2016

Second reading

Debate resumed from 1 September; motion of Ms PULFORD (Minister for Agriculture).

Mr ONDARCHIE (Northern Metropolitan) — I move:

That the debate be adjourned until 13 October 2016.

If the government would like to hold a joint sitting to fill the vacancy in Northern Victoria Region, I am sure we could get through this a lot quicker.

Mr SOMYUREK (South Eastern Metropolitan) — I move:

That all words after ‘until’ be omitted with a view of inserting in their place ‘later this day’.

It is with great disappointment that I rise to make a brief contribution to the motion before the house today. This disappointment is fashioned by the fact that outside this chamber our electors and the people of Victoria will take a very dim view of all of us for engaging in a pedantic procedural debate when we should be instituting legislation for the state of Victoria.

Instead of carrying out our core duty — the duty for which we have all been elected — of passing legislation, I predict that we will be wasting many hours on a series of virtually identical motions. The outcome of these motions is predetermined: the non-government coalition will win each and every vote, because they have cobbled together a majority on this particular issue.

I understand the Westminster parliamentary systems are in themselves intrinsically majoritarian, as the forming of government requires achieving the acquisition of a mere 50 per cent plus 1 of the seats in the lower house. But that should not mean that the spirit of cooperation should be dropped altogether in the workings of any Westminster parliament.

What we have here today is the opposition coalition, having got a majority in the chamber on this particular issue, obstinately refusing to cooperate in allowing the chamber to perform its core duty of debating legislation. Having the numbers to form a majority in any forum, let alone Parliament, means that it is incumbent on the group or grouping that has formed the majority to exercise its numbers with a great deal of care and responsibility. We see this when opposition parties form government. In opposition they might be a little bit fast and loose in their statements and perhaps in their behaviour, but when they get into government they soon become much more responsible. It is no different when opposition parties attain a majority in an upper house, in this case the Legislative Council. This majority — —

Mr Finn — The state senate I think it would be best to call it.

Mr SOMYUREK — They might be state senators, Mr Finn. They have a responsibility to exercise those numbers with a great deal of caution and responsibility. From my vantage point on this side of the house, shutting down debate on legislation is not acting responsibly; it is indeed going the nuclear option. At a time when public cynicism of politics and politicians has reached new heights, our carry-on today will do nothing to turn the tide of public cynicism about us and about politics.

Mr HERBERT (Minister for Training and Skills) — What a sad day it is when you have to rise up again on the sorts of antics we are seeing here. The circus act of the Greens coalition is a circus act that goes round and round. There is never an end in sight, never an outcome possible, never an end game, just round and round and round and round wasting taxpayers money, wasting people's time and trashing the institution that we should all be in here protecting. That is what we have here today.

We have had many debates on this, but this is absolutely trashing — trashing for little purpose, for no purpose — the institutions of this chamber. I have to say this is probably one of the worst dummy spits I have seen — an absolute childish dummy spit. 'We

can't get our way, so we're going to bring it all down. We're going to bring the legislation down and bring lawmaking in this state down. We're just going to do a huge dummy spit' — and you know it.

I remember in school we read *Lord of the Flies*, and that is what we are seeing here today. We are seeing a group of people who go wild and abandon the rules. The law of the jungle comes into place, they trash their laws and their rules and their society decays until they start eating each other. And what is the outcome? Decay, despair and death. Well, let me tell you, what we are seeing here today is another re-enactment of *Lord of the Flies* — children who abandon the rules. They do not want to do the job they have got, they show no leadership whatsoever and they trash this Parliament.

The bills we have before us are important bills. They are important to the people of Victoria, but it seems they are not important to the jokers over there in the coalition. They do not care whatsoever. On the bill we are talking about today, which is about enduring powers of attorney, certainly many people in this chamber and many people out there know the flaws in terms of powers of attorney and how they impact on lives, impact on will and impact on intent.

Honourable members interjecting.

Mr HERBERT — You can stay there and you can joke about it and say, 'We don't care about these laws. We don't give a damn about these laws. No, no, no, no, no, no, no. We want to go home early. We don't want to sit on Friday. We don't care about the impact of our actions on Victorians'. Well, I say shame on you. It is an absolute disgrace. It is a shameful dummy spit on behalf of the coalition, an absolutely shameful circus act. It is a circus act that you need to have a good hard look at yourselves about and work out why you are here. If you do not want to be here, if you do not want to be a proud party, if you do not want to bring legislation through this Parliament, if you do not want to support the Victorian community, then get out. Really, it is that simple. Stop playing games and wasting important time. This is a chamber for serious people with serious agendas, not for foolish behaviour like we have seen.

Mr EIDEH (Western Metropolitan) — Like my colleague Nazih Elasmr, this is the first time I have got up to speak on motions like this.

Mr Leane interjected.

Mr EIDEH — I agree; it is a shame. We get elected to do our job here, to debate bills and to go on with our

business. We all know how much cost is incurred by the opposition using this tactic to delay the debating of bills and what it costs the Parliament. This tactic also prevents us from doing our job for the Victorian people. That is what we were elected for. The motion moved by Mr Ondarchie to defer the bill — —

Mr Leane — Shame.

Mr EIDEH — It is a shame, Mr Leane. The reason is a suggestion that we are denying a member from taking his seat at a joint sitting. We said before that can be fixed. Let our leader back in and everything else will be resolved. In my view the suspension of our leader was outrageous. The reason given for the suspension of the minister was that he did not release documents. Can I remind members opposite that when they were in government they were asked to release documents, and what did they do? They did not release them.

We have not done anything like this. That suspension was very harsh for our leader. Everything in it can be resolved, but we have to deal with it in a proper way. Let us work together. Give us back our leader and give the gentleman from the National Party a joint sitting. Let us do our business. I am thinking about the Victorian people. That is what they are expecting us to do. I oppose the motion moved by Mr Ondarchie.

Mr LEANE (Eastern Metropolitan) — I rise to oppose Mr Ondarchie's motion. I think this is all just a bit of a ploy — I think I am starting to get onto it now — to collapse the Parliament. For whatever reason, the coalition of the Greens and the National Party and the Liberal Party have decided that they are going to jam up the legislative program. This government has a mandate to bring some of this legislation into this place, and I think that the opposition should really think and have a good look at themselves and ask themselves why they are acting in this way.

They have brought up the issue of the Leader of the Government, Mr Jennings, whose ejection was due to him not handing over certain paperwork. I was here last term sitting over where Mr Ondarchie is, and I witnessed time and time again that requests for paperwork made by this chamber were rejected. The President would get a notice to read out at the start of the day which would say that a call for paperwork would be rejected. That is if there was a motion passed, because the previous government had 21 members of this chamber, and they used rule 21 every time.

Sometimes they did not use rule 21 and did let paperwork go through. There was a call for documents around the east-west link, and what was produced was

a 12-page glossy short-form business case, which was just a farce. It was 12 pages, and that is including the covers and the half-page pictures of trams and whatnot. It was just outrageous. Maybe they need to reflect on that. Maybe Michael O'Brien in the Legislative Assembly should have released the side letter that he produced for that particular consortium — the side letter that cost Victorian taxpayers a great deal of money. Maybe if this chamber had been actually handed the side letter it could have been stopped, but obviously it was the most underhand, treacherous and pretty much corrupt action a Treasurer has done probably in the history of this state. It was an amazing bit of corruption, an amazing bit of treachery. It is amazing that someone in the position of Treasurer would have the audacity to put in a time bomb to punish the people of Victoria if his particular government did not get voted back in.

There was no reason for the good people of Victoria to vote the previous government back in — they did not do anything. They were hopeless. They managed to get voted out — the first time in, I think, 50 years that a government was voted out after one term — for a reason. It is because they were just completely pathetic. They were lazy, they were incompetent, they could not control a few of the rogues they brought in, they treated people with contempt, they treated this chamber with contempt — —

Ms Tierney — Good side letter, though.

Mr LEANE — I think Ms Tierney, even though she is not in her place, is quite right, because a side letter to punish the people of Victoria if they did not vote for his government, as I said, is probably the most treacherous, corrupt act of a Treasurer ever in history. I do not know why Mr O'Brien is still in the position he is in. It is just outrageous. I think there should have been a big investigation into why he signed the letter. There should have been an investigation into his corruption — into the corrupt nature of signing a side letter that is completely corrupt. Mr O'Brien is corrupt. Mr O'Brien must be corrupt, corrupt, corrupt.

Mr Finn — On a point of order, Acting President, the standing orders clearly state that a member must not impugn the reputation or motives of a member. He has referred to Mr O'Brien in a way that I find quite disgusting, and I believe that requires you to ask him to withdraw.

The ACTING PRESIDENT (Mr Melhem) — Order! I do not want to enter into debate about what has been said. But, Mr Leane, do you mind withdrawing

any bad comments you would have made about Mr O'Brien?

Mr LEANE — To assist you, Acting President, I withdraw.

Ms SHING (Eastern Victoria) — Again we find ourselves in this situation whereby those opposite from the Liberal, Nationals and Greens consortium have seen fit to constipate the legislative process, to grind it to a halt and to pay lip-service to the very reasons that they were voted here in the first place — namely, to assist in the passage of legislation through this house. What we see here is a ransom exercise, an exercise which involves, 'Do as I say but not what ...'. You see, this is the thing: it is actually very difficult to come back with a bit of hyperbole, simply because we see it so often that it is difficult to characterise. 'Do as I say, not as I do'; that is what we are seeing from those opposite.

On the one hand they are quite prepared to deny the Parliament the Leader of the Government's presence, to deny the Parliament the process by which legislation can be debated and can pass through this house and to deny a full complement of MPs in relation to what is a necessary and appropriate part of the system of Parliament that we have here in Victoria. On the one hand they call upon us to treat this place with respect and yet on the other they run roughshod all over it when it suits them. On the one hand they preach being open, transparent and accountable in order to get into office, and when in office — and, again, it is little wonder that they were a historic first and only one-term coalition government for many, many years — they do not care about election promises, they do not care about integrity and they do not care about accountability until and unless it actually suits their purposes, and even then it is only for the actual point in time in which it suits their purposes and the issue for which it suits their purposes.

On the one hand we have those opposite in the Liberal, Nationals and Greens coalition saying that in fact it is inappropriate for the house to be denied a member for Northern Victoria Region yet on the other they insist upon the ongoing exclusion of the Leader of the Government — —

Honourable members interjecting.

Ms SHING — Mrs Peulich needs be in her place to be interjecting.

The ACTING PRESIDENT (Mr Melhem) — Order! Mrs Peulich, you are not in your place.

Ms SHING — It is nice to know that at least some members are listening now as opposed to yesterday when Mr Davis had to call quorum on himself three times simply to get an audience.

What we see here is a situation whereby it is okay to not have one member in the chamber but completely inappropriate to not have another member in the chamber. This is the argument being pursued by the coalition and by the Greens, and what we see here is a relentless addiction to hypocrisy at the expense of actually demonstrating any integrity whatsoever. We hear the Greens talk about the sanctity of the constitution and about tradition and about convention, we hear them talk about the importance of maintaining a representative democracy and yet on the other hand we note that they in fact voted with the Liberals and The Nationals to exclude the Leader of the Government from this place. They in fact sat on that side of the chamber on 25 June — on the same day that Mr Drum gave his valedictory speech — and along with Mr Drum and Ms Bath voted to effect a historic and historically long exclusion of a member.

In real terms, what we have here is members who have previously committed property offences, theft — stealing — being excluded for a total of 11 days. On the other hand, what we see here is a coalition of the Liberals, The Nationals and the Greg Barber Greens standing up and saying, 'We're prepared to kick out the Leader of the Government for six months, but don't you dare interfere with the constitution or the capacity of this Parliament to enable the people of Victoria to be represented'.

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — Thank you very much, Acting President Melhem. It is nice to see you in the chair for the first time that I have had a chance to speak. I rise to yet again speak to the matter before us. The reason that I choose to do so is that of course we are in a state of flux. To a degree we are in uncharted territory, so where we need to effectively get to is a summary of how we got here.

We got to this position because those opposite teamed up with their cosy little green fluffy friends, the Greens political party, and decided against the Honourable Gavin Jennings, the leader of the Labor Party in this place, the Leader of the Government in this place. They banded together as Mary's little men and women, the Greens, the Liberals and The Nationals — sorry, National, not Nationals plural. That is part of the reason we are here — that there is only one and they want two.

Ms Shing — She should be here right now!

Mr DALIDAKIS — She unfortunately has left the chamber. We are here because they gathered together to undertake what the President said in his remarks was unprecedented action in suspending the Honourable Gavin Jennings for six months for not releasing documents that the Liberals authored when they were in government. This is truly a paradigm that those who created the *Back to the Future* series would think could shake the nature of our future.

What they did by getting together was kick Gavin Jennings out of the place for not releasing documents that the Liberals authored and also would not release. I need to stress the point that they themselves would not release those documents, and now they are kicking Mr Jennings out of the chamber for six months for not releasing their shoddy, dirty work.

Ms Shing interjected.

Mr DALIDAKIS — It is unruly to take up interjections, but Ms Shing's interjection is one of the finest interjections I have received in this place. I implore Ms Shing at the next sitting of Parliament to offer lessons on interjections to those opposite because they would be far wittier and far more useful to the discourse of this place should they take them. I wish to applaud Ms Shing for her interjection because her interjection was absolutely spot-on. I am not sure if Hansard got it? Does Ms Shing want to repeat it?

Ms Shing — They should be thanking us.

Mr DALIDAKIS — Yes, that is correct. They should be thanking us. They should be thanking us for not releasing their shoddy, dirty documents from cabinet, which they authored, they signed and they sealed, which we are not releasing and for which they are kicking Gavin Jennings out of the chamber. That is the most ironic part about this whole debate. If we move along from that, then of course we have had a range of consequential errors — and I will call them errors. I will call them errors because, as I made clear in an earlier contribution, this appears to be a race to the bottom. There is no winner here.

Let us be very clear: the right for Mr O'Sullivan to take his place is one that I as a member of this place would very much like to respect, but I also want to respect the right of Mr Jennings to be able to represent the people of South Eastern Metropolitan Region in his rightful place here. Unfortunately, as I said, a number of consequential errors have led us to this point — a race to the bottom — and the people of Victoria should have a Parliament that has a race to the top. This unfortunately began when those opposite suspended

Mr Jennings for six months. As I have said in previous contributions, the most recent precedent I have been able to find was the suspension of a member for 11 days in the UK Parliament, where the Westminster system of course was created, for thievery. And those opposite kicked Mr Jennings out for six months for not releasing their own documents!

Moving along from that, we would very much like to be able to hold a joint sitting, but we are not in a position to do so until they fix the egregious activity that they have undertaken with their friends, the Greens political party and the National — not The Nationals — and we want to see Mr Jennings returned to this place.

Mr ONDARCHIE (Northern Metropolitan) — I look to wind up the debate on this motion today, and I start by quoting Mr Herbert's words today back to him. He said to us, 'If you don't want to be here, then don't be here'. He said, 'This is a place for serious people'. Well, Mr Herbert did not want to be here at all. He abandoned the seat of Eltham to take up a spot in Northern Victoria Region that is currently minus one member because they will not hold a joint sitting to let him in, and if the newspaper reports are anything to go by, the plan was that he was going to retire early in this term to allow John Setka's partner to come into the Parliament. He wants to talk about 'If you don't want to be here'. Well, he does not want to be here. Mr Herbert, it is time for serious people. You came in here and found yourself stuck in here.

Mr O'Sullivan is a good man, a man who has been rightly selected to take up his position representing the people of Northern Victoria Region. The parliamentary precedent is such that when a person is nominated to fill a casual vacancy and that is advised to the house, a joint sitting occurs very quickly. Let us talk about what has happened in the past. Mr Melhem came in on a joint sitting to replace Mr Pakula; Ms Lewis came in to replace Ms Candy Broad; Ms Huppert came in to replace Mr Thornley; Mr Andrew Ronalds came in to replace Mr Philip Davis; and Mrs Amanda Millar came in to replace Mrs Petrovich.

Mr Dalidakis — Acting President, I direct your attention to the state of the house.

Quorum called.

Mr ONDARCHIE — As I was saying, Mrs Amanda Miller came in to replace Mrs Donna Petrovich, Mr Danny O'Brien came in to replace Mr Peter Hall, our own Ms Bath came in to replace Mr Danny O'Brien and I think Mr Nathan Murphy came here for a very short period of time to replace

Mr Theo Theophanous. They all arrived through a joint sitting after a casual vacancy had been announced. There is one way to solve this: keep to the precedent and we will have it sorted.

House divided on amendment:

Ayes, 15

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

Noes, 23

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

Amendment negatived.

House divided on Mr Ondarchie's motion:

Ayes, 23

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

Noes, 15

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

Mr Ondarchie's motion agreed to and debate adjourned.

Debate adjourned until Thursday, 13 October.

BUSINESS OF THE HOUSE

Adjournment

Ms PULFORD (Minister for Agriculture) — I move:

That the Council, at its rising, adjourn until 12.00 p.m. on Tuesday, 11 October 2016.

Motion agreed to.

CRIMES AMENDMENT (CARJACKING AND HOME INVASION) BILL 2016

Introduction and first reading

Received from Assembly.

Read first time for Mr HERBERT (Minister for Training and Skills) on motion of Ms Pulford.

BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2016

Introduction and first reading

Received from Assembly.

Read first time for Mr HERBERT (Minister for Training and Skills) on motion of Ms Pulford.

EQUAL OPPORTUNITY AMENDMENT (RELIGIOUS EXCEPTIONS) BILL 2016

Introduction and first reading

Received from Assembly.

Read first time for Mr HERBERT (Minister for Training and Skills) on motion of Ms Pulford.

ESTATE AGENTS AMENDMENT (UNDERQUOTING) BILL 2016

Introduction and first reading

Received from Assembly.

Read first time for Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) on motion of Ms Pulford.

CORRECTIONS LEGISLATION AMENDMENT BILL 2016

Introduction and first reading

Received from Assembly.

Read first time for Mr HERBERT (Minister for Training and Skills) on motion of Ms Pulford.

ADJOURNMENT

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — I move:

That the house do now adjourn.

Cranbourne railway station

Mr RICH-PHILLIPS (South Eastern Metropolitan) — I raise a matter tonight for the attention of the Minister for Public Transport in the other place. It relates to the need for a substantial increase in car parking capacity at the Cranbourne railway station. Public Transport Victoria (PTV) has released data that shows that on an average weekday around 970 commuters use the Cranbourne railway station of a morning between the hours of 7.00 a.m. and 8.30 a.m., and only 650-odd car parks are available. The advice from Public Transport Victoria for those commuters who miss getting car parks at Cranbourne station is that they should catch the bus or other public transport. Now, this is an absolutely absurd proposition for commuters who on average will spend an hour on a train which is probably dirty, late or otherwise disabled to be told that they also have to catch a bus because the government will not provide car parking at the station for them.

The area in concern, Cranbourne, is undergoing a massive residential expansion. The areas of Cranbourne East and Clyde are expected to grow to 140 000 residents over the next 20 years, and of course that is going to deliver hundreds of millions of dollars in stamp duty to the Victorian government. So for the Victorian government to be saying through its agency PTV, 'Catch the bus. We're not going to address the car parking situation', is grossly inadequate, so I call on the Minister for Public Transport to deliver improved car parking facilities at Cranbourne station which recognise the rapidly increasing demand in the area, particularly given the government has abandoned its previous commitment to build an additional station at Cranbourne East, to ensure that long-suffering commuters on that line can at least park their cars when they go to the train station.

Taxi and hire car industry

Ms PATTEN (Northern Metropolitan) — My adjournment matter today is for the Minister for Public Transport, Ms Allan. It is in regard to the compensation package being offered to taxi owners and taxi plate owners, and the action I am seeking is a review of the compensation package and of how they are going to calculate it and provide it.

As we have all probably had, I have had many emails from many taxi owners. This changing technology of ridesharing is severely disrupting their industry. I appreciate that; I probably have a closer understanding of it than many in our community. I have listened to many of the taxi families as they have come and spoken to me, and they are suffering. It is not across the board; it is varied. Some owners are suffering a lot more than other owners.

I just wanted to read one email I received from a taxi licence-holder, Vic De Melis:

... my taxi lease payments have not been received into my account. These payments have never been late before. I can't tell you how distressing this is for myself and my wife. We are 80 and so worried that our income will be reduced to nil immediately.

Another one from Zeliha Kilic says that she and her husband purchased a taxi licence right at the top of their value at over \$500 000. That taxi licence is now worth around \$40 000, and she still owes \$200 000 to the bank to purchase that licence. So there are quite a variety of different situations for these taxi licence-holders.

I ask that the minister review the way that they are working on the compensation package to provide a more nuanced approach. I do not think the one-size-fits-all approach is going to work here. We need to recognise that some people are facing much greater loss and much greater hardship than others. I think this compensation package needs to be on a case-by-case basis. I ask that the minister review the way the compensation package is being delivered.

Shepparton bypass

Ms LOVELL (Northern Victoria) — My adjournment matter is for the Minister for Roads and Road Safety, and it is regarding the urgent need for the Shepparton bypass project to be funded and commenced, which was highlighted yesterday by two traffic incidents on the Peter Ross-Edwards Causeway that caused the closure of this road between Shepparton and Mooropna for over an hour. My request of the minister is that the Victorian government recognise the

importance and urgency of the Shepparton bypass, particularly stage 1, which includes a second river crossing, and commit to initial funding for the bypass in the 2017–18 Victorian budget or sooner and also to funding the ongoing rolling series of stages of the project going forward to ensure the timely completion of this vital road.

Yesterday morning the Peter Ross-Edwards Causeway was completely closed for over an hour following two multiple-car accidents. The first accident took place just before 9.00 a.m. on the eastbound lanes on Daintons Bridge. This caused a rapid and sizeable traffic delay, with eastbound traffic quickly banking up across a significant span of the causeway, which is approximately 2.9 kilometres long from Daintons Bridge at one end of the causeway to Geraghtys Bridge at the other. A second accident took place on the westbound lanes shortly thereafter, and emergency services promptly closed the causeway and diverted both east and west-flowing traffic through the only other local road joining Mooroopna and Shepparton, Watt Road. Watt Road is a narrow, single-lane road that winds through bushland between Shepparton and Mooroopna and is unable to accommodate heavy traffic.

On more than one occasion I have raised with the minister the need for the bypass project to be immediately funded and started, including in November last year, when I outlined to the minister the dangerous situation created when relying on only the causeway and the limited ability of Watt Road to connect Shepparton and Mooroopna.

Wednesday morning's incident had a significant impact on people who were travelling across the river for work, school or appointments, some of whom were over an hour late getting to their destination. While light vehicles were able to be diverted, albeit very slowly, through the Watt Road route, heavy vehicles such as trucks and buses are unable to use Watt Road as the bridge has a 3-tonne gross load limit, which prohibits heavy vehicles due to their weight, and the narrow, winding Watt Road would not be accessible by heavy, rigid vehicles or buses.

Of particular concern is that, with the causeway closed, large emergency services vehicles would be unable to cross from Mooroopna to Shepparton and vice versa, effectively potentially isolating townships on the western side of the causeway from speedy access to certain emergency assistance and access to the hospital. Further, water over the road on Watt Road created hazardous driving conditions, and there is a very real risk of flooding completely closing the road, which

would leave no local connection between Shepparton and Mooroopna. The closest alternative light traffic route is via Toolamba Bridge, creating an approximately 40-kilometre round trip for local traffic. All of this points to the necessity of the Victorian government funding and beginning the bypass sooner rather than later.

Warrnambool Racing Club

Mr PURCELL (Western Victoria) — The adjournment matter I raise tonight is for the Minister for Racing, Mr Pakula. As members know, I am a dedicated supporter of horseracing and not shy of showing my support in this chamber. I have continually raised the importance of the racing industry to Victoria and particularly to my part of Victoria, western Victoria, in the Warrnambool area. I will continue to use my position in this place to support the racing industry, including getting the dunes at Levy's Point reopened for training. It has been used for the training of many racehorses, including last year's Melbourne Cup winner, Prince of Penzance. I will work to get these reopened; they were closed this week. But I cannot support the most stupid idea of using the East Beach in Port Fairy as a training track.

If the proposal to build a horse truck park at the foot of the dunes near the Port Fairy golf course came to fruition, we would see the visitors and local residents of Port Fairy excluded from using this section of the beach, as up to 120 horses per day would be using East Beach. My community and the tourism industry are too important to allow this to happen to Port Fairy East Beach, which is one of the loveliest beaches in this country.

With the promise to have the Killarney Beach closed during Christmas — it is halfway between Warrnambool and Port Fairy — and with the Warrnambool beach also closed during that summer period we could see over 200 horses per day on East Beach, with many members of the public not happy to share the space with galloping horses. What happens to the people fishing or taking their dogs for a walk?

For too long the Warrnambool Racing Club has been too easy a ride, with so many of the horses being trained off the racecourse. To solve this problem and keep the industry alive the Warrnambool racetrack must provide the facilities, including a usable synthetic training track and an uphill gallop. If the Warrnambool Racing Club had provided the necessary training facilities in the beginning, we would not be facing these problems.

I therefore urge the minister to intervene in this issue and work with the Warrnambool Racing Club to fund the upgrading of the synthetic training track and to provide an uphill gallop at the Warrnambool racecourse.

Footscray Primary School

Mr FINN (Western Metropolitan) — I wish to raise a matter for the attention of the Minister for Education. This morning I was contacted by the local Vietnamese community in Footscray, who brought to my attention a petition. I think if I read the petition, it will best sum up what the situation currently is:

On 26 August 2016, a note from the principal —

of the Footscray Primary School —

was sent home in children's schoolbags informing parents and guardians of the decision to abolish the longstanding and well-respected Vietnamese bilingual immersion program at Footscray Primary School (FPS), and to replace it with a LOTE program from 2017.

This is a significant decision, which will change the identity of the school in important ways. It was made without notice or consultation with parents and guardians of children currently attending the school or enrolled to attend in 2017.

We the undersigned respectfully call on the school leadership to suspend implementation of the decision to abolish the bilingual immersion program pending a community consultation process.

This process must be run by an external facilitator who has the confidence of the community. It must be conducted in a transparent manner and involve genuine consultation with the community. This process will inform the future direction of the bilingual program.

I have to say to you, President, that I was quite surprised when I read this, because I know the local Vietnamese community to be hardworking, to be committed to their families, to be good civic citizens and to be real contributors to the Footscray area. So when they brought this to my attention it made me sit up and take notice. This is clearly something that has upset them very deeply.

One thing that the Vietnamese community holds very dear is their cultural background. They are great Australian citizens and, as I say, great contributors to Australia, but they are also very, very proud of their culture and very keen to ensure that that culture is passed on to the next generation.

I suppose I should not be, but I was a little bit surprised to have this decision brought to my attention. I think it is important that this decision be reversed, and I think the Vietnamese bilingual immersion program at

Footscray Primary School is a very important program. Clearly it is very important to the local Vietnamese community, and as I said, I have had a great deal to do with them over the last decade. I certainly support the minister intervening, and so that is what I am asking him to do — to intervene in this particular situation, to overturn the decision that has been described in the petition and to ensure that the bilingual immersion program at Footscray Primary School is retained.

Suicide prevention

Dr CARLING-JENKINS (Western Metropolitan) — My adjournment matter tonight is addressed to the Minister for Mental Health, Martin Foley, and is in regard to suicide prevention for the elderly. I call on the minister to ensure that elderly Victorians receive an equality of care, concern and focus in suicide prevention programs, and I understand that this may mean a review of the policy in this area. I have raised a number of times in this house my concern for elder abuse and the vulnerability that many elderly people in Victoria face. Recently the Victorian suicide prevention framework for 2016 to 2025 has been released, and its goal is to halve the suicide rate by 2025, which I think is an excellent initiative.

I would like to acknowledge the current budget investments that this government is making. I am just simply asking for more of a focus on elderly Victorians. This has come to my attention through World Suicide Prevention Day, which was on 10 September. Through that it came to my attention that elderly Victorians are taking their own lives in increasing numbers. According to the national data the highest rate of suicide is amongst men aged over 85, at three times the national average. This really surprised me, and it is something that has been called 'the suicides that we choose to ignore' by the Council on the Ageing New South Wales.

We often pay a lot of attention, and so we should, to the death by suicide of young people, whereas the suicides of our elderly go largely unreported. This worries me because it is a reflection on, I think, the societal attitudes. I feel that there is a dangerous sentiment within our society that the suicide of an elderly person who has had a good life and now chooses to end it is understandable or even okay. I am therefore concerned about the lack of a spotlight and a lack of suicide prevention programs aimed at our elders.

Many people have heard in the house that I believe that every human life, at whatever life stage, has equal and absolute value, and I believe that the dangerous ideas of euthanasia and assisted suicide have had an impact on

our societal attitudes and compromised suicide prevention initiatives, particularly for our elder Australians. Unfortunately we have organisations like Exit International which continue to work behind the scenes to provide suicidal adults with the means to end their lives.

I feel that many of our elderly are prone to feeling the same kinds of pressures to suicide as our younger people — depression, anxiety and other pressures — which can be compounded in old age by poor care, by loneliness and by bereavement. I believe that no suicide is okay, that nothing that encourages suicide is okay and that suicide prevention should be focused on and be for everyone, so I ask the minister to renew the focus of suicide prevention for elderly Victorians and to encourage social attitudes that affirm the value of human life at all life stages.

Youth justice system

Mr RAMSAY (Western Victoria) — My adjournment matter tonight is for the Minister for Police, the Honourable Lisa Neville, and it is in relation to a Geelong family, the Wolfendens. Mrs Wolfenden wrote to me last week outlining a harrowing experience that demonstrates the state of escalating crime in the Geelong region. Last week her family home was broken into early in the morning as she and her husband and their three young daughters slept upstairs. Their wallets, phone, car keys, golf clubs and work computer were all stolen before the offender drove away in their 2015 Audi A6. The burglar then had the audacity to update the husband's Facebook status using the stolen phone, saying, 'Ha-ha. I'm in your Audi A6'.

As disturbing as this experience was, this resident was even more troubled to discover that the police knew the perpetrator and that he had been arrested for similar crimes just two weeks earlier. Just 16 years old, the boy was released without any punishment for his actions. The family now lives in fear and is recovering from losing 10 years of work on the computer. Countless more Geelong citizens have had to continue to put up with these young reoffending criminals becoming more brazen and fearless every day. It is not good enough for these citizens raising their families in this environment to have young offenders boasting about their crimes and perpetuating the teenage thug mentality.

This issue is not just connected to the Geelong region; it is connected right across Victoria. I am sure there are many stories that many members in this chamber could relate about similar incidents. The action I am seeking from the minister is that she actually talk to Senior Sergeant Tony Francis about his ideas about starting to

educate these young repeat offenders — not just putting them into a juvenile jail or a juvenile court system but actually starting to look at another way that we can rehabilitate them into a society where they see law and order as being the proper discourse of normal functioning.

Senior Sergeant Tony Francis has a program specifically to deal with young repeat offenders to try and educate and rehabilitate them rather than putting them straight into prison. The action I am seeking is for Minister Lisa Neville, who I might add is also the member for Bellarine, to sit down with Senior Sergeant Tony Francis and me and discuss possibilities for trying to re-educate and rehabilitate these young repeat offenders so we do not have this significant surge in crime across the Geelong region, particularly involving 14 to 16-year-olds.

Chinese community safety

Mr O'DONOHUE (Eastern Victoria) — I too raise a matter for the attention of the Minister for Police. The action I seek is that she meet with representatives of the Chinese community to learn more about the community safety concerns that they currently have. The action flows from a meeting I had today, together with the Leader of the Opposition, Matthew Guy —

Mr Finn — He is a good man.

Mr O'DONOHUE — He is a very good man, Mr Finn.

Mr Finn — He'd certainly be a very good Premier, too.

Mr O'DONOHUE — He would be a very good Premier. I met with members of the Chinese community today, and this meeting followed an online survey that was conducted from 24 August to 14 September this year, to which 802 responses were received. They say the conclusions from the survey show that most people — 77 per cent — believe that safety in Victoria is getting worse. This figure is similar to an Ipsos poll that was published in the *Age* recently. More than half of respondents are considering leaving Victoria, which is most concerning. Only 29 per cent of respondents would recommend that friends come to Victoria.

For the minister at the table, Minister Dalidakis, this clearly has ramifications for trade and investment as well. I think it shows the concern amongst the Chinese community in Melbourne about community safety. Many members of the Chinese community feel they are being targeted because they may drive luxury cars or be

perceived by some as an easy target for crime. This is not the first meeting I have had with members of the Chinese community. The fear and concern in that community is palpable and is to the level, as I have told the house before, that the Chinese consulate actually put out a statement earlier this year saying that Chinese students and Chinese nationals should be careful not to walk alone at night and recommending a range of other safety measures. I think it is quite unusual for a consulate to put out safety advice in the context of Victoria.

So the action I would seek from the minister is that she commit to meeting with representatives of this group. I am happy to provide Minister Neville with contact details for the group. I understand they sought to make contact with her. They sought to give this information to her but were unable to secure a meeting time. I appreciate that ministers' diaries are very, very full, but I think it would be worthwhile for her to meet with the representatives that the Leader of the Opposition and I met with today to gain an understanding firsthand of their concerns and to learn more about the online survey that has been conducted with a significant number of respondents.

Truck curfews

Ms CROZIER (Southern Metropolitan) — My adjournment matter is for the Minister for Roads and Road Safety, the Honourable Luke Donnellan, and it relates to the issue regarding Beach Road and Beaconsfield Parade which I have spoken about in the house on a number of occasions in regard to the curfew times along those roads and also the large truck movements that occur along Beach Road and Beaconsfield Parade. I am not talking about delivery trucks to local businesses; I am talking about trucks that are going to and from the port of Melbourne and using these roads as a transport corridor.

As members will recall, I have raised my concerns in relation to safety issues and also issues surrounding the protection of the amenity of the bay. It is one of Victoria's great assets, and in fact millions of Victorians visit our beaches in the bayside suburbs that I represent, and those further afield. Indeed the bay is a wonderful asset for Victoria. I am especially concerned now that we do not have plans for our second port after the government has scrapped that idea that these large truck movements to and from the port will increase, and there will be ongoing safety concerns for people who use that area to go to the beach or to cycle or walk or use it as an area of recreation.

I have asked this question in the past, and I know that there have been a number of investigations undertaken by VicRoads and that VicRoads has led an investigation into the enforcement of truck curfews. That investigation was undertaken last summer, the summer of 2015–16. I and some councils in the area are very interested in receiving the results. Members of the community and interested councils have concerns about these truck movements and the breaking of curfews, so I ask the minister to provide the results of those VicRoads-led investigations into the enforcement of truck curfews. That would be very much appreciated, and I look forward to receiving those results from the minister as soon as he can possibly provide them.

Caulfield–Dandenong line elevated rail

Mr DAVIS (Southern Metropolitan) — My matter for the adjournment tonight is for the attention of the Minister for Public Transport under her responsibility for level crossing removals and the Level Crossing Removal Authority (LXRA). That is a very important body; it is responsible for the sky rail along the Caulfield to Dandenong line. What I am seeking from the minister is that she release full details about when she advised key stakeholders along the corridor that the sky rail was under consideration. On what date did she or the LXRA first contact the relevant councils and other stakeholders, including local members of Parliament? On what date did they know, firstly, that sky rail was being considered and, secondly, that this was the preferred model that the government was going forward with?

I note that the register of members interests of 30 September 2015 shows Mr Dimopoulos in the Legislative Assembly owned a Carnegie share ownership investment property as a land beneficial interest, but that had disappeared in the register of members interests of 22 June 2016. The register of members interests is shown as:

Land beneficial interest

Delete —

Carnegie (shared ownership)

That advice was received on 1 March 2016 by the clerks.

One of the issues here is that we know that some councils got an inkling as early as March 2015 that sky rail may be under consideration. We now, through FOI, have documents that show that Greater Dandenong council became aware that there was at least consideration of sky rail occurring as early as March

2015. We know that other councils also had advice and that there were confidentiality agreements required by the LXRA for the council officers, and this was not necessarily reported to councillors or indeed in some cases potentially even to the CEO. So these were certain people who became aware of what is going on here.

In the case of Mr Dimopoulos, he has sold a property in Carnegie. He advised of the sale on 1 March 2016. Let me just say that publicly: the matter of sky rail came to the notice of the *Herald Sun* on 11 January and the first week of February saw the Premier make an announcement about sky rail. When did Mr Dimopoulos sell that property? Did he have advance knowledge? Did he have insider knowledge? Is this a version of insider trading? Has he sold that property for personal benefit?

Let me be quite clear: I want the LXRA and the Minister for Public Transport to come clean on when they told councils and when they told stakeholders, like local MPs. Mr Dalidakis may be conflicted on this because he may be one of those MPs who was advised, but then he is in cabinet so he will have heard earlier than Mr Dimopoulos.

Western Victoria floods

Mr MORRIS (Western Victoria) — My adjournment matter this evening is for the attention of the Premier. I note that much of western Victoria is currently experiencing exceptionally high rainfall and as a result of that there is significant flooding, particularly in the communities of Casterton and Coleraine, which have been severely affected. Indeed Charlton is another community that has been affected by these floods. I note that the member for Ripon in the Legislative Assembly, the local member representing Charlton, today attended to that township to speak with affected residents. She also attended a local community meeting that was arranged to advise those in the area about ways to approach this unfortunate natural event that we have seen.

I note that the township of Charlton is no stranger to flooding. In 2010 and in 2011 the township experienced some significant flooding but was well supported by the former coalition government, with the rebuilding of their hospital. It was a significant investment by the former coalition government in health care in Charlton and in rebuilding the community after those two flood events.

The action I seek from the Premier is that he commit to funding the communities in western Victoria that have

been affected by these floods. Significant funding and support is going to be required to rebuild the affected infrastructure in these communities. These are resilient communities. However, it is important that the government recognises their need and funds them appropriately through this difficult time.

Department of Education and Training complaint

Mrs PEULICH (South Eastern Metropolitan) — The matter that I wish to raise is for the attention of the Minister for Education in the other place. It is an unusual item. I will not mention the name of the school nor the author or the electorate. The minister himself will be able to trace this correspondence fairly easily. It is a serious matter, which is the reason why I am not going to provide any identifying details. It is a very sensitive matter; it is a matter that needs to be acted on very promptly.

I have received an email with some attachments from the school council president. I would just like to quote from them briefly:

Given the contents of my documents, it's totally unacceptable that you have chosen to allow the required time to follow a process over acting immediately to ensure the safety of children. We all have a duty of care to these children, especially those in your position.

When I desperately sought your help I expected immediate contact. Your silence is deafening and concerning, and because of this I have escalated this above the education department.

She goes on to detail the frustrated attempts to correspond with the regional director for some time and the limited contact certainly even with the principal. Of course although the minister's office has not had an extensive amount of notification, I would be very surprised if this matter has not been drawn to the minister's attention previously. It is something that needs to be acted on promptly. I understand there is a process, that there are difficult matters to consider, but also I think that is cut across by the interests of children.

I urge the minister to investigate this matter fully. I am more than happy to provide the correspondence to him on a confidential basis. I expect him to contact the author at the earliest possible convenience and provide advice as to how the situation should be handled.

The PRESIDENT — Order! Mr Davis's adjournment item does give me some consternation because it does speculate on a member's affairs and cast some adverse or potentially adverse perceptions of what may or may not have occurred, and in the context

of proceedings it is appropriate that where there are allegations or matters that affect a member they should be pursued by way of a substantive motion.

I dare say that Mr Davis will not be pursuing a substantive motion on this matter because he has effectively indicated in his adjournment item that he is not aware whether or not a government decision played any part in a decision that another member in another place made in respect of a property that at some point he had a shared interest in.

This is therefore very difficult territory, and as I said, the matter is being pursued effectively speculatively and it does impugn the member in the way it was couched and it does have reputational impacts.

In the course of Mr Davis's adjournment item, certainly the actual question that he sought to be established and to be answered was not actually about the member; it was about when the decision had been communicated to a number of members — publicly communicated to members of the governing party —

Mr Davis — And stakeholders, councils.

The PRESIDENT — and other stakeholders. So in the actual adjournment item that Mr Davis has put, the question he has put is not about an individual but about when the decision was communicated to a range of people. In that sense I believe the adjournment item should stand for a response. But I do share Mr Dalidakis's concern that in the course of seeking that particular information, which was properly put, a member's interests were discussed when they may have absolutely no relevance to the decision and to the communication of that decision to the various stakeholders. To that extent it was certainly speculative and it certainly did have a potential to reflect adversely on a member in another place. I think in the context that there is no ability at this stage to substantiate that any allegation might be true, I also regard the references to the member in another place as most unfair.

Mr Dalidakis — On a point of order, President, just in relation to your decision on that issue, may I ask that the member withdraw the accusation against Mr Dimopoulos in the other place as a result.

Mr Davis — On the point of order, President, I made no accusation against the member. I have asked for information from the Minister for Public Transport and the Level Crossing Removal Authority (LXRA) about when they provided notice either in full or in part to a range of stakeholders, and I have indicated the very first point at which I am now aware that the LXRA had begun communication with councils. I named one

particular council, Dandenong, and I have a document in my possession which indicates that there was discussion of the prospect of a sky rail as early as March 2015, so clearly there was communication with certain stakeholders occurring with the LXRA and potentially the minister. What I am seeking for the minister to do as part of this adjournment request —

Mr Dalidakis — That's not what you said.

Mr Davis — No, that is exactly what I said. I want the minister to make it clear to the community and to release information about when these various stakeholders — and I have named a number of categories — were provided with either full or part information.

The PRESIDENT — Order! Can I indicate, and I do concur with Mr Dalidakis, that I would seek the member to withdraw the reference to Mr Dimopoulos. Apart from anything else, even if his decision to sell a property or an interest in a property fitted the time frame you are suggesting, the motivation might be entirely different. It might have been to do with a whole range of other very personal factors or issues that have absolutely nothing to do with the public matter. The information that would be provided under your adjournment item will allow you to consider that more and perhaps pursue your concerns more in the public interest, but at this stage I think that it is premature to link the member with the proposition that you are seeking information on.

I accept that the minister was in a position of at the first opportunity seeking a withdrawal, and given the context of this matter tonight I would actually seek the withdrawal of that particular member's name and therefore the inference that there was a problem with his particular circumstances. The adjournment item stands, and as I said, the information that you will be provided with may well give you cause to continue to investigate any concerns that you have in the public interest.

Mr Davis — President, I always accept your guidance, and I withdraw any imputation about Mr Dimopoulos and indicate that I will pursue this through substantive motion when the chamber returns.

Responses

Mr DALIDAKIS (Minister for Small Business, Innovation and Trade) — We have had adjournment matters this evening from the Honourable Gordon Rich-Phillips to the Minister for Public Transport —

Mr Davis — On a point of order, President, I did not hear clearly, but I am just informed that Mr Dalidakis made a reference to me in an unparliamentary way. I did not hear it clearly myself, but others have informed me, because there was a bit of clutter. I seek his withdrawal of the reference that he made.

Mr DALIDAKIS — So withdrawn.

The PRESIDENT — Order! Thank you.

Mr DALIDAKIS — As I was saying, there was a matter from the Honourable Gordon Rich-Phillips to the Minister for Public Transport in relation to the Cranbourne train station and more car parking; from Ms Patten to the Minister for Public Transport in relation to a review of the existing taxi licence compensation as recently announced; from Ms Lovell to the Minister for Roads and Road Safety regarding funding for stage 1 for the Goulburn Valley Highway bypass; from Mr Purcell to the Minister for Racing regarding providing funding to upgrade the Warrnambool racetrack; from Mr Finn to the Minister for Education seeking funding for the Vietnamese bilingual program at Footscray Primary School; from Dr Carling-Jenkins to the Minister for Mental Health in relation to suicide prevention programs for elderly people in our society and increased funding for them; from Mr Ramsay to the Minister for Police regarding meeting with local community members regarding local crime; from Mr O'Donohue to the Minister for Police asking that he meet with and listen to Chinese community leaders about their safety concerns; from Ms Crozier to the Minister for Roads and Road Safety in relation to releasing VicRoads results from investigations of the Beach Road and Beaconsfield Parade truck curfews; from Mr Davis to the Minister for Public Transport looking for information as to when decisions were communicated to government members and other people in relation to sky rail; from Mr Morris to the Premier regarding a commitment of funding to the communities who have been affected by the floods — and it is my understanding, President, that the Premier has made announcements in the other place in relation to supporting those local communities, but nonetheless this adjournment matter stands as well; and from Mrs Peulich to the Minister for Education to investigate matters on a very confidential matter that Mrs Peulich will provide to the Minister for Education directly.

The PRESIDENT — Order! Thank you. Are there any written responses?

Mr DALIDAKIS — I have no written responses, President.

The PRESIDENT — Order! We understand you had one.

Mr DALIDAKIS — Not that I am aware of. President, I am happy to correct that. I now have a written response to an adjournment matter raised by Ms Fitzherbert on 17 August 2016.

The PRESIDENT — Order! In closing today's proceedings, can I indicate to members that it is actually the first anniversary of the raising of the Aboriginal flag at Parliament House. This occurred on this day last year. It is interesting as we reflect on some of our meanderings over the last few weeks that today is the International Day of Democracy.

The house stands adjourned.

House adjourned 6.36 p.m. until Tuesday, 11 October.

WRITTEN RESPONSES TO QUESTIONS WITHOUT NOTICE

Responses have been incorporated in the form provided to Hansard and received in the period shown.

2 September to 15 September 2016

Ballarat West employment zone

Question asked by: Mr Morris
Directed to: Minister for Regional Development
Asked on: 23 June 2016

RESPONSE:

The Ballarat West Employment Zone (BWEZ) is an important driver for jobs and economic growth for the Ballarat region over the next 20 years. The BWEZ project will ensure that the region has adequate land suitable for industrial and commercial uses to create and support new jobs.

Detailed planning for the BWEZ project has been undertaken over almost a decade. In 2009, the City of Ballarat identified the current BWEZ site as the preferred location. Funding provided by the former Labor government allowed the council to complete the Ballarat Industry Workforce Development Strategy; identifying growth opportunities for the local manufacturing industry.

The City of Ballarat Economic Strategy 2010-2014 nominated BWEZ as a priority project. The project was then progressed through adoption of the BWEZ Master Plan in 2012 — developed with \$300,000 in financial assistance provided by the Brumby Government.

The work of the City of Ballarat with the former Labor government laid the groundwork for a \$30 million investment by the Victorian Government. The Andrews Government is getting on with delivering this project for Ballarat.

The Member may refer to www.dtf.vic.gov.au/state-budget for details of Victorian Government expenditure.

Child protection

Question asked by: Ms Patten
Directed to: Training and Skills
Asked on: 31 August 2016

RESPONSE:

The Sex Offenders Registration Act 2004 (the Act) imposes various obligations and prohibitions on persons added onto the Sex Offenders Register. This includes a prohibition on engaging in, or applying for, child-related employment. Contravention of this prohibition is an offence punishable by up to two years imprisonment.

The Act defines child-related employment as meaning employment—which can include voluntary work—involving contact with a child in connection with a range of circumstances. Specifically, it can include employment in connection with a religious organisation. Child contact may include physical contact or oral or written communication but will generally not include incidental contact with children.

Registered sex offenders are also required to report a range of personal details to Victoria Police, including any other contact with children, such as contact with family members. Registered sex offender also must report their employment details—again, including voluntary work—to Victoria Police. Failure to comply with those reporting obligations is an offence and may be punishable by up to five years imprisonment. Victoria Police will make enquiries in relation to all reported child contact and advises the Department of Health and Human Services, which follows them up as a matter of priority.

It would not be appropriate for me to go into specific details of the offender reported in The Age. However, Victoria Police is aware of that offender's circumstances and is investigating whether the offender has contravened their obligations under the Act.

In relation to your further question, I can confirm that there is no mechanism for exempting registered sex offenders from the prohibition on child-related employment. Where child contact occurs outside of employment, Victoria Police notify the Department of Health and Human Services who take steps to protect the child.

Prison capacity

Question asked by: Mr O'Donohue
Directed to: Minister for Corrections
Asked on: 31 August 2016

RESPONSE:

The figure quoted in the question incorrect.

On Wednesday 24 August 2016, police cells held 279 prisoners — not 376 as quoted. In fact the highest recorded number of prisoners held in police cells — at 372 — was in November 2013, under the Coalition when you were Corrections Minister.

The Government is working with the courts and Victoria Police on how to best manage the increase in the remand population in our corrections system.

LaunchVic

Question asked by: Mr Ondarchie
Directed to: Minister for Small Business, Innovation and Trade
Asked on: 1 September 2016

RESPONSE TO SUPPLEMENTARY QUESTION:

Unsurprisingly, Mr Ondarchie continues to attack this great sector when he calls into question the character of one of the most respected innovation organisations in Victoria. Startup Victoria does vital work for our ecosystem, running programs which see more women in the industry, matching up startups with investors and much more.

It should also be noted that the former government was willing to support Startup Victoria when they provided them with \$100,000 in 2014, and the innovation sector more broadly as they had at least some sense of the immense significance it has. How deeply disappointing that the opposition continues to smear and denigrate a sector which creates so many jobs for Victoria.

That said, I have made no offer of financial support to Startup Victoria in that meeting or any other meeting with them.

Vocational education and training

Question asked by: Ms Bath
Directed to: Minister for Training and Skills
Asked on: 1 September 2016

RESPONSE:

As part of the Andrews Labor Government's Skills First training and TAFE reforms, Victoria's industries have been engaged through the Victorian Skills Commissioner (VSC) to identify the training that industry wants, and leads to better outcomes for students. Following an extensive and rigorous consultation and evaluation process, that included consultation with Food and Primary Skills Victoria, a number of courses will no longer be eligible for government subsidies.

Consultations via the VSC will continue on an ongoing basis, and as industry priorities change and qualifications evolve, the list of funded courses will be updated to support jobs and growth in productivity.

In fact, there have been no new government funded enrolments in seafood processing-specific courses since 2013, and no new Government-funded enrolments in fishing operations-specific courses (including deck and fishing hands) since 2012. However, consultation with the seafood industry will continue, and should a demonstrated need be identified, these courses will be reconsidered for funding eligibility.

A number of courses from the Seafood Industry Training Package, including aquaculture, seafood industry sales and distribution and fisheries compliance, will continue to be subsidised in 2017. There are also a number of subsidised courses in the Maritime Training Package relating to deck hands. These include Certificate 1 in Maritime Operations (General Purpose Hand Near Coastal); Certificate 3 in Maritime Operations (Integrated Rating); and Certificate IV in Maritime Operations (Chief Integrated Rating).

Vocational education and training

Question asked by: Ms Lovell
Directed to: Minister for Training and Skills
Asked on: 1 September 2016

RESPONSE:

The information contained in your question about hairdressing subsidies is wrong. It was the former Government that cut subsidies hairdressing courses.

Hairdressing is an important occupation in Victoria and as such is funded. The Funded Course List for 2017 shows that Hairdressing continues to be subsidised for delivery as either an apprenticeship or non-apprenticeship. In fact; this government has increased subsidies for hairdressing apprenticeships.

Vocational education and training

Question asked by: Mr Finn
Directed to: Minister for Training and Skills
Asked on: 1 September 2016

RESPONSE:

As recommended by the VET Funding Review, under the Andrews Labor Government's Skills First training and TAFE reforms subsidies have been set with reference to the relative cost of efficient and effective delivery. This has been informed by a rigorous costing evaluation undertaken by the Department of Education and Training of the cost of training provision, and consultation with the sector as part of the development of the Skills First reforms.

While the former Government cut subsidies across a range of qualifications, including hospitality and tourism, under Skills First training subsidies have significantly increased for hospitality and tourism courses — by 400 per cent in some cases. The subsidy for Pet Grooming has remained unchanged.

As part of Skills First, Victoria's industries have been engaged through the Victorian Skills Commissioner to identify the training that industry wants, and leads to better outcomes for students. Following an extensive and rigorous consultation and evaluation process, a number of courses will no longer be eligible for government subsidies. As industry priorities change and qualifications evolve, the list of funded courses will be updated to support jobs and growth in productivity.

The pet grooming industry is a growth area, in particular for small business and the self-employed. It is expected that labour demand associated with this course will grow by more than 10 per cent over the next five years. In addition, there has been steady training demand for this course over the last few years. Data show that people who have undertaken this course have good employment outcomes.

Child protection

Question asked by: Ms Springle
Directed to: Minister for Families and Children
Asked on: 1 September 2016

RESPONSE TO SUPPLEMENTARY QUESTION:

On 1 September 2016 the independent review of child protection privacy incidents and carer and client safety, conducted by Mr John Leatherland, was released.

The report made seven recommendations which the Department of Health and Human Services have agreed to implement in full. As part of the response, the Department's electronic client information system will be changed so the contact details of carers and professionals are not automatically populated into Court reports. These system changes will be implemented from November 2016.

In addition, the Department provided child protection practitioners with two practice guides in August to support staff in the preparation of Court documents.

The Secretary of the Department has also written to all out-of-home care providers to remind them of their role in protecting the privacy of children, families, carers and the public.

LaunchVic

Question asked by: Ms Wooldridge
Directed to: Minister for Small Business, Innovation and Trade
Asked on: 1 September 2016

RESPONSE TO SUBSTANTIVE QUESTION:

As LaunchVic is an independent company, your question needs to be directed to LaunchVic.

RESPONSE TO SUPPLEMENTARY QUESTION:

I completely reject the assertion made in your lengthy preamble in regard to Dr Philip who has served governments of different persuasion with distinction.

With regard to your question, the answer is yes.

Housing

Question asked by: Dr Carling-Jenkins
Directed to: Minister for Families and Children
Asked on: 1 September 2016

RESPONSE TO SUPPLEMENTARY QUESTION:

I am informed that:

The Andrews Labor Government recognises poor quality private housing is also damaging to the health of Victorians. That's why the government is progressing a reform agenda that encourages a higher standard of development, improving housing affordability and encouraging investment in better quality homes.

This is demonstrated through a number of government actions which the Member may be aware of, including:

1. The Plan Melbourne Refresh which will guide future housing supply, strengthening the focus on housing affordability, climate change and energy efficiency; things that the previous government, despite expert advice and community input, completely ignored as they rushed out the original Plan Melbourne document before the election.

2. The comprehensive review of the Residential Tenancies Act 1997, which will ensure Victorians have access to safe, affordable and secure housing, especially in the rental market. We're listening closely to organisations like the Tenants Union of Victoria about how to ensure that residential tenancies laws enable and encourage a rental market that provides high quality housing options for Victorians, particularly those vulnerable to being taken advantage of by dodgy landlords. The review focuses on issues such as the viability of longer-term leasing, as well as protections for people who are older, living with disabilities, and who live in caravan parks and residential parks.
3. The Better Apartments project standards have been recently released for final consultation. The standards will raise the bar on quality in apartments across Victoria and will ensure that new apartments hold their value, because unlike the former government we believe that all Victorians deserve decent housing.

Youth justice centres

Question asked by: Ms Crozier
Directed to: Minister for Families and Children
Asked on: 13 September 2016

RESPONSE:

For the first time, the Andrews Labor Government openly and transparently publishes category one incident data on a quarterly basis on the Department of Health and Human Services website.

Category One incidents are the most serious incidents and include incidents such as allegations of physical or sexual assault and serious client behavioural issues that impact on client or staff safety.

As the member has been informed on a number of occasions there has been no change to incident reporting since the previous Liberal government changed how incidents are reported in youth justice in 2011.

Incident data published on the Department's website includes data from the period the member has specified, with the July-September 2016 quarter data to be published by the end of October 2016.

FURTHER RESPONSE:

I am advised that the Department of Health and Human Services does not record data under the classifications of "significant events" or "significant case notes".

Following public hearings at the Royal Commission into Institutional Responses to Child Sexual Abuse, a practice change occurred in mid-2015 that has resulted in all youth justice clients being asked about events prior to being admitted to custody. Following this practice change, there has been an increase in the number of assault incidents reported. These incidents are alleged to have occurred prior to clients entering the custodial setting.

Incident reporting enables service providers to take prompt corrective-action to protect the wellbeing and safety of clients where necessary and better understand the underlying causes of incidents to prevent their recurrence.

Following legislative changes made early in 2016, all category one incident reports involving a child or young person in out-of-home care, detained in a youth justice facility or in a youth residential centre are provided to the Commission for Children and Young People.

Quarterly category one incident data published on the Department's website includes data from the period the member has specified. It shows Youth Justice Custodial Services Category One incidents for Quarter 3 2015-16 was: client death 0; assault 23; behaviour 0; other incident type 5. Youth Justice Custodial Services Category One incidents for Quarter 4 2015-16 was: client death 0; assault 20; behaviour 2; other incident types 6.

As the member would further be aware, category one incident data for the first two quarters of 2015/16 was provided to the Public Accounts and Estimates Committee. For the first quarter it showed: client death 0; assault 15; behaviour 1; other incident types 1. For the second quarter it showed: client death 0; assault 22; behaviour 0; other incident types 5.

The member should note that incident reporting data undergoes routine data validation and as such is subject to minor changes over time.

The July-September 2016 quarter data to be published by the end of October 2016.

Youth justice centres

Question asked by: Ms Crozier
Directed to: Minister for Families and Children
Asked on: 13 September 2016

RESPONSE:

Workplace safety is a priority for the Andrews Labor Government; every Victorian deserves to return home safely from work at the end of each day.

My department works with WorkSafe to identify and address any OHS risks within youth justice services.

I am informed that WorkCover claims are trending down after soaring under the previous government.

Last month the WorkCover claim rate was less than half of what it was under the previous government in July 2014.

WorkCover claim rates for the Department of Health and Human Services are reported in the Department's annual report, including the number of incidents and claims.

I am advised that the Department is unable to provide information on sick leave taken by staff due to assaults or behaviour issues by Youth Justice clients against staff.

Secure Services employees have access to a range of leave provisions to help them balance their work and personal commitments. This includes annual leave, personal/carers leave, long service leave, paid parental leave and a range of other special leave options.

For employees who are on sick leave or off work as a result of a work related injury, including stress, the department maintains contact with the employee to ensure they can return to work when they are fit to do so.

FURTHER RESPONSE:

I am informed that across the Department's Secure Services, including Parkville and Malmsbury, in 2015/16 average sick leave per FTE was 10.7 days down from 13.1 in 2013/14.

I am advised that the Department is unable to provide information on sick leave taken by staff due to assaults or behaviour issues by Youth Justice clients against staff.

I am further advised that electronic records of Workcover claims would need to be manually classified in order to accurately reflect the basis of those claims.

Secure Services employees have access to a range of leave provisions to help them balance their work and personal commitments. This includes annual leave, personal/carers leave, long service leave, paid parental leave and a range of other special leave options.

For employees who are on sick leave or off work as a result of a work related injury, including stress, the Department maintains contact with the employee to ensure they can return to work when they are fit to do so.

Wild dogs

Question asked by: Ms Bath
Directed to: Minister for Agriculture
Asked on: 13 September 2016

RESPONSE:

As I have previously indicated to the House, the end of the second term of the Wild Dog Control Advisory Committee coincided with a broader evaluation of the wild dog program, designed to make sure government is working with farmers to tackle the wild dogs that cause devastating damage to livestock. For this reason, my department has awaited the evaluation rather than prematurely reappointing a third term of its committee.

It's important to remember that this committee was just one part of the Government's consultation on the Victorian wild dog program; which has steadfastly continued with the community, unaffected by the evaluation.

Each year, the Government involves local communities in development of 16 Wild Dog Management Zone Work Plans to ensure local knowledge and experience is incorporated into its planning. The Department of Environment, Land, Water and Planning (DELWP) also employs a full-time community engagement officer to seek and receive ongoing feedback from the community.

17 field days were held this year for farmers to learn more about wild dog control and help develop plans to reduce dog impacts.

The ability of the DELWP's wild dog controllers to work within the three kilometre buffer zone is facilitated by the wild dog management zone work plans.

I am committed to listening to our farmers and making sure that the Victorian Government's wild dog control program is assisting landholders in the most effective way we can.

That's why the 2016/17 Budget included an extra \$6.2 million to tackle foxes and wild dogs. Aerial baiting will now run twice yearly in spring and autumn - key periods when wild dogs are most active and baiting is most effective.

Labor's funding for aerial baiting will double the activity undertaken by the former Coalition government.

The evaluation of the wild dog program has been finalised and I look forward to making some announcements about this in the near future.

Melbourne Metro rail project

Question asked by: Ms Fitzherbert
Directed to: Acting Minister for Veterans
Asked on: 13 September 2016

RESPONSE TO SUBSTANTIVE QUESTION:

The Andrews Labor Government is committed to providing all Victorians with the opportunity to commemorate and learn about the service and sacrifice of our Veterans.

All matters surrounding the design and development of the new station, Domain Station, are being closely considered by the Melbourne Metro Rail Authority (MMRA) in close consultation with the Shrine of Remembrance.

There is one war memorial proposed to be impacted by the Metro Tunnel, the South African Soldiers Memorial in Albert Road Reserve, also known as the Boer War Memorial.

The MMRA recognises the importance of the South African Soldiers Memorial, and is working with the Boer War Memorial Association, Heritage Victoria and the City of Port Phillip, as custodians of the monument, in relation to the new Domain Station.

RESPONSE TO SUPPLEMENTARY QUESTION:

Specialist investigations were undertaken into historical heritage sites and structures, including monuments, to inform the Metro Tunnel Environment Effects Statement (EES). The Metro Tunnel EES was exhibited for public comment between 25 May and 6 July 2016, and remains available to view in full on the Metro Tunnel website at metrotunnel.vic.gov.au.

Once completed the Metro Rail Project will greatly improve access for all Victorians and visitors to the Shrine of Remembrance and Boer War Memorial, and encourage even more people than ever before to learn about and commemorate our state's war time history.

Child protection

Question asked by: Ms Crozier
Directed to: Minister for Families and Children
Asked on: 13 September 2016

RESPONSE:

Under the previous Coalition Government, the Victorian Ombudsman released a report in 2011 slamming her Department for "the pursuit of numerical targets overshadowing the interests of children" by closing large numbers of child protection reports, often on a single day, to reduce the number of children on the awaiting allocation lists.

As the Member has been advised on a number of occasions, data relating to the average rate of unallocated cases is available on the Department's website.

It is important that the case allocation rate is understood in the context of the increase reports to child protection, fuelled in part by the heightened community awareness of the harms inflicted on children as a result of child abuse and family violence.

This increased demand is impacting on case allocation rates, which is why the Government moved quickly on coming to office to increase the child protection workforce.

Since the launch of the Child Protection Recruitment Strategy in May 2015, over 350 child protection practitioners have been newly recruited across the State. We have achieved this by funding an effective recruitment strategy and addressing the high staff turnover rate that occurred under the previous Coalition Government.

The 2015-16 Victorian Budget allocated \$257 million to boost child protection and family services — the biggest boost in a decade - to enable more children, their families and their carers to get the support they need.

This is in stark contrast to the former Coalition Government who slashed more than 600 jobs from the then Department of Human Services.

All children whose cases are substantiated by child protection are overseen by a senior child protection worker. As such, there is always someone responsible for ensuring the needs of vulnerable children and young people in the system are met.

The Andrews Labor Government's Roadmap for Reform with its focus on prevention and early intervention together with work underway in response to recommendations from the Royal Commission into Family Violence are expected to support more families more effectively earlier.

FURTHER RESPONSE:

As I have previously advised the Member, all children whose cases are substantiated by child protection are overseen by a 'senior child protection worker. As such, there is always someone responsible for ensuring the needs of vulnerable children and young people in the system are met.

The premise of the Member's question is incorrect. The average annualised rate of unallocated clients in Victoria as at 30 June 2016 was 18.9%. This is consistent with the practice of reporting unallocated case rates in the previous two Departmental Annual Reports.

It is important that the case allocation rate is understood in the context of the increase reports to child protection, fuelled in part by the heightened community awareness of the harms inflicted on children as a result of child abuse and family violence.

This increased demand is impacting on case allocation rates, which is why the Government moved quickly on coming to office to increase the child protection workforce.

Since the launch of the Child Protection Recruitment Strategy in May 2015, over 350 child protection practitioners have been newly recruited across the State. We have achieved this by funding an effective recruitment strategy and addressing the high staff turnover rate that occurred under the previous Coalition Government.

Under the previous Coalition Government, more than 600 jobs were slashed from the then Department of Human Services.

Our Government is focused on addressing the drivers of increasing child protection reports. This is why the Roadmap for Reform is focused on prevention and early intervention and closely aligns with our efforts in responding to the Royal Commission into Family Violence.

VicForests

Question asked by: Ms Dunn
Directed to: Minister for Agriculture
Asked on: 13 September 2016

RESPONSE TO SUBSTANTIVE QUESTION:

VicForests conducts pre-harvest surveys for threatened species and develops a Special Management Plan if they are detected. These plans protect the habitat for the animal or plant concerned, and incorporate all relevant prescriptions and regulatory requirements. Details of this process are available on the VicForests website.

Special Management Plans were developed by VicForests in consultation with the Department of Environment, Land, Water and Planning for the Curlip forest management block. These plans, developed in April and July 2016, ensure VicForests is compliant with its regulatory obligations to protect threatened species.

Deer hunting

Question asked by: Mr Barber
Directed to: Minister for Agriculture
Asked on: 14 September 2016

RESPONSE:

I understand that the predecessor to my department commissioned and contributed to research on the distribution of several species of deer (i.e. Sambar, Rusa, Chital, Fallow, Red, Hog and Sika deer) in Victoria in 2013 and 2014. This work established that some species of deer have wild, self-sustaining breeding populations and that some will likely increase their ranges in Victoria.

Work examining how deer affect primary producers is ongoing. My department is working across government and with academic institutions on this matter. This work will ultimately inform future strategies for managing deer for Victoria.

Barwon Prison

Question asked by: Mr O'Donohue
Directed to: Minister for Corrections
Asked on: 14 September 2016

RESPONSE TO SUPPLEMENTARY QUESTION:

As per Section 58E of the Corrections Act 1986, emergency management days can be granted under certain circumstances during industrial disputes. This anticipates industrial action by staff, not prisoners. The striking prisoners will not be receiving emergency management days.

Deaths in custody

Question asked by: Mr O'Donohue
Directed to: Minister for Corrections
Asked on: 14 September 2016

RESPONSE:

The member is again wrong in suggesting that prisoners are dying younger and of unnatural courses.

Between 7 June 2016 and 14 September 2016, five prisoners died in Victorian prisons (one in addition to the four mentioned by Mr O'Donohue which occurred in 2016-17). The Coroner will investigate the cause of death for every case.

The vast majority of deaths in Victorian prisons are suspected to be from apparent natural causes. In 2015-16 the average age of prisoners who died in Victorian prisons was 62 years. This is compared with the 2014-15 financial year where the average age of prisoners who died in custody was 55 years.

Corrections system

Question asked by: Ms Lovell
Directed to: Minister for Corrections
Asked on: 14 September 2016

RESPONSE:

Since 20 April 2016, there have been 124 cost orders made by the courts against Corrections Victoria for failure to present a prisoner to court. The total quantum of these orders is \$97,573.90.

Corrections Victoria deals with prisoner attendance at court on a daily basis and endeavours to make alternate arrangements where physical attendance is not possible. Corrections Victoria continues to work closely with Victoria Police and the Magistrates' and County Courts to minimise non-compliance with orders of the court.

Since September 2013, Courts have been awarding costs against Corrections Victoria for failing to present prisoners at court. In the period September-December 2013 these costs amounted to \$143,722.10 and for 2014 calendar year, these costs amounted to \$161,727.93.

