

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-SEVENTH PARLIAMENT**

**FIRST SESSION**

**Tuesday, 27 November 2012**

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**Economic Development and Infrastructure Committee** — (*Assembly*): Mr Burgess, Mr Carroll, Mr Foley and Mr Shaw. (*Council*): Mrs Peulich.

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**Electoral Matters Committee** — (*Assembly*): Ms Ryall and Mrs Victoria. (*Council*): Mr Finn, Mr Somyurek and Mr Tarlamis.

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**Road Safety Committee** — (*Assembly*): Mr Languiller, Mr Perera, Mr Tilley and Mr Thompson. (*Council*): Mr Elsbury.

**Rural and Regional Committee** — (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller. (*Council*): Mr Drum.

**Scrutiny of Acts and Regulations Committee** — (*Assembly*): Mr Brooks, Ms Campbell, Mr Gidley, Mr Nardella, Dr Sykes and Mr Watt. (*Council*): Mr O'Donohue.

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*Council* — Clerk of the Legislative Council: Mr W. R. Tunnecliffe

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**FIFTY-SEVENTH PARLIAMENT — FIRST SESSION**

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Blackwood, Mr Gary John	Narracan	LP	Morris, Mr David Charles	Mornington	LP
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Brumby, Mr John Mansfield <sup>1</sup>	Broadmeadows	ALP	Napthine, Dr Denis Vincent	South-West Coast	LP
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Burgess, Mr Neale Ronald	Hastings	LP	Neville, Ms Lisa Mary	Bellarine	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Newton-Brown, Mr Clement Arundel	Prahran	LP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Noonan, Mr Wade Mathew	Williamstown	ALP
Carroll, Mr Benjamin Alan <sup>2</sup>	Niddrie	ALP	Northe, Mr Russell John	Morwell	Nats
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D'Ambrosio, Ms Liliana	Mill Park	ALP	Pandazopoulos, Mr John	Dandenong	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Perera, Mr Jude	Cranbourne	ALP
Dixon, Mr Martin Francis	Nepean	LP	Pike, Ms Bronwyn Jane <sup>6</sup>	Melbourne	ALP
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Graley, Ms Judith Ann	Narre Warren South	ALP	Southwick, Mr David James	Caulfield	LP
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Kotsiras, Mr Nicholas	Bulleen	LP			
Languiller, Mr Telmo Ramon	Derrimut	ALP			

<sup>1</sup> Resigned 21 December 2010

<sup>2</sup> Elected 24 March 2012

<sup>3</sup> Resigned 27 January 2012

<sup>4</sup> Elected 21 July 2012

<sup>5</sup> Elected 19 February 2011

<sup>6</sup> Resigned 7 May 2012



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**Tuesday, 27 November 2012**

**The SPEAKER (Hon. Ken Smith) took the chair at 2.05 p.m. and read the prayer.**

**CONDOLENCES**

**Bruce James Evans**

**The SPEAKER** — Order! I wish to advise the house of the death of Bruce James Evans, member of the Legislative Assembly for the electoral district of Gippsland East from 1961 to 1992.

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

**Honourable members stood in their places.**

**The SPEAKER** — Order! I shall convey a message of sympathy from the house to the relatives of the late Bruce James Evans.

**Hon. Murray Lewis Byrne, CMG**

**Mr BAILLIEU (Premier)** — I move:

That this house expresses its sincere sorrow at the death of the Honourable Murray Lewis Byrne, CMG, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Council for Ballarat Province from 1958 to 1976 and a minister of the Crown from 1970 to 1976.

Murray Lewis Byrne was born in Colac on 29 August 1928, the son of Thomas and Barbara Byrne. He was educated at St Patrick's College, Ballarat, a school with which he maintained strong links as an avid supporter throughout his life. He went on to study at the University of Melbourne, graduating with a Bachelor of Laws degree.

In 1951 he married Adele, beginning a loving marriage of 61 years. They had eight children — six daughters and two sons — Jane, Anne, Adele, Andrew, David, Virginia, Carolyn and Rosemary. David, sadly, predeceased his father.

Murray Byrne established himself as a solicitor in Ballarat, working in his father's firm Byrne, Jones and Torney. He eventually became the senior partner, and the firm, which today is BJT Legal, became the largest law firm in country Victoria, with Murray's son and nephew as principals.

A strong churchman from a young age, Murray Byrne became involved in the community life of Ballarat. He was a founding member of Ballarat Jaycees in 1953 and was involved in numerous community organisations,

including the Wendouree youth club and the Ballarat ball committee. He became active in the Liberal Party and in 1958 was elected as a member of the Legislative Council for Ballarat Province, aged only 29, on the same day as Sir Rupert Hamer was elected. He was, at that age, the youngest member in the upper house of any Australian Parliament. He quickly immersed himself in the committee work of the Legislative Council, being appointed to the Standing Orders Committee and the Subordinate Legislation Committee, both appropriate to his legal background.

At a time when it was uncommon for public figures to do so, Murray Byrne realised the potential of trade and cultural links with our Asian neighbours. He travelled extensively and regularly to Asia from the early 1960s at his own expense. He and his wife extended hospitality to Asian students studying in Australia or attending Ballarat's boarding schools, and one of the many patronages he held was of the Australian-Asian Association.

He spoke at every opportunity about the importance of looking to our north, particularly as our traditional British trading partners were turning their own attention to the European Common Market, and in February 1973 Murray Byrne became the first Liberal parliamentarian to visit China since the 1949 revolution — eight months before Gough Whitlam made his ~~historic~~ visit as Prime Minister. The parliamentary library has supplied a delightful article from the *Herald* of 6 February 1973 headed 'The man who knocked at China's door'. It is a most appropriate tribute to Murray Byrne and his foresight. We know how he was able to influence others in government at the time, leading to then Premier Dick Hamer's Jiangsu Province sister-state relationship being formed not so many years afterwards.

However, Murray Byrne did not focus just on business and trade; he was also attentive to the needs of the less fortunate in the Ballarat community and was a founding member of both Ballarat Lifeline and the Ballarat Aged and Needy Relief Association. As I mentioned, he was a strong member of his church, and apart from his lifelong support for St Patrick's he also served on the council of Newman College at the University of Melbourne and as patron of St Joseph's Home and Nazareth House orphanages. In his professional life he was president of the Ballarat Law Association and a member of the council of the Law Institute of Victoria.

In 1970 Murray Byrne entered the cabinet at the invitation of Sir Henry Bolte, being appointed Minister of Public Works. He held that portfolio until 1972, when the incoming Premier, Dick Hamer, made him

Minister for State Development and Decentralisation, Minister for Tourism and Minister of Immigration. Murray Byrne revelled in that role. A number of articles pay tribute to him at the time. Some of them give insight into how things have changed, and some give insight into how things have not changed. There is an article in the *Melbourne Observer* of 4 February 1973, written by John Sorell and devoted to Murray Byrne, in which article Murray Byrne celebrates the fact:

My staff has increased by 150 per cent since September ... I've hired extra planners, engineers, promotion officers. We are spending big money to sell Victoria.

Equally, while in the same role Murray Byrne is quoted as saying in an article in the *Age* of 2 December 1972:

We cannot afford — economically or socially — to allow Melbourne to grow to a population of five million.

Forty years on, the debates are similar and the articles tell those stories. Murray Byrne was passionate about the importance to Victoria of regional development, decentralisation and in particular the potential of regional cities like Ballarat, Bendigo, Geelong and Wodonga. He published a 10-point decentralisation program in 1972 and was instrumental in encouraging significant employers such as McCain and then Mars Confectionary to relocate to Ballarat. He understood that to keep a regional city vibrant, new employment was needed to encourage families to stay and newcomers to settle. He was involved in the establishment of the first national and state growth centre at Albury-Wodonga and the Geelong growth centre. As tourism minister he set up the Victorian Development Corporation and the 'Sell Victoria' campaign.

It was a mark of the regard in which he was held that one of the tributes paid in recent weeks was by a former government photographer who worked under his ministerial direction on a portfolio of photographs of locations across the state which were then used freely for tourism promotion. Murray Byrne was deputy leader of the government in the Legislative Council from 1970 to 1973 and then Leader of the Government in the Legislative Council until he retired in 1976. As well he was Acting Premier of Victoria on a number of occasions.

In 1973, in the midst of his ministerial career, Murray and Adele were involved in a serious car accident. It significantly affected his health and led to the family decision that he not contest the 1976 state election. He was appointed a Companion of the Order of St Michael and St George in the New Year's Honours list of 1977

for his services to Parliament and Victoria, and he was awarded the Queen Elizabeth II Silver Jubilee Medal in the same year. He was also honoured by the Polish government and received numerous community awards. In 1978 there was some pressure for Murray to resume his political career. His health had improved, and he remained an enormously popular and respected figure, but he had made his decision and resisted those requests. Instead he turned his energies back to the law and to involvement as a mentor and encourager of young businesspeople in Ballarat — and indeed as a mentor and encourager of many people in politics. I found him to be just that.

Murray Byrne lived a full life and made a remarkable contribution to his city and his state. In his engagement with Asia and encouragement of tourism and regional development he was at the forefront and often ahead of policy-makers of the day. Throughout his life he retained his love of Ballarat and Victoria, and of regional Victoria in particular. Even recently I had the opportunity on a visit to Ballarat to meet with some of Murray's family members in the pool in the early morning and hear of his continued interest in the state of Victoria and the region.

Murray Byrne died on 7 November 2012, aged 84. To Adele, to their 7 surviving children and to their 12 grandchildren, we offer our sincere condolences today. At the height of his political career Murray chose his family first, and that is something we can all admire. Ballarat has lost a true champion, but Murray Byrne's legacy will endure. BJT Legal recorded, in a tribute in local newspapers, that Murray Byrne was a trusted adviser, friend and confidant to many, and it is a fitting tribute to a fine man.

**Mr ANDREWS** (Leader of the Opposition) — I rise with some sorrow to join the Premier on this motion of condolence in memory of the contribution and life of the Honourable Murray Byrne. As the Premier has noted, through his leadership Murray Byrne served this Parliament, his city, our state, our nation and our region with amazing distinction, passion and hard work. The long catalogue of esteemed achievements the Premier has just gone through is a testament to not only a career of hard work but also a life that we ought celebrate.

As the Premier has noted, Murray Byrne was born in Colac on 29 August 1928 and he passed away on 7 November this year. He was elected to the Legislative Council as the member for Ballarat Province in 1958. As the Premier has noted, at that time he was the youngest ever person to be elected to that chamber or indeed to any upper house across Australia. I think if

one were to reflect, one would find that probably only a handful of people younger than the age of 29 have been elected since 1958.

He retired from the Parliament in April 1976, three years after a very bad car accident in which both he and his wife were injured. His health had suffered, and his contribution in a formal, elected sense to his party and to the government of the day was cut short at that time. The Premier has noted Murray Byrne's long career in the Parliament and the number of important portfolios he served in between the years 1970 and 1976. I want to reflect on a few of those in honouring his contribution. His roles included: Minister of Public Works, Minister for State Development and Decentralisation, Minister for Tourism, Minister of Immigration and Leader of the Government in the Legislative Council. As the Premier noted, he also served as Acting Premier on numerous occasions.

The Premier has gone through much of Murray Byrne's personal history such as his studies at St Patrick's College in Ballarat, his study of law at the University of Melbourne, his then family business, which became one of the most significant law practices — indeed the biggest law practice — in country Victoria, his 61-year commitment to his wife and his commitment to their 8 children and 12 grandchildren.

I want for a moment to reflect on his ministerial career and some highlights that clearly positioned him ahead of his time and ahead of many of his peers, which is no small thing. He was an advocate and a driving force behind decentralisation of the Victorian government. He recognised the potential and the great opportunity that could come from greater support for our regional cities and regional Victoria in a broader sense.

The Premier has mentioned that he was Australia's first minister for decentralisation and the author and champion of a 10-point decentralisation program. It is interesting to note that he was someone who could always find common ground between political opponents. He worked not only across the aisle but also with other governments, notably with the Whitlam government, which equally shared a commitment to decentralisation, regional development and trying to grow the capacity of regional economies and cities. It is worth putting on the record that he worked very closely with that government towards achieving the same ends — ends and purposes for which he was obviously praised. He knew that job creation was central to the viability of country and regional communities. As the Premier has noted, many in the great city of Ballarat still credit Murray Byrne with a very significant and indeed a pivotal role in companies like McCain and

Mars, which continue to operate and continue to be an important part of a diverse Ballarat economy.

Murray Byrne also served as the Minister of Immigration and Minister of Tourism. It was here that he had great foresight and extended goodwill towards others, particularly towards those who were less fortunate. The Premier has spoken in some detail about Murray Byrne's visits to China, and that certainly put him ahead of his time and ahead of many of his peers. It is fitting to recognise that a number of people had that great vision at the time, and this year as we celebrate 40 years of diplomatic relations between our two nations it is fitting to recognise and acknowledge that there were a small but significant number of leaders across politics and across our great nation who had that great vision and saw the potential in that partnership. I think it is fair to say that they reached out with some degree of political bravery, and we now reap the benefits of the important partnerships that have their foundations in those early years of the 1970s. Of course we have built on them, but we owe a great debt to people like Mr Byrne and others for the beginnings of that important partnership. He saw the opportunities and worked hard to try to make the most of them.

He was an early critic of the White Australia policy. We should be clear about that. He advocated for a more generous and compassionate federal policy towards refugees and those who would seek to build a new home free of difficulties such as tyranny and persecution that they may have faced in other parts of the world. He even called for a greater emphasis on Asian studies in our schools, which is topical in relation to both the current government's agenda and also that of the federal government through its recent white paper. In terms of generosity of spirit towards groups of people who were part of the political contest — often regrettably — he truly had a clear vision for our region both economically and culturally. He truly was ahead of his time, and importantly for him — although in many respects sadly as a commentary on that time — he was far ahead of some of his peers. It is important to acknowledge that.

In terms of the environment, as the Premier noted, he served as the Minister of Public Works. He was one of the first politicians in our state to passionately recognise the importance of protecting Victoria's environment. He was not the only person, but certainly he was a leader in that field as well. He was a great champion of the important responsibility that corporate entities face for any damage they may do to the environment — that is, the environmental protection framework that we are so used to. He was also a great champion of making sure that all who had information or wanted to make

representations about environmental damage and other important degradation issues had an opportunity to do so.

In so many ways he had an esteemed career of not only hard work, passion and achievement but real leadership in so many different areas. Perhaps no greater compliment can be given to anyone who serves in high office than to say that they not only do their task well but they lead the community — they have a real vision, have a purpose, take some of those risks and gambles, and help take the community to the place where it needs to get to — and that is an important legacy that Murray Byrne and all of his family should be abundantly proud of.

I conclude by saying that, as my grandfather used to say, Murray Byrne was blessed with the gift of faith. His Catholic faith was very important to him, as was his contribution to his church and all the good social work that church did then and continues to do, whether it be in terms of orphanage support, as the Premier noted, other philanthropic and charitable work or other leadership positions in the Catholic Church, notably at Newman College and other enterprises. His faith was a very big part of his life, and he should be acknowledged for his contribution to the purposes, the hard work and the mission of the Catholic Church, particularly in the Ballarat region.

As I have said, it was a long and distinguished career, and one that was in many respects cut short. I know that he was recruited, or at least attempts were made to recruit him, to make a comeback. He, perhaps wisely, decided to continue doing other things with his life. It is important that we reflect today on someone who not only served this Parliament with distinction over a long period of time but who, with each of the opportunities that the times, the political circumstances and his colleagues gave to him, provided real leadership, and that is perhaps the most important credit that can be given to anyone who serves in this place, certainly on that side of this place. Murray Byrne not only used the opportunities he was given and worked hard but he also drove the agenda, led the debate and left the state — and in many respects the nation — in its relationships with our region in a much better place than he found it. To his wife, to his surviving children and grandchildren and to his colleagues, his friends and those who hold him in such high esteem, on behalf of the parliamentary Labor Party, our deepest condolences to all.

**Mr RYAN** (Minister for Police and Emergency Services) — It is my honour to join this condolence motion moved by the Premier and supported by the

Leader of the Opposition in relation to the late Murray Byrne.

Murray Byrne served this Parliament with distinction from 1958 until 1976. He was a member of the Parliament, he was a minister of the Crown, and he is quite rightly being recognised today for his many achievements, but it was before his life in politics, in many senses, that he made his name. Murray Byrne by any standards was an absolute powerhouse. He loved his wife, Adele, and their eight children so dearly, and his faith was vitally important to him. Apart from those two great loves in his life, he absolutely loved Ballarat and loved the regions of Victoria.

Murray was a formidable force. He was very proudly a partner of Byrne, Jones and Torney. There were many who did their articles under Murray's stewardship. A name that readily comes to mind is Tony Stewart, whom I came to know well subsequent to his time with Byrne, Jones and Torney. The firm had a very extensive common-law practice and was renowned for its ability to run cases and be successful in them, as well as for its development of a very generalist practice at a time when the law was simply not represented in the regions of the state to anywhere near the extent that occurred in the halls of Byrne, Jones and Torney. Murray became the senior partner of the firm.

Murray Byrne was ahead of his time. He established a financial entity through the firm which became a mechanism whereby local investment could be made. It was a means to permit local people to invest locally and, in turn, to permit that organisation to invest locally. It was a mechanism which was an insight to the man in many senses, because he knew the worth of being able to grow value and grow investment in the regions, and he was instrumental in developing this particular entity which saw those aspirations through. He became the president of the Ballarat and District Law Association, and he became a member of the council of the Law Institute of Victoria.

Apart from those particular spheres, as the Premier and Leader of the Opposition have said, he was an enormous contributor in a variety of other spheres. He had a great empathy for the everyman. He could see different people's points of view. He did not suffer fools. He was always ready to put his point of view, and he put it with plenty of zest. He was, as I have said, the champion of many community causes. Among those he was a champion of — he was ahead of his time — were Asian relations and immigration more generally. He saw the benefit of enabling those sorts of folk to come to our nation and to make a contribution, which he believed was within their capacity.

When he was elected to the other place in 1958 and made his inaugural speech on 8 July of that year, he said in part:

Victoria is today receiving more than 40 per cent of the total migrant population of Australia. Industry is coming to this state, and primary production is increasing. Victoria and Australia must develop and expand.

He went on to say there were hundreds of millions of people to our north in Asia. He further said:

Unless, during the next 15 years —

and I pause to say that these words were uttered 54 years ago —

we expand and develop in a manner that we have not yet experienced, we may not then be a part of the British commonwealth of nations and an independent part of western civilisation in the Pacific. There is a need for us to cultivate a sense of national responsibility and national consciousness. There is no room in the community for the forces of disruption, no room for class or racial hatreds that destroy the community and national unity. We must learn to think as Australians, for Australia.

These words, as I have said, were spoken more than five decades ago. In that same speech he made reference to the importance of home ownership and to the necessity of regional investment and regional development in its different forms. He spoke about the vital importance of agriculture. He also spoke about law issues and problems that were then arising in regard to juvenile delinquency.

As Minister for State Development and Decentralisation and then Minister for Tourism and Minister of Immigration he was able to put in place the passion which he brought to this Parliament for decentralisation and regional development. Much of that was around the notion of trade opportunities. The Premier and the Leader of the Opposition have referred to the fact that in 1973 he was the first Liberal Party member of Parliament to be invited to China — this was eight months before the then Prime Minister, Gough Whitlam, made his famous visit. But I again say it was in 1958 that he first espoused the initiatives, which that trip eventually delivered on, that he saw all those years ago.

I came to know Murray Byrne soon after I graduated, completed my articles and went to join Warren Graham and Murphy in Sale. It was a very powerful legal firm in the region. Indeed, if I may say, there was a friendly spar between the respective firms as to which was the biggest and the best, but I will not pursue that now. I first met Murray at a time when he was almost at the point of completing his period of service in this Parliament. By any standards he was then a very

formidable force. I had the pleasure of having conversations with him over the course of subsequent years on a number of occasions. He had lost none of the vision he brought to his roles both privately and in this Parliament.

It is my honour and pleasure to support the motion before the house and add my condolences as Deputy Premier, Leader of The Nationals and, particularly, as Minister for Regional and Rural Development. I extend those sentiments to Adele, the surviving children and the memory of David. I must say his was a life very well lived. It was one of great deeds, visionary thinking and something upon which we can all justifiably reflect.

**Ms KNIGHT** (Ballarat West) — On 12 November I attended the state funeral for the Honourable Murray Byrne. I have to say that when I think about that day I think about the overwhelming feeling of love, affection, admiration and respect in St Patrick's Cathedral.

Murray Byrne, it seems to me, was a man of deep commitment across all areas of his life, as can be seen from his commitment to his wife, Adele — his wife of 61 years — his commitment to his 8 children and his commitment to his 12 grandchildren. I remember two of his children giving the eulogy and talking about the great family moments they all had together, including on trips in the family car. They told a beautiful story about how their father would take their orders for milkshakes and how they would all give him the flavour they wanted and he would dutifully go down to the milk bar and order eight vanilla milkshakes. Then he would unashamedly get behind the counter and show the milk bar owner how to make them. It was a beautiful story.

Murray Byrne was committed to Catholicism; his religion was obviously a large part of who he was. He had a deep commitment to his work as a solicitor and to the firm Byrne, Jones and Torney. That was evidenced by his colleagues talking about how he would come into the firm and take one of them out for coffee; they would just sit and have a cappuccino together. When we remember people, we often think about the big picture and the big things that happened, and absolutely we should do that, but we should never forget that in those small cups of coffee there is real value as well. I believe Murray Byrne knew and recognised that.

Murray Byrne had a very deep commitment to politics, as we heard from the Premier, the Deputy Premier and the Leader of the Opposition. I will not go through all the amazing things Murray did during his political career, but I will mention his involvement in McCain and Mars coming to Ballarat — two companies which

are still there and which employ a lot of my constituents. I want to acknowledge the words of Kay Macauley, the CEO of the Australian Industry Group, who said that Mr Byrne's contribution to business in Ballarat will live on.

Murray Byrne had a deep commitment to and great involvement with his community. I never met him, but I wish I had, because even though we were on opposing political sides I think we would have had a lot in common. In particular I am thinking about him being the founder and patron of Lifeline Ballarat, which began in 1978. Until I was elected, I managed Lifeline. I would have loved to talk to Murray about what Lifeline was like in those early days and how it has changed in many ways but has in a lot of respects fundamentally stayed the same. I think about the thousands of people who would have made calls to Lifeline Ballarat over those 40 years — people who would have felt as if there were no longer any options for them and people who were really struggling and traumatised by their lives but who thankfully are still with us today, leading valuable, productive and hopefully happy lives. They have Murray Byrne to thank for that.

I want to take this opportunity to thank you, Mrs Byrne, your children and your grandchildren for the sacrifices you made in giving up your husband, father and grandfather to politics. It is not an easy thing for a partner to do. I would like to acknowledge that it means that you do extra things, and it means that you are part of the work Murray did in making Ballarat and Victoria a better place. I would like to thank you for that. After hearing what you said about your family and how close you all are, I am sure when you all get together as a very large group you will look around and Murray will be there in a quirk, a characteristic, a joke or an argument. I am sure he will live on with us in this place. He will live on in your children and grandchildren. I offer you my sincerest condolences on behalf of myself and the people of Ballarat.

**Dr NAPHTHINE** (Minister for Ports) — I rise to support the condolence motion moved by the Premier and acknowledge the lifetime of service to Victoria, the Parliament, Ballarat and district and the broader community of the late Murray Lewis Byrne, CMG, Knight of the Sovereign Military Order of Malta, LLB. Murray Byrne was born on 28 August 1928 and died on 7 November 2012. It was an honour for me to represent the Premier and the government at his funeral on 12 November.

It was a mark of respect for Murray Byrne that also present at the funeral were former premiers Jeff

Kennett and Steve Bracks, numerous former ministers and current and former local members of both state and federal Parliament. All were there to pay their respects to Murray Byrne. Thousands of people from Ballarat also wished to pay their respects to him. The funeral was an absolutely fitting farewell to a man who served his community, his profession and his state with such distinction. The concelebrated mass was a tribute to his lifelong contribution to and support for the Catholic Church. There was significant contribution throughout the mass from his children and grandchildren. It was terrific to see the characteristics of Murray coming through his children and grandchildren. I want to recognise the absolutely terrific eulogies given by his son Andrew and his daughter Jane Hamilton. As has been reflected on earlier, they were eulogies sharing great memories of a great family man, a great Ballarat man and a person who loved and enjoyed life to the full.

One little story I remember that Jane told was that throughout his life Murray took an active interest in all his children and often provided them with guidance, whether they wanted it or not. He regularly questioned them when he met them or spoke to them on the phone. It was sometimes a difficult thing to get away from this interrogation of what they were doing and how they were doing it, even though they were adults with children of their own. Jane said that recently, while Murray was still very ill, she rang him, and he interrogated her about what she was doing. She said, 'I was getting to the end of my tether, but then I just mentioned the word "misogyny" and that distracted him and put him onto a different track altogether'.

As the Premier said, Murray was born in Colac, but at a very young age he and his family moved to Ballarat, and he became an icon of Ballarat. He was educated at St Patrick's College in Ballarat and did law at Melbourne University, but he was actively involved in the Ballarat community right from day one. He was a founding member of Ballarat Jaycees; secretary of the Ballarat Call Committee; a founding member of Wendouree youth club; a founder of Ballarat Caledonian Housing Societies; a council member of the Ballarat Agricultural and Pastoral Society; a patron of the Skipton youth club, the Ballarat youth athletic club and the Ballarat Civic Male Choir; a founder and patron of the Ballarat Aged and Needy Relief Association and the Australian-Asian students association; a trustee and patron of Ballarat TPIS; a patron of St Joseph's Home and Nazareth House orphanages; and a founder and patron of Ballarat Lifeline. Those were just a few things he was involved with in Ballarat, as well as all his other activities.

In a political sense he was a founding member of the Ballarat Young Liberals in 1948 and served on the state executive in 1956 and 1957. He was elected, as other members have said, to the Legislative Council on 21 June 1958 and at 29 was then the youngest member of the Victorian Parliament and of the Legislative Council. As other members have highlighted, it was interesting to read his inaugural speech. He spoke of the need for Australia to develop, expand and embrace its Asian neighbours. I think that idea was well ahead of its time, and it was probably controversial at the time. As other members have said, in 1973 he was the first Liberal MP to be invited to visit China. He was elevated to the ministry in 1970 and was the Minister of Public Works from 1970 to 1972.

Most importantly, from 1972 to 1976 he was Minister for State Development and Decentralisation, Minister for Tourism and Minister of Immigration. He was most famous for his innovative 10-point plan for decentralisation. In my research I found a copy of Victoria's 10-point policy on decentralisation, and I shall quote briefly from his press release on it:

Mr Byrne said the government was embarking on a positive and, he confidently expected, dynamic plan to encourage and assist industrial development and the creation of employment opportunities generally. Particular emphasis will be placed on direct government encouragement of population growth outside the metropolitan area. Centralisation throughout the developed countries of the world is undoubtedly one of the greatest problems of our generation, and he said that the new measures are designed to provide many of the remedies for such a situation.

He outlined his 10-point program to stimulate balanced development, and the press release said:

Mr Byrne said that this 10-point program will provide a blueprint for what he confidently expects to be a step forward in the field of state development and decentralisation.

Years later, indeed decades later, everybody remembers Murray Byrne for the 10-point plan on decentralisation. It was a historic document, a very important document —

**An honourable member** — Table it.

**Dr NAPHTHINE** — I am happy to table it. As the member for Ballarat West and other members said, the proof of the pudding was in the eating — that is, companies were attracted to his home town of Ballarat, including Mars Confectionery, which currently employs about 500 people, and the McCain Foods company. Throughout regional and rural Victoria there are similar stories of the attraction of industry, jobs and economic developments because of Murray Byrne.

After retiring from Parliament at the age of only 48, a couple of years after a serious accident — he had served 18 years in this Parliament, which is an extraordinary achievement — he continued to serve Ballarat as part of the legal profession and a wide range of community organisations. Murray Byrne led a very full and active life of great service to his community. He was a true icon and leader in Ballarat in every sense of the word. I pass on my condolences to his wife, Adele, to his children and their partners and to his 12 grandchildren.

**Mr HOWARD** (Ballarat East) — I too would like to speak briefly on the life of Murray Byrne and the contribution he made to the people of Victoria. Murray died on 7 November this year aged 84. He was elected as an MLC for Ballarat Province in June 1958 at the age of just 29. As we have heard, that made him the youngest MLC across Australia and at that time the youngest member of the Victorian Parliament. He served for 18 years in the Parliament before retiring in 1976. Murray was described by his son Andrew as 'a people's person' who loved helping people, and that was certainly my experience of Murray on the occasions I met with him and during the opportunities I had to follow his life in more recent years.

He was also a man of great vision. Even in the years before he entered Parliament he showed an amazingly strong commitment to and involvement with the Ballarat community. In those early years, before entering Parliament at the age of 29, he was the founding member of Ballarat Jaycees, a founding member of the Wendouree Youth Club and a founding member of the Ballarat Caledonian Housing Societies. He was involved in a number of other groups, including the Skipton Youth Club, as well as other associations that continued to develop over his time both in Parliament and beyond his life in Parliament.

He was very supportive of many individuals and organisations, not just in Ballarat but across the state and beyond, and he was supportive regardless of the political persuasion of that person. I met with Murray on a number of occasions over the years, both before I entered this place and after, and on every one of those occasions he was incredibly friendly and engaging. He would offer me — as he did ahead of my election in 1999 — support, advice —

**An honourable member** interjected.

**Mr HOWARD** — He did; he offered political advice and observations about broader issues that needed to be pursued in Parliament, and I was appreciative of that. On subsequent occasions I met

with Murray he was very happy to spend time talking with me about issues that should be pursued. He offered political insights, and they were always very much appreciated. His insights were very sound.

Murray attended St Patrick's College, Ballarat, from 1939 to 1947. I was pleased to be present at a special dinner held at St Pat's in 2003, where Murray was honoured as a legend of the college. As usual, Murray made a very engaging speech on that occasion, sharing many of his memories of his time in government, as well as amusing memories regarding his other community involvements in Ballarat.

In 1970 Murray was appointed Minister of Public Works, and from 1972 to 1976 he was Minister for State Development and Decentralisation. As we have heard, he was the first minister in Australia to have responsibility for decentralisation. He was also, very passionately, Minister for Tourism and Minister of Immigration at that time. He was always passionate about these issues, as well as about the need to stop Melbourne's urban sprawl and to build regional communities by building their capacity to develop industry and by building the infrastructure associated with that. We have heard about his involvement in bringing McCain Foods and Mars to Ballarat, but this was among many things he did to contribute to regional Victoria.

Murray also saw that infrastructure needed to be developed. He saw the commencement of the duplicated highway between Ballarat and Melbourne, something that Ballarat is very appreciative of these days. His philosophy was to recognise that you need to not only build facilities in towns but also extend links back to Melbourne so that towns can flourish. He was passionate about his support for tourism. He took an active interest in the development of Sovereign Hill and many other tourism developments across Victoria. As we have heard, at the age of just 19 he became one of the founding members of the Young Liberals in Ballarat.

Other members have spoken about his inaugural speech. When you look at inaugural speeches of former members you often get an insight into the thinking of those people. The speech made by Murray Byrne in 1958 was quite remarkable. As we have heard, while he started by talking about Great Britain as 'the motherland' — the phrase used at the time — he went on to make visionary statements about the need to recognise that Australia is on the doorstep of Asia and about the need to work to recognise and build our relationships with Asia so that we can continue to prosper in years to come. In that speech he also made

the statement the Deputy Premier read, which I repeat, that there is 'no room for class or racial hatreds that destroy the community and national unity'. These are important words. It is great to hear that they were spoken in 1958. They are always very apt. It is important to see that we can build our society by recognising that there is no place for class or racial hatred in our community.

As we heard, Murray also went on in that speech to talk about the need for people to have the opportunity to own their own homes. He pushed the commonwealth government to provide a loan of up to £50 million so that that money could be put aside to provide low-interest home loans as well as a range of other support to get people into their own homes. He explained that there were important social reasons why people ought to be able to have that goal or vision of owning their own home so they can build their family life and so on. He went on to talk about the need to provide opportunities for young prospective farmers to get on the land — something that the parliamentary Rural and Regional Committee, on which I serve, has been looking at in this term. He suggested the concept of a cooperative farming scheme similar to cooperative housing societies so that young prospective farmers could be supported in cooperative groups to get onto the land and learn the appropriate skills. That was another of the visions he outlined in his inaugural speech.

Murray spoke about the need to support young people in our community through the funding of youth clubs and facilities for young people, again based around the social framework of recognising that we need to provide positive opportunities for young people to ensure that they do not go down the negative track of getting into trouble with the law. He wanted to find ways for the community to support young people by providing a range of positive opportunities through the establishment of strong youth groups. Throughout his political life and beyond Murray continued to show his passion for these and other issues. As I indicated earlier, all those who met Murray found him to be engaging, supportive and constructive in his support of them. He was also a committed family man, as we have heard, with his wife of 61 years, Adele, 8 children and 12 grandchildren, of whom he was very supportive.

His son Andrew and other family members at the funeral and since have related a number of stories about Murray, some of which we have heard this afternoon. Clearly he was a loved parent, grandfather and husband. He was unconventional, to use Andrew's word. He was a source of enjoyment and fun. Andrew related the story of Guy Fawkes night. The older

members here will remember when Guy Fawkes night used to be cracker night. Murray used to pride himself on developing a significant arsenal of the biggest and best fireworks to show off to the neighbourhood. It was great fun for his family and those around. He had a great sense of fun as a father and grandfather, and he continued in that vein. He continued to be involved and interested in life right up until recently, in terms of both taking an active interest in community life and in going into BJT Legal on up to two days a week to meet with staff and occasionally some of the clients who still wanted to have Murray's advice on one issue or another.

So many people have clearly benefited from the outstanding contribution Murray Byrne made in his life. I extend my condolences to his wife, Adele, to his 7 surviving children and to his 12 grandchildren.

**Mr THOMPSON** (Sandringham) — During my contribution I will focus primarily upon some family insights, but I will draw down on a couple of broader comments, noting that the wider aspects of Murray's life have been covered by the speakers who have preceded me. In Murray's inaugural speech he spoke of the Commonwealth of Nations. The word 'commonwealth' derives in part from what I believe is a Germanic word 'weal', in turn resulting in the phrase 'common weal', or the common good. It is an interesting aspect of the position of the Australian nation within the Commonwealth of Nations to consider the focus upon the common good. The common good was something Murray Byrne sought to advance throughout his professional, private and political life.

In his inaugural speech he focused on matters of housing, soldier settlement and youth leadership. Following his death the Ballarat papers spoke about losing a father of local industry and a champion of Ballarat business. He was described by St Patrick's College as an avid supporter. Ahead of his time, Murray Byrne sought engagement with Asia on a productive and proactive basis. He was one of an interesting number of people who visited China with the Whitlam mission in 1972. Entrepreneurship was very much part and parcel of every dimension of his journey through life.

At his funeral his son Andrew noted that in addition to his duties as Minister of Public Works, Minister for Tourism and Minister for State Development and Decentralisation, his electorate was extensive, and he was always out and about. Our own families may reflect upon something similar in due course and share similar memories. Andrew further noted:

During these times as children we were forced to accompany Dad to many country communities around Victoria to attend local events. I can recall attending the Lake Goldsmith steam rally, opening of the Lake Fyans boating season, beauty pageants, opening of the Ballarat archery season and the Scottish Highland ball. Mostly these were at least a 2-hour drive there and back in 40-degree heat. On arriving we would have to sit quietly and listen to longwinded speeches. Most events for a young child were boring; however, there were some exciting adventures. I can recall landing on Phillip Island racetrack in a small plane and then being given a lap of the track in a racing car.

Election time again was not something we looked forward to. This involved been dropped off at a polling booth early in the morning with a cut lunch and a box full of how-to-vote cards. These polling booths were often in strong Labor-held areas. Occasionally we would be confronted by voters with opposing political views, and they would tell us in very colourful language why they would not be voting for my father.

Our home was always full of interesting people — politicians, celebrities and others. I can recall meeting Tom Uren, who told me to call him Red Tom and said how he admired my father even though he was from the wrong side of politics. Dad made lifelong friends from all sides of politics. They respected Dad for being true to his word and doing what was best for the people of Victoria. These friends included Stewart McDonald ... the late Peter Ross-Edwards, Bill Stephen ... and the late Bill Borthwick —

whose wife, Muffy, attended the funeral in Ballarat. The family thanked those people for their lifelong friendship and support. Andrew also noted:

Although Dad retired from the practice in 1994, he never relinquished his involvement with the firm. Right up to only a few weeks before his death he would attend the office at least twice a week, seeing his clients who still wanted his advice, dictating letters to colleagues and friends, handing over scratchies to the staff and then taking them out for a cappuccino. All the staff loved and respected Dad, and he will be greatly missed by them all.

I note that I first met Murray Byrne in 1968 or thereabouts in the hallway leading to Strangers Corridor. He was a gregarious man, and one could see the sparkle in his eye. He engaged very positively with me, although I was a young teenager at the time. He made people feel welcome, and I understand that was his practice and approach to everyone he came across throughout his life.

Murray's daughter Jane noted at the funeral:

Dad was a passionate man. He had such a passion for life and lived life to the full. His motto was, 'If it's humanly possible, it can be done'. And there was so much that he did achieve in his lifetime. He never did things by halves. He had a brilliant intellect, an astute and curious mind and an overly generous heart. He had a strong appetite for life and people, and his contagious enthusiasm engulfed everyone in his company.

Jane further noted:

Dad was big in so many ways: he was a big thinker, had big ideas and most of all he was big hearted. Dad did not impose boundaries on friendships and made friends with people from all walks of life. Dad loved people and people loved Dad.

She concluded on behalf of her family:

We will all remember Dad as someone who sang in the rain, enjoyed the flowers in his garden and shared a cappuccino with his family and friends ...

And in the words of William McInnes, 'And in our hearts there may be a small corner of despair and disappointment, but overwhelmingly we will be filled with grace and hope'.

We convey our condolences to Murray's family: his wife, Adele, their children, Jane, Anne, Adele, Andrew, Virginia, the late David, Carolyn and Rosemary, and all their grandchildren.

**Motion agreed to in silence, honourable members showing unanimous agreement by standing in their places.**

#### ADJOURNMENT

**Mr BAILLIEU** (Premier) — By leave, I move:

That, as a further mark of respect to the memory of the late Bruce James Evans and the late Honourable Murray Lewis Byrne, CMG, the house now adjourns until 4 00 p.m. today.

**Motion agreed to.**

**House adjourned 3.03 p.m.**

**The SPEAKER took the chair at 4.03 p.m.**

#### QUESTIONS WITHOUT NOTICE

##### **Ombudsman: Independent Broad-based Anti-corruption Commission**

**Ms HENNESSY** (Altona) — My question is to the Minister responsible for the establishment of an anti-corruption commission. I refer the minister to the extraordinary letter from the Victorian Ombudsman, where the Ombudsman makes it clear that he was not consulted in relation to IBAC (Independent Broad-based Anti-corruption Commission), and to the response provided by the minister's chief of staff to me on Monday, 19 November, where she said in response to a question about whether the Ombudsman had been consulted that he in fact had. I ask the minister: who is telling the truth, his chief of staff or the Ombudsman?

**Mr McINTOSH** (Minister responsible for the establishment of an anti-corruption commission) — I thank the member for her question. I am advised that

the Secretary of the Department of Premier and Cabinet discussed reforms in relation to IBAC with the Ombudsman, and officials have also met with Ombudsman Victoria on a number of occasions to discuss those reforms.

##### **Monash Children's: funding**

**Ms MILLER** (Bentleigh) — My question is to the Premier. Can the Premier advise the house of the coalition government's recent commitments to major hospital developments to better serve the Victorian community?

**Mr BAILLIEU** (Premier) — I thank the member for her question. The coalition government is very pleased, as it was last week, to confirm that it will be fully funding a new, purpose-built hospital building to give families in the south-east of Melbourne the very best health facilities — a purpose-built Monash Children's hospital. The government has now made the necessary formal decision to fully fund this project. We have accepted the business case, and we will now proceed to final planning and development of the tender processes.

This decision means that provision has now been made in the budget for the funding required to complete this project, and it enables project planning to be finalised and tendering and construction to commence as soon as possible. The Monash Children's will have greater capacity to meet future demand for services in the extended Southern Health catchment.

One-third of the children in Victoria live in Monash Children's immediate catchment area. The substantial increase in population in the south-east of Melbourne, and in the Casey-Cardinia corridor in particular, has seen — as I am sure many members know — a marked increase in the demand for paediatric services at the current Monash Children's. This new stand-alone development will enable children in the south-east to access services closer to home.

Additional bed capacity will allow Monash Children's to treat some 7000 additional children each year close to where they live. It includes new inpatient and surgery facilities within a dedicated, purpose-built hospital. The announcement has been extraordinarily well received by staff, by patients and by people in the south-east.

*Honourable members interjecting.*

**Mr BAILLIEU** — Some opposite may laugh at the Monash Children's. If they do not care about it, they should tell all Victorians. I am sure that is not the case for the Leader of the Opposition, who having been a

health minister will I am sure be very interested in this announcement.

When completed, this stand-alone hospital will comprise more than 200 additional beds, including 96 paediatric beds, 12 dedicated children's cancer day beds, 20 same-day beds, 10 paediatric intensive care beds, 30 neonatal intensive care cots and 28 beds providing special mental health services for children and adolescents. There will also be three dedicated children's operating theatres, a children's procedure room and an arrangement for dedicated children's medical imaging facilities.

The hospital will be built on the northern side of the Monash Medical Centre in Clayton, next to the existing hospital. The timetable for this work is for it to commence on site in early 2014 with completion through 2017. There will be more than 400 construction jobs created and obviously additional jobs will be available when the hospital is up and running. As I said, the announcement has been well received and welcomed by staff, patients, clinicians and the community. We look forward to also getting that support from the Leader of the Opposition and those on the other side.

### **Ombudsman: Independent Broad-based Anti-corruption Commission**

**Ms HENNESSY** (Altona) — My question is to the Minister responsible for the establishment of an anti-corruption commission. I refer the minister to his previous answer, and I ask: how does the minister reconcile his answer with the fact that it is at complete odds with the Ombudsman, who as recently as yesterday in an extraordinary letter said he had not been consulted?

**Mr McINTOSH** (Minister responsible for the establishment of an anti-corruption commission) — I refer to my previous answer and repeat it: the fact is that I am advised that the Ombudsman was consulted.

**Ms Allan** — On a point of order, Speaker, in the answer the minister has just provided to the house and in his earlier answer it was clear that the minister was reading from a document. The minister appeared to be reading directly from departmental advice, and I ask that he make that advice available to the house or that you ask him to make that document available to the house.

**Mr McINTOSH** — I was referring to notes.

**The SPEAKER** — Order! The minister was just referring to notes.

### **Regional Growth Fund: benefits**

**Ms McLEISH** (Seymour) — My question is to the Deputy Premier and Minister for Regional and Rural Development. Can the minister advise the house of recent allocations of funding under the coalition government's \$1 billion Regional Growth Fund, which deliver results for regional and rural Victoria, and is he aware of any alternative policies?

**Mr RYAN** (Minister for Regional and Rural Development) — I thank the member for her question and for the great work she is doing on behalf of her electorate. The government's \$1 billion Regional Growth Fund is a key to establishing regional Victoria as a driver of our state's economy and prosperity. The fund has about it particular attractions, not only in the money it contains but in that it is broad and flexible and provides programs that are available for projects such as the provision of better infrastructure, facilities or services. It is there to strengthen the economic base of communities right across the regions of our state or to create jobs and improve career opportunities for regional Victorians.

Already more than 600 grants have been announced to the value of over \$180 million, leveraging total investments of more than half a billion dollars in regional Victoria. Through the fund's economic infrastructure program the government has now supported a total of 31 projects. They are anticipated to create more than 3000 direct and over 3600 indirect jobs. Additionally, more than 4800 jobs will be retained as a result of these projects and a further 1700 or more jobs will be created in the construction phase.

We all recognise that the economic position across the state is challenging, and the regions are no exception. Global financial uncertainty has introduced degrees of concern right across the state and indeed across the nation, and the high Australian dollar is always to be contended with. Nevertheless, despite this the Victorian regional economy is holding up very well. Over the last two years — that is, from October 2010 to October 2012 — in the regions throughout Australia 41 000 jobs have been created across the six states. The figures show that over half of these jobs have been created in regional Victoria.

The Regional Growth Fund has provided support for projects across diverse parts of the state, and the riverfront development in Mildura is an important project being funded by it. Recently the Mildura Rural City Council made a presentation to a number of councillors from the neighbouring Wentworth shire in New South Wales. The *Sunraysia Daily* quotes

Wentworth's mayor, Don McKinnon, as having said, 'Everyone is gobsmacked by that presentation'. That is what he said.

As was reported in the *Sunday Age* of 25 November a survey of business and community leaders also showed widespread support for the Regional Growth Fund and the work it is doing from groups such as the Victorian Farmers Federation, the Victorian Employers Chamber of Commerce and Industry and other business representatives. I might say that even former Premier Steve Bracks has been complimentary of the Regional Growth Fund.

I was asked about alternative promises and alternative policies, and there have been some. Recently there has been some commentary which would contemplate the destruction of the Regional Growth Fund. I know it is unbelievable, Speaker, but it has happened. It would see the discontinuation of the local government infrastructure program. It would see the destruction of the community leadership programs which this government has supported. It would see the scrapping of the Putting Locals First program — those great local programs — and the scrapping of the Year 12 Retention Fund. All that would go. The Energy for the Regions program would be gone. The Labor Party should be ashamed of itself. It should support regional Victoria, as this government is doing.

### **Ombudsman: Independent Broad-based Anti-corruption Commission**

**Mr ANDREWS** (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the extraordinary correspondence from the Ombudsman, received by the Premier and my office just yesterday, and I ask: what is the government's response to the Ombudsman's request that section 94E of the Constitution Act 1975 be repealed in order to avoid the misuse of the terminology, and I quote from that extraordinary letter 'independent officer of the Parliament'? What is the government's response to that request?

**Dr Naphine** — On a point of order, Speaker, I seek your advice with respect to the question and the rule of anticipation. The government business program includes legislation with respect to the Independent Broad-based Anti-corruption Commission — namely, the Integrity and Accountability Legislation Amendment Bill 2012 and the Protected Disclosure Bill 2012 are on the notice paper. The question specifically goes to clauses in those bills, and I seek your advice as to whether that is breaching the rule of anticipation. Perhaps you could give some guidance to the house and

to the Premier in responding to that question with respect to anticipation.

**Mr ANDREWS** — On the point of order, Speaker, I was quoting from, as I said, a quite extraordinary letter from the Ombudsman received by my office and received by the Premier and others; indeed I think you, Speaker, received a copy of this letter. I am asking the leader of the government what the government's response is to the request by the Ombudsman to make amendments to the Constitution Act. Those amendments are not before the house. The letter is in the public domain. It is in the possession of the Premier; I have it as well.

I put it to you, Speaker, that this does not anticipate debate on the specifics of the legislation — we will come to that later in the week. It is not a specific provision, it is a request by the Ombudsman, and the Premier ought be required to address the substance of the question — that is, the request of the Ombudsman — not in anticipation of debate at all, Speaker.

**Mr Clark** — On the point of order, Speaker, I support the point made by the Minister for Ports. As the minister indicated, the two relevant bills are on the notice paper. The point that the Leader of the Opposition raised related to an argument about potential amendments to be included as part of that legislation. This side of the house took no objection to previous questions that touched on related matters in general terms, but this goes to the specifics of legislation — specifics to points that may be canvassed in the course of debate on bills that are on the notice paper.

**Ms Allan** — On the point of order, Speaker, it is a fairly simple and straightforward question that was put by the leader —

*Honourable members interjecting.*

**Ms Allan** — I thought it was a fairly simple and straightforward question that was put forward by the Leader of the Opposition. The only legislation that it related to was the Constitution Act, which is not on the notice paper. It is not one of the items listed on the government business program for this week. To rule this question as out of order would be inconsistent with the form and practice of this house, because this is a question in its substance that has nothing to do with any item on the government business program or the notice paper.

**The SPEAKER** — Order! I believe it is touching on anticipation, and I ask the Leader of the Opposition to

rephrase his question. I will give him an opportunity to do that.

**Mr ANDREWS** — Speaker, I will attempt to rephrase the question in light of your ruling. My question is to the Premier, and I ask: what is the government's response to the Ombudsman's request to amend the constitution to accurately reflect his position in our integrity frameworks?

*Honourable members interjecting.*

**The SPEAKER** — Order! I do not need the advice of the member for Melton or the Leader of the Opposition.

**Mr BAILLIEU** (Premier) — I thank the Leader of the Opposition for his question. I make the point I have made to the media today: we received a letter from the Ombudsman last night. We will seek to address that in an appropriate and professional manner. When it comes to questions, particularly hypothetical questions raised by the Ombudsman, we will address them in the appropriate fashion.

**Mr Andrews** — On a point of order, Speaker, and on relevance, the Premier has submitted that the subject matter of the request of the Ombudsman is hypothetical. I have got the request in front of me. There is nothing hypothetical about it. The Ombudsman in this state has requested amendments to the Constitution Act to reflect his diminished status. There is nothing hypothetical about that, and to suggest that there is is incorrect. I ask that you draw the Premier back to a relevant answer to this question. It is not hypothetical; it is very real, and it was sent to me and to the Premier last night.

**The SPEAKER** — Order! I believe the answer was relevant to the question that was asked.

### **Economy: growth**

**Mr SHAW** (Frankston) — My question is to the Treasurer. Can the Treasurer advise the house on recent information confirming the strength of the Victorian economy and whether he is aware of any alternative economic approaches?

**Mr WELLS** (Treasurer) — I thank the member for Frankston for his great interest in the economy. In recent weeks a number of economic indicators have given their scorecard on the Victorian economy. Unemployment figures released just a couple of weeks ago show that the unemployment rate in Victoria is 5.4 per cent. Of the 18 700 full-time jobs created in the country more than half were created in Victoria.

Standard and Poor's reconfirmed that Victoria has a AAA credit rating and a stable outlook. We are the only state in the country that has a stable AAA rating. We have the strongest balance sheet in the country.

Last week an even more significant indicator was put out by the Australian Bureau of Statistics: gross state product. The budget shows that over the 2011–12 period the forecast was for 1.5 per cent economic growth. But when the Australian Bureau of Statistics brought down its figure, it announced that the growth rate of the economy for Victoria was 2.3 per cent. That is great news for the Victorian economy. It means that our economy is growing strongly despite the difficult situations that we face. We are facing the carbon tax, we are facing occupational health and safety laws, and we are facing industrial relations laws that are being put on us by the Gillard federal government. We have had to make difficult decisions, but they are the right decisions.

However, not everyone agrees with what we are saying. When we came to government in December 2010 we were faced with an unsustainable mess left by the previous government with regard to the public service: its growth rate was 5.3 per cent when the population was only growing at 2 per cent. As I mentioned, not everyone agrees with our approach. In fact there is one group out there that is talking down the economy. That very same group is talking down the finances of this state. In fact this very same group debated a motion to reinstate 4200 public servants to the Victorian public service. Let me remind the house that that would cost a billion dollars over the forward estimates period. They debated that.

Is it not fascinating that when they are in front of one group of people they support reinstating 4200 public servants, but when they are in front of the media — for example, last Friday night — they go to water and walk away from it. That was the position of the Leader of the Opposition. He did not want anything to do with reinstating those public servants. In fact what he said — —

**Ms Allan** — On a point of order, Speaker, so far as I know The Nationals are waiting for the punchline, the Treasurer is clearly offending standing order 58. He is debating the matter and attacking the opposition, which both offend the standing orders, and I ask you to bring him back to answering the question.

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

**Mr WELLS** — The issue is: will they or will they not reinstate the 4000 public servants? It is an important point — —

**Ms Allan** — On a point of order, Speaker, I suggest you may well agree with me that the Treasurer is now clearly defying your ruling, and I ask that you bring him back to answering the question.

**The SPEAKER** — Order! I ask the Treasurer to come back to answering the question in the 11 seconds left to him.

**Mr WELLS** — To reinstate 4200 public servants will put the budget back into deficit — —

**The SPEAKER** — Order! Treasurer!

**Mr WELLS** — They should hang their heads — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I do not appreciate that sort of defiance by the Treasurer.

### **Ombudsman: Independent Broad-based Anti-corruption Commission**

**Mr ANDREWS** (Leader of the Opposition) — My question is again to the Premier. I refer the Premier to his statement made just two years ago, and I quote:

There will be no hidden agenda, no spin, no secrecy. Accountability and transparency will be the principles that underpin our government ...

I ask: how does the Premier reconcile that statement with the extraordinary comments of the Ombudsman in the letter referred to today. He makes it clear in his letter that the government's policy 'will be a significant backward step for public sector accountability'. How does the Premier reconcile those two views?

**Mr BAILLIEU** (Premier) — I thank the Leader of the Opposition for his question. As I said before, we received a letter from the Ombudsman last night. We will respond to it in the appropriate fashion, and we will do it professionally. To the extent that the Ombudsman's remarks refer to legislation before the house, Speaker, I am sure you would not wish me to anticipate any debate.

**Mr Andrews** — On a point of order, Speaker, the Ombudsman is an officer of this Parliament. This Parliament is in every respect the appropriate forum for the Premier to answer this question and other questions raised by the Ombudsman in his letter.

**The SPEAKER** — Order! What is the point of order?

**Mr Andrews** — This is an issue of relevance. For the Premier to simply say that he will, on his own terms, respond in his own way and that that is appropriate is avoiding the proper scrutiny that this Premier has boasted of. This place is the appropriate place to answer these criticisms. Nowhere else — —

**The SPEAKER** — Order! Enough. I do not uphold the point of order.

**Mr BAILLIEU** — Thank you, Speaker. As I was saying, I am sure you would not wish me to anticipate debate on legislation that is before the house, and I will not. However, I recognise the Ombudsman's role, and of course we seek to ensure that the Ombudsman has a role with continuing powers and continuing jurisdiction under the integrity measures that we are introducing.

**The SPEAKER** — Order! I ask the Premier not to anticipate debate in regard to the matter.

**Mr BAILLIEU** — I am certainly not going to anticipate debate, and I will simply say we respect the Ombudsman. We do not necessarily agree with some of the statements he has made, but we will respond to the Ombudsman in the terms of the letter he has presented to the government and indeed to others, and we will do that in the appropriate fashion.

### **Planning: water catchment development**

**Dr SYKES** (Benalla) — My question is to the Minister for Water. Will the minister inform the house of the new development guidelines for open potable catchment areas and the benefits that these will bring to regional communities?

**Mr WALSH** (Minister for Water) — I thank the member for Benalla for his question and acknowledge the frustration he has shared with his community around the guidelines that were put in place in 2009 by the then planning minister and the then water minister. I also acknowledge his interest in securing Victoria's reputation as having one of the best drinking water standards in the world. It is something that this government is very much committed to achieving.

**An honourable member** interjected.

**Mr WALSH** — I would love to. The new guidelines, planning permits and applications relating to open potable water catchments that I released at Mansfield last Tuesday will protect that drinking water

standard and will allow sensible development into the future.

For those who do not know, Melbourne's water catchments are generally closed catchments where there is little public access and little development, but in a lot of water catchments across Victoria a substantial amount of land is owned privately, so there is development in those catchments. This is about ensuring that there is sensible development in those catchments and that we also protect the water quality into the future.

In 2009 the previous government introduced restrictions that effectively stopped development in open potable water catchments. There has been a high level of frustration right around Victoria because of the original guidelines that were put in place. Earlier this year I appointed a working group headed up by VicWater to examine the guidelines that were in place. It had representatives from local government and the water authorities on it. They have worked through those issues and come up with a new set of guidelines that will allow sensible development in those catchments.

As I have said, we were at Mansfield last Tuesday. I was there with the local member, the member for Benalla, and also the new mayor up there, Russell Bate. The council is extremely happy with the guidelines that have been released. As part of the discussions for developing those guidelines Mansfield council and Goulburn-Murray Water started working together on how they can simplify their operations. While I was there the other day Goulburn-Murray Water and Mansfield council sat down and signed a memorandum of understanding as to how they are going to manage essential development in the Mansfield shire.

Having looked at those issues, Goulburn-Murray Water believes that over half the applications that come to Mansfield Shire Council for development will not need to go to Goulburn-Murray Water in the future. That is a great outcome for the community and a great outcome for Goulburn-Murray Water. It will have less planning applications to deal with. Instead of 1600 a year, it will have something like 700 or 800 to deal with in sensitive areas. It is a really good win-win for everyone.

As part of that announcement, I also announced \$50 000 for the Mansfield Shire Council to do a pilot for a domestic wastewater management plan, which is part of the process it will need to follow to meet these guidelines. Off the back of that, the pilot will be made available to other councils to do work in their particular areas.

What I find interesting about this is that some members of Parliament around Victoria are disengaged from their communities. They do not know what is going on in their communities; they do not have any idea. They do not go and talk to their councils about the work that has been going on. All they want to do is issue press releases, instead of achieving good outcomes for their constituents. All they are interested in is whingeing, whining, carping and being negative.

### **Member for Frankston: conduct**

**Mr ANDREWS** (Leader of the Opposition) — My question is again to the Premier. I refer the Premier to his previous answers and to his claims of boosting integrity in public office, and I simply ask: has the member for Frankston repaid the money he rorted from Victorian taxpayers?

**Mr BAILLIEU** (Premier) — I thank the Leader of the Opposition for his question. As members would be well aware, this matter has been referred to the Privileges Committee — —

*Honourable members interjecting.*

**Mr BAILLIEU** — It has been referred to the Privileges Committee in accordance with the Ombudsman's recommendations, and I am sure the Privileges Committee will be undertaking its deliberations in accordance with the Ombudsman's recommendations.

**Mr Andrews** — On a point of order, Speaker, in relation to relevance, it is completely reasonable that a question be asked about this. It does not offend any process that might be going on in the Privileges Committee. The Premier, as the leader of the government, has been out there heaping praise on the member for Frankston, and as the leader of the government, it is appropriate that he be answerable for the conduct of all his MPs — —

**The SPEAKER** — Order! The answer was relevant to the question that was asked. The Leader of the Opposition raised the point of relevance — it was relevant. The Premier has concluded his answer.

### **Regional and rural Victoria: government initiatives**

**Mr KATOS** (South Barwon) — My question is to the Minister for Regional Cities. Can the minister advise the house what recent actions the coalition government has taken to grow jobs and opportunities in the regions, particularly in Geelong and Ballarat?

**Dr NAPHTHINE** (Minister for Regional Cities) — I thank the member for South Barwon for his question; I recognise the terrific work he does in his electorate and across Geelong as a whole to grow jobs and the economy in that great city. With respect to Ballarat, last Friday I was in Ballarat with the Minister for Technology, Gordon Rich-Phillips, to announce the creation of 150 jobs by IBM at the University of Ballarat Technology Park. I brought the clippings.

**Mr Howard** interjected.

**The SPEAKER** — Order! The member for Ballarat East will be out if he keeps it up.

**Dr NAPHTHINE** — An article titled ‘Jobs joy for city’ in the Ballarat *Courier* of Saturday 24 November, states:

This investment ... means IBM will employ almost 1000 people at its Mount Helen base.

...

The new investment will lead to the establishment of an IBM Asia Pacific centre of excellence for software testing.

These 150 jobs are due to the great work of the Baillieu government with IBM, the University of Ballarat and the Ballarat City Council.

The previous day the Deputy Premier was in Ballarat opening a \$5.6 million upgrade to the Ballarat Airport, towards which Regional Development Victoria put in \$3.43 million. He also announced the site for the new fire station at Mount Helen. At the same time the Minister for Planning was in Ballarat announcing changes to the Ballarat planning scheme to facilitate a huge residential development at Cardigan Village which will deliver \$75 million in economic activity, 200-plus jobs and homes for over 1000 people.

This is just part of what the Baillieu government is doing to grow jobs and opportunities in Ballarat. We have the Ballarat West employment zone. We have the 4000-home residential development at Ballarat West and the rezoning to expand the University of Ballarat Technology Park. It is certainly a golden age of development in Ballarat under the Baillieu coalition government, assisted by the \$1 billion dollar Regional Growth Fund.

Also on Friday I was in Geelong, where I announced that the Baillieu government will contribute \$3.8 million towards a \$5.6 million upgrade of the Geelong rail loop at the port of Geelong. This will increase axle loads from 19 to 23 tonnes and increase the grain carrying capacity of trains by 30 per cent. This

means that a 40-wagon train will carry an extra 640 tonnes of grain, which will help grow exports through the port of Geelong, improve productivity efficiency and reduce the number of trucks on our roads.

I also took the opportunity to meet the newly elected mayor of Geelong, Cr Keith Fagg, and the participants in the innovative Vision 2 project, which is generating exciting new ideas to revitalise the CBD of Geelong. I announced at that meeting that the Baillieu coalition government would provide \$11 million through the Geelong Advancement Fund to help the Geelong community and work with the leaders of the Geelong community to create improved business development and cultural and civic initiatives to make Geelong an even better place to live and invest. That is in addition to the \$4 million already announced previously this year by the Baillieu government for the Greater Geelong Industry Fund to create jobs and opportunity for industries in transition in Geelong.

These are the investments we are making in regional and rural Victoria in our great regional cities like Geelong and Ballarat to create jobs and economic opportunities. Those sorts of economic opportunities would not be available if the \$1 billion Regional Growth Fund were shut down, as is proposed by those opposite.

## WATER LEGISLATION AMENDMENT BILL 2012

### *Introduction and first reading*

**Mr WALSH** (Minister for Water) introduced a bill for an act to amend the Water Act 1989 and the Water Industry Act 1994 and for other purposes.

**Read first time.**

## HEALTH SERVICES AMENDMENT (HEALTH PURCHASING VICTORIA) BILL 2012

### *Introduction and first reading*

**Dr NAPHTHINE** (Minister for Ports) — I move:

That I have leave to bring in a bill for an act to amend the Health Services Act 1988 to expand the range of health or related services in relation to which Health Purchasing Victoria performs functions and exercises powers to include registered community health centres and women’s health services and for other purposes.

**Ms GREEN** (Yan Yean) — I ask the minister representing the Minister for Health in this place for an explanation of the bill.

**Dr NAPTHINE** (Minister for Ports) — Members would be aware that Health Purchasing Victoria was established to improve the collective purchasing power of Victorian public health services and hospitals, and these amendments seek to expand the role of Health Purchasing Victoria to include registered community health centres and women's health centres. My recollection is that in 2008 under the previous government amendments were made that changed the definition of community health centres so that they were no longer included in the definition of health or related services and were therefore unable to benefit from the operations of Health Purchasing Victoria. These amendments seek to correct that anomaly created by the Labor government and also to include women's health services, so that those services are able to benefit from the operations of Health Purchasing Victoria.

**Motion agreed to.**

**Read first time.**

## NOTICES OF MOTION

**Member for Narre Warren South giving notice of motion:**

*Honourable members interjecting.*

**The SPEAKER** — Order!

*Honourable members interjecting.*

**Notices interrupted.**

## SUSPENSION OF MEMBER

### Member for Yan Yean

**The SPEAKER** — Order! The member for Yan Yean is talking too much to notice I am on my feet. Under standing order 124, I ask the member to vacate the chamber for 1 hour.

**Member for Yan Yean withdrew from chamber.**

## NOTICES OF MOTION

**Notices resumed.**

**Member for Narre Warren South continuing to give notice of motion:**

*Honourable members interjecting.*

**Mr Pallas** — On a point of order, Speaker, I understand that the normal process in this place is that when notices are read they are listened to by members on both sides of the chamber. Now, not on one occasion, not on two occasions but on three occasions, the member for Bentleigh has interrupted and made the same snide remark. If there is to be an independent and fair process by which members are judged in this place, I ask that the Speaker reflect on the member's behaviour and whether or not it deserves sanction.

**The SPEAKER** — Order! I had difficulty hearing anybody over the noise coming from frontbench members.

*Honourable members interjecting.*

**The SPEAKER** — Order! We will have some quiet in the house.

**Member for Narre Warren South continued to give notice of motion.**

**Further notices of motion given.**

## BUSINESS OF THE HOUSE

### Notices of motion: removal

**The SPEAKER** — Order! I advise that under standing order 144 notices of motion 3 to 16 inclusive will be removed from the notice paper unless members wishing their notice to remain advise the Clerk in writing before 8.00 p.m. today.

## PETITIONS

**Following petitions presented to house:**

### Planning: permit process

To the Legislative Assembly of Victoria:

The petition of certain citizens of Victoria draws to the attention of the house the Baillieu government's plan to rush through 'code assess' legislation which threatens the livability of Melbourne and our suburbs.

In particular, we note:

1. developers that meet the 'code assess' standards will be fast-tracked for multistorey developments and local residents will have no warning, no say and no right to go to VCAT;
2. this legislation does not protect our suburbs from inappropriate development and it does not protect the rights of Victorians to have a say about the shape of their community; and

3. this unrestrained development will put more and more pressure on already strained infrastructure like roads, schools, health services and public transport.

The petitioners therefore request that the Legislative Assembly urge the Baillieu government to withdraw the radical reshaping of the planning act that will remove community consultation from the development approval process and to rethink, to consult with the community and to ensure that any proposal protects and improves rather than destroys our neighbourhoods.

**By Mr BROOKS (Bundoora) (10 signatures).**

### **Higher education: TAFE funding**

To the Legislative Assembly of Victoria:

This petition of certain citizens of the state of Victoria draws to the attention of the house the state government's plans to cut hundreds of millions of dollars from TAFE funding. In particular, we note:

1. the TAFE Association has estimated up to 2000 jobs could be lost as a result of these cuts;
2. as a result of these cuts, it is anticipated our local NMIT will lose \$25 million in funding, along with staff.

The petitioners therefore request that the Legislative Assembly urge the state government to abandon the planned funding cuts and guarantee no further cuts will be made.

**By Mr BROOKS (Bundoora) (11 signatures).**

### **Higher education: TAFE funding**

To the Legislative Assembly of Victoria:

This petition of certain citizens of the state of Victoria draws to the attention of the house the state government's plans to cut hundreds of millions of dollars from TAFE funding. In particular, we note:

1. the TAFE Association has estimated up to 2000 jobs could be lost as a result of these cuts;
2. many courses will be dropped or scaled back and several TAFE campuses face the possibility of closure;
3. with 49 000 full-time jobs already lost in this term of government, skills training has never been more important for Victorians.

The petitioners therefore request that the Legislative Assembly urge the Baillieu state government to abandon the planned funding cuts and guarantee no further cuts will be made.

**By Ms GRALEY (Narre Warren South) (260 signatures).**

### **Sale Specialist School: funding**

To the Legislative Assembly of Victoria:

The petition of members of the Sale Specialist School council, school community and residents in the shire of Wellington draws to the attention of the house the lack of accommodation space and land at Sale Specialist School. The population growth rate at the school's current campuses places future intakes of students on a waiting list from 2013.

The petitioners therefore request that the Legislative Assembly of Victoria remedy the plight of staff and students by expediting the purchase of land suitable for a new school, minimum 2-hectare site, in the city of Sale. The petitioners also request that funding is allocated in the next state budget to build a new school.

This will enable all children with special needs, living in the bounds of the shire of Wellington, to have an equal opportunity with early intervention and an education equivalent to their peers, in buildings and grounds that are safe, secure and fit for the purpose.

**By Mr RYAN (Gippsland South) (2775 signatures).**

**Tabled.**

**Ordered that petitions presented by honourable member for Bundoora be considered next day on motion of Mr BROOKS (Bundoora).**

**Ordered that petition presented by honourable member for Narre Warren South be considered next day on motion of Ms GRALEY (Narre Warren South).**

## **SCRUTINY OF ACTS AND REGULATIONS COMMITTEE**

### ***Alert Digest No. 17***

**Ms CAMPBELL (Pascoe Vale) presented *Alert Digest No. 17* of 2012 on:**

**Alcoa (Portland Aluminium Smelter) (Amendment) Act Amendment Bill 2012**  
**Commission for Children and Young People Bill 2012**  
**Criminal Organisations Control Bill 2012**  
**Electronic Conveyancing (Adoption Of National Law) Bill 2012**  
**Fire Services Levy Monitor Bill 2012**  
**Integrity and Accountability Legislation Amendment Bill 2012**

**Justice Legislation Amendment (Family Violence  
and Other Matters) Bill 2012**  
**Liquor Control Reform Amendment Bill 2012**  
**Protected Disclosure Bill 2012**

together with appendices.

**Tabled.**

**Ordered to be printed.**

**DOCUMENTS**

**Tabled by Clerk:**

*Crown Land (Reserves) Act 1978* — Order under s 17B  
granting a licence over Sandringham Beach Park Reserve

*Planning and Environment Act 1987*

Amendment C165 to the Cardinia Planning Scheme

Notices of approval of amendments to the following  
Planning Schemes:

Ballarat — C143, C146

Brimbank — C116

Maribyrnong — C93

Melbourne — C172

Melton — C81

Stonnington — C154

Towong — C24

Warrnambool — C85

Whittlesea — C159

Wyndham — C121, C147, C166

Statutory Rules under the following Acts:

*Associations Incorporation Reform Act 2012* — SR 128

*Crimes Act 1958* — SR 127

*Subordinate Legislation Act 1994:*

Documents under s 15 in relation to Statutory Rule 126

Documents under s 16B in relation to:

*City of Greater Geelong Act 1993* — Greater  
Geelong City Council — Mayoral and Deputy  
Mayoral Allowances — Alteration

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

*Local Government Act 1989* — Mayoral and  
Councillor Allowances Adjustment

*Racing Act 1958* — Greyhound Racing Victoria  
Rule — Amendments.

The following proclamations fixing operative dates  
were tabled by the Clerk in accordance with an order of  
the house dated 8 February 2011:

*Associations Incorporation Reform Act 2012* — Remaining  
provisions — 26 November 2012 (*Gazette S384*,  
20 November 2012)

*Australian Consumer Law and Fair Trading Act 2012* —  
Remaining provisions — 26 November 2012 (*Gazette S384*,  
20 November 2012).

**ROYAL ASSENT**

**Message read advising royal assent on 20 November  
to:**

**Free Presbyterian Church Property Amendment  
Bill 2012**

**Justice Legislation Amendment (Miscellaneous)  
Bill 2012**

**Retail Leases Amendment Bill 2012**

**Road Management Amendment (Peninsula Link)  
Bill 2012**

**Tobacco Amendment (Smoking at Patrolled  
Beaches) Bill 2012.**

**APPROPRIATION MESSAGES**

**Message read recommending appropriations for:**

**Commission for Children and Young People Bill  
2012**

**Criminal Organisations Control Bill 2012**

**Fire Services Levy Monitor Bill 2012**

**Integrity and Accountability Legislation  
Amendment Bill 2012**

**Justice Legislation Amendment (Family Violence  
and Other Matters) Bill 2012**

**Liquor Control Reform Amendment Bill 2012**

**Protected Disclosure Bill 2012.**

**NATIONAL ENERGY RETAIL LAW  
(VICTORIA) BILL 2012**

*Withdrawn*

**Mr O'BRIEN** (Minister for Energy and  
Resources) — By leave, I move:

That the following order of the day, government business, be  
read and discharged:

National Energy Retail Law (Victoria) Bill 2012 —  
second reading — resumption of debate

and that the bill be withdrawn.

I am grateful to the opposition for facilitating this. The government remains in discussions with the commonwealth regarding concerns about transfer into the national energy customer framework to ensure that Victoria's consumer protections are maintained, but there are some other aspects contained in the bill which the government needs to address more urgently. We appreciate the facilitation of the withdrawal.

### Motion agreed to.

### Withdrawn.

## BUSINESS OF THE HOUSE

### Program

**Mr McINTOSH** (Minister for Corrections) — I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 29 November 2012:

Commission for Children and Young People Bill 2012

Criminal Organisations Control Bill 2012

Fire Services Levy Monitor Bill 2012

Integrity and Accountability Legislation Amendment Bill 2012

Justice Legislation Amendment (Family Violence and Other Matters) Bill 2012

Mineral Resources (Sustainable Development) Amendment Bill 2012

Planning and Environment Amendment (General) Bill 2012

Protected Disclosure Bill 2012.

There are eight bills on the government business program. It will be a fairly tight program. I know there were discussions with the opposition as to the possibility of extending the sitting this evening to provide a bit more time for members to make contributions on these very important bills. I commend the motion to the house.

**Ms ALLAN** (Bendigo East) — In joining the debate on the motion by the Leader of the House regarding the government business program for this the penultimate sitting week of 2012, I wish to make some comments on behalf of the Labor opposition. The Leader of the House has listed the eight bills that are before the house for consideration this week. Some are reasonably

straightforward, but some are much more detailed. In particular the opposition is seeking to have more time for debate on the Integrity and Accountability Legislation Amendment Bill 2012 and the Protected Disclosure Bill 2012. I acknowledge the discussions that the Leader of the House referred to regarding the time the house may sit to this evening. Not everyone likes a late night, but if the job has to be done, the job has to be done. We will see what comes of that.

One of the things the opposition is seeking from the government this week is the opportunity to take the IBAC (Independent Broad-based Anti-corruption Commission) legislation into a consideration-in-detail stage. To date I think there has only been one opportunity in this Parliament — I am happy to stand corrected; there may have been two — in its entire two years for the opposition to take any piece of legislation into consideration in detail. This is a great shame. It indicates the government's desire to avoid scrutiny of the legislation that it is bringing before the Parliament and its lack of willingness to have its legislation exposed on the floor of the house and for the details to be worked through.

The IBAC legislation is significant. The Leader of the House would agree that it is a significant piece of legislation; I know he is very proud of the work he has done in this area. It is such a shame, because we are trying to give him more opportunity to show everyone how proud he is and how across this legislation he is. At this stage I am optimistic. There is a long time between now and 4 o'clock on Thursday. I am always optimistic that we will have the opportunity to take a bill into a consideration-in-detail stage.

The other challenge before the house this week, with there being eight pieces of legislation and limited debating time, is the vexed issue of the reading of second-reading speeches taking up valuable debating time. This could all be resolved if the government accepted the opposition's proposal for an amendment to the standing orders to allow second-reading speeches to be incorporated into *Hansard* without the need for them to be read on the floor of the house. We are very keen on this. In fact we have done some work in this area already so as to be ready to go with an amendment should the government be willing to accept this sensible proposal. It is a common-sense proposal. It is a proposal which is about —

**Mr McIntosh** — Eleven years, you did nothing. Eleven years, you had the opportunity. You didn't do it.

**Ms ALLAN** — The Leader of the House may recollect that there have been discussions in the past

about incorporating second-reading speeches into *Hansard*. Perhaps he can inform the house and correct the record if I am wrong, but the resistance at the time to the then government, the former Labor government, making this change came from those opposite, not from those on this side. However, I am happy for the Leader of the House to make a correction to the record in that regard.

As I said, a willingness to support the government business program would be more forthcoming if that sensible, common-sense amendment was made to the standing orders and if there was a willingness to work across the chamber on making sensible, modern reforms to the standing orders. Sadly in light of the fact that there appears to be no agreement on this point — although, as I said, I am optimistic that the Leader of the House may yet grant our wish to go into a consideration-in-detail stage on the IBAC legislation — it may be beyond the opposition at this point to support the government business program. It is a great shame that we have to —

**Mr McIntosh** — Make my day!

**Ms ALLAN** — I know the Leader of the House is very upset that we are not supporting his government business program. He is asking us to make his day. I am afraid that is a task that is beyond me personally. I am sure he can take that up with his own side. We will not be supporting the government business program this week. The anguished cries of those opposite could be avoided if the government agreed with the opposition's sensible amendment.

**Mr HODGETT** (Kilsyth) — I speak in support of the government business program motion moved by the Leader of the House. We have proposed another solid government business program for this parliamentary sitting week, with eight very important bills. It is a lot to get through by the Thursday afternoon guillotine. In the interests of getting on with the debate on those bills, I will confine my comments to those spoken. I urge the opposition to rethink and support the government business program motion.

**Mr NARDELLA** (Melton) — I stand to oppose the government business program. Unfortunately we have had similar debates in this house for the last two years. I oppose the motion because Parliament should be using its time to debate bills rather than wasting time by continuing to have second-reading speeches read into *Hansard*. When the former Labor government tried to get an amendment through the Standing Orders Committee to incorporate second-reading speeches into *Hansard*, members of the coalition opposed it because

they wanted to continue having every second-reading speech read to them. Members opposite wanted to sit in the house and be read to because they did not have the time, the inclination or the gumption to go into their rooms and at their leisure, over a period of one or two weeks, sit down and read each second-reading speech. It was like follow-the-bouncing-ball time. Members opposite wanted to follow the bouncing ball. As the former ministers read their second-reading speeches, members of the then opposition got out the bouncing ball, got out their pens, and word by word followed each second-reading speech because they were too lazy to read the second-reading speeches for themselves.

Today members of the Labor opposition are saying enough is enough. We are saying we do not need the bouncing ball. We can put away the biro and the pencil. We are prepared to go into our rooms, to go into the dungeons of Parliament, to go into those salubrious parliamentary suites that we have —

**The SPEAKER** — Order! I wonder if the member could get back onto the motion instead of the accommodation.

**Mr NARDELLA** — Absolutely, Speaker, I am on the motion before the house. We are prepared to assist Parliament to get through the legislation, to have fair dinkum debates and to take legislation into the consideration-in-detail stage. We are prepared to put away the bouncing ball and to read the second-reading speeches in our rooms, or it could be when we are home and it is really hard to get to sleep. We will pick up one of the government's second-reading speeches and then the zeds will come, the nigh nighs will come, and we will fall asleep. Perhaps that is what would have happened to members of the then opposition when we were in government; they would have gone to sleep while reading our second-reading speeches.

On a very serious matter, I believe this reform should come before the house. The Legislative Council has taken this major step in parliamentary reform. The sleepy hollow of the Legislative Council — that very important chamber of this Parliament — has taken that magnanimous step, the quantum leap of having second-reading speeches incorporated into *Hansard*, so that all honourable members could read them later. I believe we should come into the 21st century. Let me explain the history of the reading of these speeches. The reading by the minister of the second-reading speech is from a time in the development of this and other parliaments in the Westminster system when people could not read. The second-reading speech was not only about the bill, but it was also about reading the bill itself.

**Ms Allan** interjected.

**Mr NARDELLA** — I can inform the member for Bendigo East that I was not there at the time, but people who could not read had the bill read to them. That is where this practice comes from, and I think we are beyond that. We have BlackBerrys, iPads, computers, and we have even kept *Hansard* on paper, thanks to your decision, Speaker. I urge honourable members to support that position.

**Mr CRISP** (Mildura) — It is always a pleasure to follow the member for Melton, who always gives an interesting perspective on many matters. Today was a history lesson, but it was not about the government business program, and that is what I rise to support on behalf of The Nationals. We have eight bills today, and I understand two will be debated cognately. We also have the introduction of two new bills. There are important bills to be debated, and I have a particular interest in three of those, including the Criminal Organisations Control Bill 2012. I very much hope I can make a contribution on that in relation to the activities of the Rebels, which is an outlaw bkie gang in Mildura, and some of their recent activities with our youth. The Fire Services Levy Monitor Bill 2012 remains very important for country people, and the Mineral Resources (Sustainable Development) Amendment Bill 2012 is also important with mining operations in our country areas. The other bills are also important.

**Ms Allan** interjected.

**Mr CRISP** — I thought for a moment that we had support from the member for Bendigo East, but it just slipped away; I had my hopes raised for just a moment. We have a lot to do and I think we should get on with it. The Nationals support the government business program.

**Mr McGUIRE** (Broadmeadows) — Time is all we have in this place. It passes in a blink and is too important to squander. I have listened to the debates during the time that I have been a member of the Parliament, and I rise to speak today because we have reached an important point in the public interest about how the Parliament of Victoria — that is, the people's house — is conducted.

The proposition offered with goodwill and in good grace by the manager of opposition business is that we should be able to have second-reading speeches tabled. This is an important proposition, because we were robbed of the opportunity to speak the last time the house sat. I was on the list to speak and got gagged

when I wanted to talk about the issues of education, which could not be more critical for my constituency.

**The SPEAKER** — Order! Is this is a serious allegation the member is making?

**Mr McGUIRE** — It is about issues critical to my constituency — about TAFE, about education. It could not be more important. It is about how you build a community, how you develop and how important these issues are.

**Mr McIntosh** — On a point of order, Speaker, this motion is about government business. This is a very important debate, and it is a very narrow debate. I am sure the member for Broadmeadows wants to talk about his constituents and things like that, but the debate is about government business and perhaps he might come back to that.

**The SPEAKER** — Order! I know the member for Broadmeadows is actually leading on to getting back to the debate before the house.

**Mr McGUIRE** — Absolutely. The problem with the issue of government business is that the bills all involve narrow and punishing debates. The debates need to be broader in their perspective. We are looking at the issues here. There is a bill that has currency and is of significance in the public domain, the Commission for Children and Young People Bill 2012. This is an important piece of legislation that we should be looking at and examining in detail. We need time for that. As the Government Whip said, we have eight bills to debate, so we have a lot of work to get through. What would be the best way of doing that? It would be to allow for the tabling of ministers' second-reading speeches. This is the proposition that should be addressed. It is a simple proposition; it is done in the other house.

Other pieces of legislation on the government business program are the Fire Services Levy Monitor Bill 2012 and the Justice Legislation Amendment (Family Violence and Other Matters) Bill 2012. The Independent Broad-based Anti-corruption Commission proposition is one of great importance, relevance and timeliness. We should be going through the bill in detail and there should be plenty of time provided for that, because on the public record today is an extraordinary and exceptional critique of this piece of legislation by the Ombudsman. My point is that this is why it should be debated. We should be given more time to do that and to develop this argument. We should be able to go through the bill clause by clause, take it into the

consideration-in-detail stage and analyse what should happen.

A simple solution has been put up for how we can address this. It is in the public interest, and it is in the debate. It is in the interests of the Parliament and how we are viewed by the media and the public to address these issues of state significance. It is about good probity. It is about how we communicate to the public that we take these issues seriously and that we can organise ourselves in a more timely fashion. As the member for Melton pointed out, it goes to how we project to the public that we are a modern Parliament, that we have evolved, that we know how to use technology and that we can do this. It would be simple to table the speeches, incorporate them into *Hansard*, put them on the web and make them absolutely accessible to everybody in a modern way. There has still been no credible argument from the government as to why it will not do this. This is the point.

What is this fundamentally about? It is about robbing us of time to argue on behalf of our constituents in the public interest. This is not in the best interests of this Parliament, Speaker. I put it to you as plainly as that. This is a simple, practical thing that the government should do. It is common sense, and the government should get on with it. It is an easy thing that we should make bipartisan.

#### House divided on motion:

*Ayes, 44*

Angus, Mr	Mulder, Mr
Asher, Ms	Naphine, Dr
Baillieu, Mr	Newton-Brown, Mr
Battin, Mr	Northe, Mr
Bauer, Mrs	O'Brien, Mr
Blackwood, Mr	Powell, Mrs
Bull, Mr	Ryall, Ms
Burgess, Mr	Ryan, Mr
Clark, Mr	Shaw, Mr
Crisp, Mr	Smith, Mr R.
Delahunty, Mr	Southwick, Mr
Dixon, Mr	Sykes, Dr
Fyffe, Mrs	Thompson, Mr
Gidley, Mr	Tilley, Mr
Hodgett, Mr	Victoria, Mrs
Katos, Mr	Wakeling, Mr
Kotsiras, Mr	Walsh, Mr
McCurdy, Mr	Watt, Mr
McIntosh, Mr	Weller, Mr
McLeish, Ms	Wells, Mr
Miller, Ms	Woodridge, Ms
Morris, Mr	Wreford, Ms

*Noes, 43*

Allan, Ms	Howard, Mr
Andrews, Mr	Hutchins, Ms
Barker, Ms	Kairouz, Ms
Beattie, Ms	Kanis, Ms

Brooks, Mr	Knight, Ms
Campbell, Ms	Languiller, Mr
Carbines, Mr	Lim, Mr
Carroll, Mr	McGuire, Mr
D' Ambrosio, Ms	Madden, Mr
Donnellan, Mr	Merlino, Mr
Duncan, Ms	Nardella, Mr
Edwards, Ms	Neville, Ms
Eren, Mr	Noonan, Mr
Foley, Mr	Pallas, Mr
Garrett, Ms	Pandazopoulos, Mr
Graley, Ms	Perera, Mr
Green, Ms	Richardson, Ms
Halfpenny, Ms	Scott, Mr
Helper, Mr	Thomson, Ms
Hennessy, Ms	Treize, Mr
Herbert, Mr	Wynne, Mr
Holding, Mr	

**Motion agreed to.**

## MEMBERS STATEMENTS

### Tourism: awards ceremony

**Ms ASHER** (Minister for Tourism and Major Events) — I congratulate the finalists and winners at the 2012 RACV Victorian tourism awards gala ceremony, which was held on Monday, 19 November. There were 140 entrants in 32 categories. The tourism awards ceremony is a very important event — it is a tribute to our industry's leaders and innovators who all help make Victoria a premier tourism destination. The ceremony was attended by 1100 people. I was delighted to see members from both sides of the house present at the event.

### Tourism: growth

**Ms ASHER** — On another matter, tourism is worth \$15.9 billion to the Victorian economy and provides 204 000 jobs. I am delighted to advise members that whilst tourism is still our second-largest export, ABS (Australian Bureau of Statistics) data tells us that Victorian tourism exports rose by 13.5 per cent to \$3.3 billion in 2011–12. Growth in our tourism exports was driven by a 3.6 per cent increase in international overnight visitors to Victoria. The highest number of visitors were Chinese and their expenditure was the highest of all international visitors — they spent \$905 million in the year ended June 2012. This information released by the ABS is very significant. Tourism in Victoria as an export product has grown. That is something for which the industry should be again congratulated; it has provided the product that increasing numbers of people, particularly those from China, are enjoying.

### **Elmore-Raywood Road: upgrade**

**Ms ALLAN** (Bendigo East) — I advise the house I have been presented with a petition containing more than 1500 signatures, compiled by Mr Tony Cutting, the vice-president of the Raywood Progress Association. The petitioners have called for the urgent upgrade of a 10-kilometre section of the Elmore-Raywood Road. I present the petition in this form because, while it does not meet the formal requirements, local community members have asked me as their local member of Parliament to make sure this matter is brought to the Parliament's attention. In particular they want it brought to the attention of the Minister for Roads for his urgent action and response. I will write to the Minister for Roads regarding this request.

This 10-kilometre sealed section of the road is very narrow and has a number of hills and crests. Drivers of B-double trucks use the road. Many trucks from the north-west of the state travel to the site where the Elmore Field Days are held. Because of the increased traffic, it has become a very dangerous stretch of road. Tragically a young woman lost her life there recently. I urge the minister to respond to this petition and my correspondence and order VicRoads to examine and upgrade this stretch of road to improve the safety for local residents and motorists who travel along it.

### **Government: achievements**

**Mr HODGETT** (Kilsyth) — Today is the anniversary of the coalition government's first two years in office — the halfway mark of our four-year term. It is time to reflect on the mess we inherited from Labor, and how we set about fixing the problems and sorting out Labor's disasters. It is also a time to look at the lazy opposition, bereft of any new policy ideas and the reasons why we should never let it back into government. Take for example the opposition's so-called jobs plan which was released last week. When I was in town on Thursday, I saw a number of opposition members shaking their heads in disappointment and disbelief, embarrassed to have to carry copies of the glossy document back to their offices. If members look at the document, they will see it is no more than an unfunded wish list of irresponsible and vague promises that highlight that the Labor Party is not fit to govern. Careful examination of the so-called jobs plan shows that Labor has no policy to keep the budget in surplus or to maintain the state's AAA credit rating. Instead the Leader of the Opposition has flagged a new way to run up state debt — that is, he wants to write blank cheques for councils.

If the opposition is going to put out such embarrassing documents, then maybe it should just stick to its policies of having another public holiday for the AFL Grand Final, thinking about what tomato sauce bottles to have at Parliament House and providing sunglasses to all schoolkids. Unlike the opposition, the coalition government has a clear plan to grow the economy by strengthening the state's finances, boosting productivity and expanding export markets. We will continue to fix the problems and build the future for a better Victoria in which to live, work and raise a family.

### **Darebin Community Health: men's shed**

**Mr SCOTT** (Preston) — I rise to commend the work done in the community by those involved with the Darebin men's shed. Men's sheds across Victoria provide a wonderful resource. Like other men's sheds, the men's shed that is run by Darebin Community Health mainly targets men aged 50 years and over. It provides a place for men to socialise and do useful work for the community. Activities carried out there include woodwork, gardening, playing pool, cooking, using computers and having discussions. There are a number of facilities equipped with books, records and videos. The men also go on bike rides and fishing trips.

The men's shed has produced a very useful recipe book containing simple and nutritionally sound recipes. Many men are reluctant to see a doctor. The location of the men's shed at a community health centre means there is easy access to health services that many of the men involved in the men's shed would not otherwise visit. The men's shed has recently introduced a bike repair program, through which donated, abandoned and unclaimed bikes are refurbished. Experienced bike mechanics teach repair skills, and the bikes are given away or sold for a nominal amount to the men themselves or to other needy people in the community. There is also a billycart program for young people in our community. The men's shed has branched out to help young people as well as the elderly. It is a fantastic community resource, and its members do great work in our community.

### **Murray-Darling Basin: federal plan**

**Ms McLEISH** (Seymour) — Having the right water plan to secure Victoria's food bowl is crucial to the viability of our state. Hand in hand with the water plan is the responsibility to ensure that it does not put at risk the livelihoods of those in our communities. I believe the commonwealth government and the Murray-Darling Basin Authority are out of touch with reality when it comes to the amounts of water that can be released into rivers as environmental flows without

severely impacting local communities. These communities extend beyond those on the Murray and Darling rivers and into the Goulburn River and its tributaries, such as the Yea and Murrindindi rivers.

The most recent proposal put forward by the commonwealth government and the Murray-Darling Basin Authority shows scant regard for Victorian communities and land-holders. There are genuine community concerns that the recently released modelling for a 3200-gigalitre run with constraints removed will impact on many rural and farming communities. I believe that the proposed removal of constraints will cause a problem and that genuine concerns will be realised, with communities in and around Yea and Seymour suffering extensive, sustained and prolonged flooding on a regular basis. The impact and levels of accompanying damage associated with such large flows will see properties on both housing and agricultural land flooded, as well as road damage.

I acknowledge the good work of Victoria's Minister for Water in this area. I know he is carefully examining all aspects and details of the final plan. At the same time I urge the minister to again reiterate to the commonwealth Minister for Sustainability, Environment, Water, Population and Communities the severe impacts the plan may have in regard to flooding my communities. Sending flows down the Goulburn River system is irresponsible and impossible.

### **Blue Ribbon Foundation: ball**

**Mr EREN** (Lara) — I recently attended the Blue Ribbon Foundation ball in Geelong, a fantastic event which raised funds for the Geelong Hospital children's ward treatment room. The night was full of lively banter and fantastic music by the Victoria Police band, Code One, which had everyone up on the dance floor. The master of ceremonies was our very own Catriona Rowntree, with assistance from Geoff 'Coxy' Cox, who were both generous enough to donate their time. I congratulate and thank all of those people involved in organising a successful event.

### **National Lifestyle Villages: Lakeside Lara development**

**Mr EREN** — I had great pleasure in attending, along with the new mayor of the Greater City of Geelong, Keith Fagg, the opening of the new \$75 million National Lifestyle Villages development, Lakeside Lara. The residential village will include 230 homes in a gated, resort-style development. This is a new concept in Victoria. This type of development, which was previously only in Western Australia, has

now come to Victoria. It is an innovative way of providing affordable accommodation.

### **Country Fire Authority: Little River brigade**

**Mr EREN** — I also attended the Little River fire brigade's 75th anniversary. This event included the handover of a new truck and an awards presentation for long-serving members of that brigade. I congratulate longest serving active members Terry Hedt and Ray Sanderson on the service they have provided to the brigade and the book they compiled, along with other Country Fire Authority volunteers and the Little River Historical Society, to mark the 75th anniversary. Terry Hedt has been part of the brigade for 45 years and its captain since 1975.

### **Fed Cats: annual dinner**

**Mr EREN** — Finally, I was pleased to attend the Fed Cats annual dinner last night, which was held in Canberra and attended by Cats — —

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

### **Hospitals: federal funding**

**Dr SYKES** (Benalla) — Yesterday I was the beneficiary of the professional and friendly care of Dr Richard de Crespigny and Nurse Claire Le Plastrier at Benalla Health. Richard and Claire epitomise the service provided by the six hospitals in the Benalla electorate, being the Benalla, Mansfield, Violet Town, Euroa, Nagambie and Alpine health services, incorporating hospitals at Myrtleford, Bright and Mount Beauty. All are run on pretty tight budgets and reporting very small surpluses — or in one case, a deficit.

The state coalition government is endeavouring to maintain financial support in the face of needing to cope with the consequences of state Labor's 11 years of financial mismanagement. The reduction in income due to the global financial crisis has been exacerbated by the federal Labor government's financial mismanagement and policy decisions, which are denying Victorians a fair share of GST and other revenue.

The financial situation of all Victorian hospitals is about to be put under further stress as the federal Labor government proceeds with its plan to pull hundreds of millions of dollars out of Victorian hospital funding. What is state Labor doing about this? It is silent. It is prepared to stand shoulder to shoulder with union thugs, but state Labor is not prepared to stand up to the

Prime Minister, Julia Gillard, and her union puppeteers and demand a fair go for Victorian hospitals and the battling Victorian families which they serve. Shame on state Labor! Shame!

### **Essendon electorate: primary school nursing program**

**Mr MADDEN** (Essendon) — It recently came to my attention that the primary school nursing program, which guarantees that a health assessment is offered to all children in the first year of primary schooling, will not be conducting universal health checks of prep school students in 10 schools in my electorate. Moonee Ponds West Primary School, Moonee Ponds Central Primary School, Ascot Vale Primary School, Essendon Primary School, Strathmore Primary School, Strathmore North Primary School, Aberfeldie Primary School, Essendon North Primary School, Lowther Hall Anglican Grammar School and St Therese's School in Essendon will not be entitled to a full screening of each of their prep students because the program was not sufficiently funded this year to ensure its delivery.

The health of our children should not be subject to a lucky dip. This is totally unacceptable. It reinforces the Baillieu government's failure to understand the value of education and health, which are of critical importance to every Victorian citizen, regardless of their postcode.

This service has traditionally been used to identify significant speech and hearing health issues, behavioural problems and autism spectrum disorders. Early preventive intervention in these conditions would assist students to achieve their utmost in terms of their education. These 10 schools will feel the brunt of this insufficient resourcing. It is incomprehensible that the Baillieu government would fail to provide — —

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

### **Water: Sunraysia modernisation project**

**Mr CRISP** (Mildura) — The Sunraysia modernisation project represents the single greatest investment in Mildura's irrigation infrastructure since the World War II soldier settlement schemes. Securing the \$103 million was a priority when we came to government, and I have worked hard to unlock this money to create confidence and future opportunities for irrigated horticulture around Mildura.

The Sunraysia modernisation project was drawn into the Murray-Darling Basin debate, and I welcome the work of the Minister for Water in securing a letter from

the federal government outlining broad approval for the project. This is a vital project for Mildura's future, but it has not been without its difficulties. The role of the Mildura Development Corporation, in particular Anne Mansell and John Tesoriero, with the support of Lower Murray Water, in doing the concept business case to keep this project front of mind with federal and state ministers is to be commended.

This project will take several years to deliver. Lower Murray Water has indicated that it will add \$23 million to this project to ensure that Victorian irrigators have as modern a delivery infrastructure as possible in order to match the highly efficient irrigation infrastructure on its customers' properties.

### **Sunraysia Community Health Services: award**

**Mr CRISP** — On another matter, Sunraysia Community Health Services has been named the Primary Health Service of the Year. The Victoria Healthcare Awards recognise excellence in health care. Sunraysia Community Health Services delivers more than 50 services, including home nursing, palliative care, drug treatment programs, dental care, allied health services, counselling and aged care. Congratulations to the board, CEO and staff on this wonderful achievement.

### **Planning: Yarra River**

**Mr CARROLL** (Niddrie) — On Monday, 5 November, I went on a guided tour of the Yarra River and received an important briefing on current planning issues affecting the river by Ian Penrose of the Yarra Riverkeeper Association. The iconic Yarra River is integral to Melbourne. The river provides about 70 per cent of our drinking water and is home to hundreds of different plants and animals. The Yarra has an important history which must be preserved, for it forms a unique part of Melbourne's identity. An opinion piece in the *Age* newspaper of 14 October describes the Yarra in these terms:

It was a life source for the original inhabitants of this region, the Wurundjeri tribe, for thousands of years. The eyes of white explorers were first cast upon it in 1803, and 32 years later John Batman chose a spot on the Yarra's banks and proclaimed it would make 'the place for a village'. How that village has grown.

The Yarra is part of not only Melbourne's historical, natural and physical landscape but also our social landscape. The north-south divide has become an important demarcation for differences in affluence and lifestyle preference. An article in the *Age* newspaper of 5 February 2012 titled 'A city divided', with the subheading 'Which side of the Yarra you live on speaks

volumes — or does it?', takes a light-hearted look at how where you reside relative to the river can make a big difference. North–south differences aside, the Yarra unites communities for it is, to use a phrase used by T. S. Eliot, 'within us'.

However, the Yarra is at risk from a clear and present danger: inappropriate development. The government's recent announcements, including height and environment controls, designed to safeguard the Yarra are a welcome step. However, given that the Yarra flows through several local government jurisdictions, an overall coordinated vision is required to protect the Yarra's beauty for generations to come.

As Joni Mitchell once sang, 'They paved paradise and put up a parking lot'. We should take great care to protect and preserve the health and character of the iconic Yarra River.

### Barry Brown

**Mrs BAUER** (Carrum) — As president of the Lions Club of State Parliament, I rise to pay tribute to the life of Barry Marshall Brown. Barry passed away on Saturday morning, 17 November, after just a seven-week illness.

Having spent his childhood in Queensland, Barry married Barbara and later joined the air force. The family, including three children — Christine, Mark and Annette — moved to Penang, where Barry was stationed at Butterworth. He returned to Australia to live in Sydney and then moved to Melbourne. Barry initially joined the Lions Club of Phillip Island. He was district governor of district 201V3 from 1995 to 1996. Sometime later Barry transferred to Lions Club of Hastings.

Whilst living in Ringwood he transferred to the Croydon club, where he undertook a number of offices at club and district level, including that of convention chairman in 2003–04. Barry was 201V5 cabinet secretary in 2001–02 and was instrumental in forming the Lions Club of State Parliament in May 2002. He later transferred to this new club and became its secretary and treasurer, a position he held up to this month.

Barry was a constant supporter of his wife, Barbara — also a Lion — who regularly attended Croydon meetings and working bees. Barry was granted associate membership of the Croydon club in 2006. The members of the Lions Club of State Parliament express their deepest sympathies to Barbara and Barry's family. He was a valued inaugural and long-serving member,

charter secretary and treasurer, and he will be sadly missed. His valuable contribution went way beyond the call of duty. He lived by the Lions philosophy of giving 'my time, labour and means' and was a great Lion through and through.

### Craigieburn and District First Response Team: awards

**Ms BEATTIE** (Yuroke) — I rise to congratulate the Craigieburn and District First Response Team on the success of its 2012 annual dinner, which I attended on Saturday, 17 November. It was a special night with the team showcasing its achievements and awarding trophies for excellence and community service.

The new member achievement award was presented to Jason Alvy. The Christopher Tyrrell encouragement award was awarded to Trudy Harris. The Rob Evans team spirit award was awarded to Sheree Spowart, and the Kevin O'Callaghan responder of the year award was presented to Marina Carter. It was terrific to see James Yates and Jason Davis receive awards for 5 years of service and Robyn Jones receive an award for 10 years of service with the team.

The Craigieburn and District First Response Team provides first aid emergency care to those who most need it, backing up Ambulance Victoria. Team members volunteer countless hours of service and are an invaluable asset to the community. Speaking to team members throughout the evening gave me an even deeper insight into the remarkable work these men and women do. It was a most enjoyable evening, and I would like to congratulate all the members of this team and thank them on behalf of a grateful community for their outstanding service. I wish the team a safe and happy Christmas break and look forward to seeing them all in 2013. I also wish them all the best in continuing with their wonderful work.

### Bushfires: preparedness

**Mr BULL** (Gippsland East) — I come from an electorate that is one of the most bushfire-prone areas in the world. With the fire season upon us it is timely to raise the importance of bushfire awareness. Households should have their plans ready and ensure that all family members know what to do in the event of a fire.

I commend the Baillieu government on its continued commitment to the 2009 Victorian Bushfires Royal Commission recommendations and on the recent trial of early warning systems, which are a new type of technology to alert residents and travellers alike of an impending fire at their location. It is also a timely

reminder of the wonderful job our fire service volunteers do in protecting our communities. I would like to recognise their efforts in voluntarily giving their time to protect fellow community members.

There are many examples of long-serving community members who participate in fire services, such as Gordon Walden, a participant for 60 years; Allen Bills, a participant for 55 years; and Ken Miller, a participant for 45 years, from the Lakes Entrance fire brigade, just to name a few. Many of the remote townships in my electorate, such as Mallacoota, Cann River, Orbost, Goongerah, Tubbut, Bonang, Omeo, Licola, Dargo and Heyfield, are on the interface with the bush and rely heavily on our fire services, which serve their local community so well.

### **Sophie Molineux**

**Mr BULL** — I would like to congratulate and recognise the achievements of an outstanding young cricketer from my electorate, Sophie Molineux, who has recently been named captain of the Victorian under-15 girls cricket team. Sophie is no stranger to the elite level of cricket, having previously represented Victoria. She is a great ambassador for the game.

### **Shire of East Gippsland: council elections**

**Mr BULL** — I would like to congratulate the recently elected Shire of East Gippsland councillors. My congratulations go to the returning councillors, and I welcome the newly elected councillors, Jeff McNeil, Mark Reeves and John Wilkin.

### **Brunswick electorate: community safety forum**

**Ms GARRETT** (Brunswick) — I rise to thank members of the Brunswick community who attended the community safety forum at the Brunswick town hall on Monday, 19 November, hosted by me and the federal member for Wills, Kelvin Thomson. A minute's silence was observed at the commencement of the evening in memory of Jill Meagher. Over 170 local residents were in attendance and heard a full range of comprehensive presentations from senior members of Victoria Police; the mayor of Moreland City Council, Oscar Yildiz; executive officer of WISHIN (Women's Information Support and Housing in the North), Trish O'Donohue; Michelle Noon from the White Ribbon Foundation; and the president of the Sydney Road Traders Association, Rohini Ratnakar.

There was significant time set aside for questions and comments, and the discussion that followed was extremely constructive and considered. Key issues

raised by the community included the need for better lighting and amenity and to address problems with transport and taxi services, improvements to planning and design and the possibility of obtaining contributions from developers and venues to assist with safety measures and infrastructure. I am pleased that the council has already acted swiftly to institute an audit of lighting throughout the municipality post this forum. There was also much discussion during the evening about the fundamental importance of preventing violence against women, both in the street and in the home, where, as we know, most assaults occur. The forum was an important part of listening to community concerns, coming up with practical ideas and actions and giving community members information and advice about safety in their streets and homes. I would like to place on record my thanks to Moreland City Council for helping to facilitate the event and in particular to Victoria Police for its comprehensive contribution.

### **National Australia Bank: Helping Hand program**

**Mr BLACKWOOD** (Narracan) — I take this opportunity to inform the house of the National Australia Bank's Helping Hand program, and I thank NAB for this great initiative. I have accessed the program successfully on two occasions for the benefit of six secondary school students who were provided with laptop computers. The aim of the program is to directly support community groups and individuals by advancing the cause of digital inclusion and to provide the framework in which to manage a consistent, fair and unbiased process for the donation of tested and functional decommissioned computer equipment. It provides access to technology through donated computer IT equipment to individuals and organisations in the community, which would otherwise be unavailable to them, and engages in partnerships with like-minded commercial and not-for profit organisations to achieve these objectives. It also contributes towards decreasing the NAB's carbon footprint.

Donation requests are considered from a large variety of sectors and backgrounds. Helping Hand supports not-for-profit organisations, as well as community groups supporting youth and education, and aged care. It also supports those who are disadvantaged, disabled or unemployed, and other marginalised groups and individuals. Redundant NAB assets are cleaned of all data so that they can be redeployed. NAB volunteers then load the standard Windows operating system so that the device is functional. The program has been a huge success in my electorate. With the assistance of

Craig Black from NAB in Warragul, and in the presence of Gary Mitchell, Jason Bek, principal of Lowanna College, and students, last week we presented three laptops to the Koori unit of Lowanna College in Moe.

### **Higher education: TAFE funding**

**Ms THOMSON** (Footscray) — Last Wednesday the members for Williamstown and Altona and I attended a TAFE forum in the west. Over 75 people were in attendance. We heard the story of Ivan, who is just finishing three years of English as a second language and as a consequence has gained entry into Melbourne University to do mechanical engineering. He would not have been able to do that if he had not done the course at Victoria University, which prepared him for entry to university. Unfortunately that course will not be available to other students from next year because of the horrific cuts to TAFE, a consequence of the Liberal government's decision to take \$300 million out of TAFE and, as part of that, \$40 million out of VU.

I am proud that the opposition's statement on skills retains TAFEs as viable organisations. We would reinstate funding to ensure TAFEs can provide student support services and offer extra help to students with a disability, students from disadvantaged backgrounds or those requiring literacy and numeracy development. TAFEs provide this important component to students, which is important to the west where there is a disproportionate number of people in need of those kinds of preparatory courses. This government is callous. It does not care about the west and it does not care about young people.

### **Monash Medical Centre: mother-baby unit**

**Mr GIDLEY** (Mount Waverley) — On Thursday, 8 November, I joined the Minister for Mental Health, the CEO of Southern Health, Shelly Park, Southern Health board members and staff and patients for the minister's announcement of a \$1 million refurbishment of the specialist six-bed mother-baby unit at the Monash Medical Centre. The mother-baby unit helps new mothers who are experiencing mental health issues to stay with their babies while accessing high-quality mental health treatment and care. Specialist units such as the one at the Monash Medical Centre are important to help mothers experiencing mental health issues.

The revamped mother-baby unit at the Monash Medical Centre will enable over 100 new mums each year to receive the specialist mental health care they need without having to be separated from their babies. The funding will allow for larger bedrooms, which will

accommodate babies in the same room as their mothers. The lounge, kitchen spaces and nursery area, where women and babies spend most of the day, are also being expanded. It was a pleasure to again advocate for and support the improvement of local health services for families in the Waverley community.

### **Monash University: education and research awards**

**Mr GIDLEY** — On Wednesday, 7 November, I was delighted to join the Minister for Innovation, Services and Small Business and the member for Caulfield in attending Monash University's vice-chancellor's education and research awards. I appreciated the opportunity not only to support these awards but also to receive feedback on the coalition government's 601 express bus service to Monash for local residents and staff, which was funded in the last state budget.

### **Glen Waverley South Primary School: facilities**

**Mr GIDLEY** — Congratulations to Glen Waverley South Primary School on the opening of its new multipurpose centre and early learning studios. From discussions I have had with parents, school councillors and staff I know the facility is very much welcomed.

### **Grandmothers of the Plaza de Mayo**

**Mr LANGUILLER** (Derrimut) — On 24 March 1976 the armed forces overthrew the democratically elected government of the Argentine Republic. From that moment on the military government carried out a policy of terror, with the disappearance, torture and arrests of 30 000 people of all ages and social classes. About 500 children were appropriated and deprived of their identity. In many cases they were taken to live with people whom they considered their parents, but in fact were the perpetrators, participants or accomplices of their parents' murder. In other words, they made them disappear by depriving them of their identities.

Grandmothers of the Plaza de Mayo is an Argentine human rights organisation which aims to find and return to their legitimate families all the disappeared children who were kidnapped between 1976 and 1983 by the last military dictatorship. It sets conditions to prevent the perpetration of that crime against humanity and to obtain the corresponding punishment for the culprits. The Grandmothers of the Plaza de Mayo has been nominated three times for the Nobel peace prize. The grandmothers have already located more than 100 children. Nothing and nobody can stop the grandmothers and their cause has gone well beyond

Argentina, indeed internationally. I am very proud of the fact that this Parliament, in partnership with the Embassy of Argentina, held an exceptional exhibition of the grandmothers in Queen's Hall.

### **Samuel St John**

**Mr NEWTON-BROWN** (Pahran) — Samuel St John might one day be the biggest sportsman to come out of Stonnington Primary School. The grade 5 student has been selected in the School Sport Victoria team to compete in the shot-put at the Australian athletics championships in South Australia. Samuel, 11, threw the 2 kilogram shot-put 12.52 metres to earn second place at the state athletics championships and his ticket to Adelaide. Samuel, who is Australian-born to Fijian parents, first threw a shot-put two years ago. Stonnington Primary School and the wider community got behind Samuel to assist him to raise money for his trip. There were icy pole days at school, barbecue fundraisers and raffles. Samuel is now set to compete in Adelaide and the Prahran community wishes him all the best. Go for gold, Samuel!

### **Lyceum Club: Parliament House visit**

**Mr NEWTON-BROWN** — Last week I was pleased to host a group of amateur painters from the Lyceum Club at Parliament. It was wonderful to see our fabulous parliamentary gardens used as an inspiration for these artists as they spent a morning with their instructor doing botanical works.

### **Brookville Kindergarten**

**Mr NEWTON-BROWN** — Last week I was pleased to attend the annual general meeting of the Brookville Kindergarten. Some years ago my kids attended this great local kinder, and I served for a couple of years on the executive. Over several years this committee has raised the incredible amount of over \$200 000, and this summer it will be implementing its landscape master plan. Well done to the parents for creating such an amazing place to send our kids.

### **National Institute of Circus Arts: ministerial visit**

**Mr NEWTON-BROWN** — I recently met with Pamela Creed, CEO of the National Institute of Circus Arts, for an on-site visit with the Minister for Higher Education and Skills. We toured not only the NICA building but also other spaces on the site currently occupied by Swinburne TAFE and the Gymnastics Victoria state training centre. The minister was also able to view the site in its local context and see

firsthand the life and vibrancy these educational institutions bring to Prahran.

### **Centre for Dialogue, La Trobe University: Muslim leadership program**

**Ms KANIS** (Melbourne) — On Thursday, 22 November, I attended the graduation ceremony of the Muslim leadership program. It is a unique education program that aims to support leaders who can speak clearly and confidently about the various issues which confront people of Islamic faith in Australia today and who can actively participate in shaping Victoria's future. The program was started under the former Labor government and has now received bipartisan support. I would like to commend the Centre for Dialogue at La Trobe University on delivering the program, the Islamic Council of Victoria on its contribution and all the graduates from Victoria, New South Wales and overseas on their hard work in undertaking and completing the course. In particular I would like to mention graduate Ms Aiya Idris, who is a Flemington resident. I look forward to seeing the fruits of the program in her endeavours and working with her in the future.

### **Greek community: Chios liberation centenary**

**Ms KANIS** — On Saturday, 25 November, I attended the celebration of the centenary of the liberation of the Greek island of Chios. It was a particular honour for me to be invited to speak at the celebration as my family on my father's side is from Chios. It was good to see both the Victorian and federal parliaments represented.

I would like to congratulate the organisers, in particular George Kolyvas and Kostas Hatzimanolis, president and treasurer respectively of the Chios Brotherhood, for the wonderful celebration. The dinner dance was a great success, with people of all ages celebrating together.

### **DISTINGUISHED VISITORS**

**The DEPUTY SPEAKER** — Order! I acknowledge and welcome former minister Brian Dixon, who is in the gallery.

## COMMISSION FOR CHILDREN AND YOUNG PEOPLE BILL 2012

### *Second reading*

**Debate resumed from 13 November; motion of Ms WOOLDRIDGE (Minister for Community Services).**

**Opposition amendments circulated by Ms GREEN (Yan Yean) pursuant to standing orders.**

**Ms GREEN (Yan Yean)** — It is with pleasure that I join the debate on the Commission for Children and Young People Bill 2012. I say at the outset that Labor supports an independent commissioner for children and young persons and any measure to make improvements for vulnerable children in this state. However, we are proposing amendments to ensure that a permanent commissioner for Aboriginal children and young people is part of the new commission. As I said, Labor supports this independent approach for this new commission, just as in 2005 it supported the establishment of the current child safety commissioner. At this point I strongly commend the work of the commissioner who has served over that time, Bernie Geary, and his fantastic, hardworking staff. I have known Bernie for a long time, and I think it is important that he has continued to enjoy the support and respect of the sector and the respect of office-holders in similar positions in other jurisdictions. He has had decades of runs on the board in working in the interests of vulnerable children and young people in the state, dating back to Heidelberg West and the Brosnan Centre.

When my mum was undertaking a bachelor of arts in youth work — we kids joked at the time that mum might be the oldest youth worker in Victoria — she had the privilege of doing a placement at the Brosnan Centre when Bernie Geary was working there. I think she said she learnt more there than she had ever learnt previously. In particular, she learnt that the four kids she had raised were really not that bad and that we had not faced that many difficulties. She was really proud that we had reached adulthood. From working with Bernie she had gained a greater understanding of the challenges faced by young people, especially those coming out of the criminal justice system.

I commend the government on bringing this bill forward and on its initiative in commencing the review by Justice Cummins and the other two commissioners who undertook that very important body of work which led to the important Cummins report. The bill enacts a number of the recommendations that were made in that

important report — and the appointment of a principal commissioner is absolutely supported by the opposition — but I will speak on one in particular. We feel the bill put forward by the government fails to take the opportunity to enact in legislation the important recommendation by the Cummins report that there be a specific legislated commissioner for Aboriginal children and young people.

I acknowledge that in her second-reading speech the minister said it was likely that the government would do so and that the bill says that in addition to the principal commissioner, the minister will have the power to appoint further commissioners. However, the depth of the problems and the need for support, review and constant reflection on practice, and supporting the great work that is done by and for the Aboriginal community needs to be formally legislated and included in this bill, which is why I am proposing the amendments that have been circulated to the house. It should not be at the discretion of the government to make this appointment when it may have the will or the budget; it should be done now within this bill, as Justice Cummins intended in his recommendation.

I had the great privilege of speaking to that wonderful Australian, Aunty Muriel — Professor Muriel Bamblett, AM, chief executive officer of the Victorian Aboriginal Child Care Agency. I have known Muriel and the Bamblett family for a very long time. In the 1990s I had the privilege of being the secretary of the Labor Party's Aboriginal and Torres Strait Islander policy committee, which worked with the then member for Morwell and shadow minister for Aboriginal affairs, Keith Hamilton, in writing our policy in the lead-up to the 1999 election. I had great advice from so many Aboriginal people in this state, including Aunty Muriel Bamblett, and I am so delighted that she is still around with her wisdom, her passion and drive to work in support of Aboriginal young people. Where would that community be without Muriel Bamblett and so many other fabulous Aboriginal women? It is therefore incredibly important, and I plead with the government, for members to support the opposition's amendments to enshrine in legislation a commissioner for Aboriginal children and young people, as was intended by Justice Cummins.

Turning to other components of the bill, as would be expected, it is important that the bill establish a totally independent Commission for Children and Young People which is answerable to the Parliament. The opposition welcomes that, and it is consistent with the systems in most jurisdictions in this country. The functions of the new commission are broader than the previous child safety commission. The commission will

exist to independently and impartially provide advice to ministers, government departments, health services and other services — rather than simply the Minister for Community Services alone — to promote the interests of vulnerable children and young people, to monitor and report to ministers on the implementation and effectiveness of policy, and to undertake inquiries and monitor out-of-home care.

The most important component of the bill is the ability for the commission to conduct own-motion inquiries. This will truly underscore the independence and impartiality of this new body. I mentioned Bernie Geary earlier. Despite the existing commissioner not having had a legislative base, from speaking to his colleagues in other states I think I can say they feel he has acted even more independently than they feel they have been able to do. However, this bill will enshrine that independence in legislation, and I support that aspect of it.

It is disappointing that the budget indicated by the government falls short of budgets for comparable bodies in other states, which have higher levels of funding than that proposed by this government. I do not think any vulnerable child was ever helped by scrimping on a budget or cutting a budget.

**Ms Wooldridge** interjected.

**Ms GREEN** — It is disappointing that the minister would laugh about this. The minister's contribution was listened to very respectfully by me, unlike when she stood on this side of the house and was relentlessly personal about the then Minister for Community Services and described her as uncaring. I state to the minister that I will never use those terms — —

**The DEPUTY SPEAKER** — Order! Whilst latitude is given to the lead speaker for the opposition on a bill, I do not think that comment has any relevance. I ask the member to speak on the bill.

**Ms GREEN** — The vulnerable children in this community absolutely deserve everyone working in their best interests and not lobbing political pot shots. I will never undertake the sort of personal attacks that the minister made on her predecessor because I do not believe that anyone in this place is uncaring about the difficulties facing vulnerable children or the deaths of children in this state, which is what was said on many occasions by the minister in describing her predecessor.

It is disappointing that prior to the Cummins report being released, and while having discussions with the minister's chief of staff and receiving a briefing shortly after I took over responsibility for this policy area, the

minister's chief of staff acknowledged that the minister had received the report, said that it was as thick as *War and Peace* and stated that I would see it when the rest of the public saw it, which was more than four weeks later. I am extremely disappointed that the minister chose to announce a budget cut to the Department of Human Services prior to releasing publicly the report of the Cummins inquiry. That sold vulnerable children short — 4200 job cuts across the public sector and 500 job cuts at the Department of Human Services. I have never seen a budget cut that actually improves anything — —

**Ms Wooldridge** — On a point of order, Deputy Speaker, a huge amount of latitude is given to lead speakers, but that matter is entirely irrelevant to the bill at hand.

**The DEPUTY SPEAKER** — Order! I agree with the point of order, and once again I ask the member for Yan Yean to relate her contribution to the legislation before the house.

**Ms GREEN** — This new agency will be funded, as I understand the existing agency is funded, via the Department of Human Services budget — and it is true that \$180 million worth of cuts have been made in the Department of Human Services budget.

**Ms Wooldridge** interjected.

**Ms GREEN** — The minister might say it is not relevant, but it is relevant because if hardworking child protection workers do not have the administrative support that they need, and the hardworking back-office staff — —

**Ms Wooldridge** — On a point of order, Deputy Speaker, an independent commission with a stand-alone budget is not relevant to the budget of the Department of Human Services, and I do not believe that it is relevant to the bill.

**The DEPUTY SPEAKER** — Order! I ask the member for Yan Yean to try to stay focused on the bill. Lead speakers are given wider opportunities but the member is stretching that, and I ask her to stay on the bill.

**Ms GREEN** — Thank you for your ruling, Deputy Speaker. The existing agency that will be superseded by the new body is the Office of the Child Safety Commissioner. The community was very disappointed that the income tax ruling on voluntary departure packages in the Department of Human Services did not list this watchdog as being excluded from the government's voluntary departure packages. At this

stage we do not know how many staff have been lost. It has a modest budget compared to similar bodies in other states, and the community sector agencies have raised with the opposition their concern that the budget the government has allocated to this body may not be adequate for it to undertake its necessary work and certainly its own-motion inquiries.

The feedback I have had in the consultations I have done with the sector is that it is concerned that the commission may be curtailed by an inadequate budget, just like other parts of the public sector. Other watchdogs have also not been exempt from the government's cuts, such as the Office of the Public Advocate and the disability services commissioner. It is incredibly important to adequately fund the watchdogs and agencies charged with responsibilities for vulnerable children.

The opposition welcomes the ability to initiate inquiries. The new body gains a new power to conduct inquiries concerning the provision of health services, human services or schools to a range of stakeholders. The commission will continue to have responsibility for conducting inquiries into the services provided to all child protection clients who die whilst still clients or who were clients up to 12 months prior to their death, as with the current child safety commissioner.

The new body will be entitled to access a broader range of information, documents and records, and unlike the child safety commissioner the new body may now request information from outside the Department of Human Services — from other government departments, schools, community services and central registers. It can now request that educational providers, in addition to health and welfare professionals, provide information unless they would incriminate themselves.

The new body must give its report on each inquiry to the minister and secretary, but before doing so it must give persons or services criticised in those reports the opportunity to respond to adverse comments. Only those inquiries which relate to government services rather than vulnerable children or child deaths, which were not commenced on recommendation by the minister and do not identify individuals subject to child services — for example, child family members, carers and so on — may be tabled in Parliament and published online.

As I mentioned earlier in terms of the recommendations by Justice Cummins about the appointment of a dedicated Aboriginal commissioner, the Cummins report recommended requiring reporting by the new body against a 10-year plan for Aboriginal

communities by a dedicated Aboriginal commissioner. The opposition's proposed amendments would mean that this recommendation could be carried out. There is no requirement that this exist or occur. The government says it will, but it would be stronger if it were in the bill.

Justice Cummins recommended that specific powers of the Ombudsman under section 20 of the Children, Youth and Families Act 2005 be transferred to the commission. Although the Commission for Children and Young People gains own-motion powers, it will not have the coercive powers of the Ombudsman. Justice Cummins recommended that the role of the Victorian Children's Council be clarified and that the CCYP have the ability to request advice from the children's council. These recommendations were completely ignored.

Justice Cummins also recommended that regular information be collected by the CCYP on those leaving care and post-care services, and that it report on this in 2012 and on an annual basis. The failure in relation to this recommendation is that there is no provision for collecting such information on post-care services and there is no time line to report in 2012. Finally, Justice Cummins recommended that government performance against the vulnerable children and family strategy should be reported on by the Commission for Children and Young People, but the legislation makes no reference to this strategy nor details any key performance indicators.

I made reference earlier to the consultation that I had undertaken with stakeholders, including Aunty Muriel. I had many discussions but one of particular note was with Marilyn Webster, the director of research and policy at the Centre for Excellence in Child and Family Welfare. On behalf of the sector and on behalf of professionals in the sector, the points she made, although welcoming the legislation — they think it is a good start and it is very important that the new commissioner be independent and have the own-motion powers provided in the bill — were that the functions of the commissioner as outlined in the bill are functional but are not dealing with higher order wellbeing issues. Her second point was that there is too narrow a definition of vulnerable children as it only deals with those known to the Department of Human Services.

In terms of the inquiry powers with regards to agencies, the centre is concerned that there will be problems of unintended institutional reputational damage as agencies cannot see a report before it goes to Parliament, only the verdict. It will be another level of scrutiny for community service organisations, so the government must ensure that it fits in effectively and

seamlessly with other reporting and scrutiny requirements. The centre also made the point that the legislation states that the commission can only conduct inquiries within its own resources. The centre felt this was quite a paradox, because if the commission does not have the resources to do an inquiry, it will impact on its independence. There is little point in having extra powers if a lack of resources means the commission either cannot pursue things or has to ask the minister for extra money every time. It is not just the opposition saying this budget level is a problem; it is those in the sector.

The minister has often said no action was taken over our period in government, and that could not be further from the truth. Many changes were made in legislation, in support and in practice. Some generosity of spirit from both sides of the house in the interests of working in a collaborative way for our vulnerable children would deliver a better outcome.

There are myriad potential reasons why children are abused and do not live in a safe environment, but it is worth noting that there has been a steady increase in the levels of reporting during the time in office of this government. I think the minister is finding that it is not as easy as she made out when she was in opposition. Between 2000 and 2011 there was a 49 per cent increase in reporting. Even in just the government's first year in office there was an increase from below 50 000 in the previous year to 55 000 reports. If the minister is going to use those figures as her key performance indicators, she is going to need to do more. Region by region we have seen significant increases in reports and substantiations.

The minister needs to rethink some of the cutbacks to support services for agencies. Having been the vice-president of the public service union from 1993 to 1996, I know when departments go through massive restructures it is very difficult for those agencies to continue doing the work they need to do while the organisation is stressed and dealing with job cuts and changes to regional boundaries. I hope with the changes in the department there will not be a loss of specialist skills, whether in disability services or child protection. It is a good thing to break down silos, as the minister is always talking about doing, but we need to ensure that the workforce does not become so generalist that we lose skills over a long period. That will not assist our young people.

In terms of broader actions of the government, last week we heard a very moving speech from the Chief Commissioner of Police about the impact of family violence in this state. I read reports of Ken Lay's speech

at the breakfast at the Royal Women's Hospital. I also had the privilege of being at the Lord Mayor's White Ribbon lunch at the Melbourne town hall with a fantastic panel, including Deputy Commissioner Graham Ashton. He picked out just one family violence report from the previous reporting period, and it was truly horrific. We need to remember that children are the victims in a huge number of family violence reports. It generally goes from region to region. If you see an increase in family violence reports in the police statistics, it tends to go along with an increase in family violence.

We really need to have a whole-of-government approach. The minister seems to be saying this is new, whether in child protection or in family violence. It is not new. It is something that we did, but it is also something that we can always work to improve. The recent budget allocation for response to family violence of \$40 per woman assaulted in the previous year is not going to do anything for those women who have been injured in intimate partner violence or for those children who have witnessed that and are now in a vulnerable situation themselves. The minister cannot just deliver rhetoric and throw out criticism when she is in opposition and then think she has remade the world, all is well and she is giving something new to people working in this sector. A fantastic range of agencies are at work in looking after children in out-of-home care. I strongly commend their work and collaboration. Since I have taken on this role it has been a great privilege to meet with people in those agencies and talk to them about their passion and how they believe things can be improved.

I hope the operation of this new body, the Commission for Children and Young People, will lead to significant improvements and learnings across all government departments, whether it be ministers, public servants or anyone working in the sector. Certainly I hope that parents and families will be supported in a way that enables us to reduce the level of neglect, which sadly sometimes ends in child deaths.

It would be optimal if we did not have to have any of these watchdogs and that every child was loved and raised in a supportive environment, but we know that is not the case and that every day there are fantastic people who do an incredibly outstanding job in a very difficult set of circumstances, whether they be police officers, out-of-home care workers or the child protection workforce in the Department of Human Services.

I reiterate that the opposition supports the implementation of a Commission for Children and

Young People, but I also reiterate that the government should agree to the opposition's amendments to formalise in legislation that there be a specific commissioner for Aboriginal children and young people, as Justice Cummins intended. The legacy of what has transpired intergenerationally for our Indigenous people in this state and across the country means that Aboriginal children and the Aboriginal community need a greater level of support. Justice Cummins was absolutely right in saying that an Aboriginal children's commissioner should be formally appointed. I urge the minister to take heed of Justice Cummins's recommendations, and I urge the government to support the amendments proposed by the opposition. With those remarks I commend this bill to the house.

**Mr WAKELING** (Ferntree Gully) — It gives me great pleasure to rise to contribute to this very important debate on the Commission for Children and Young People Bill 2012. My only response to the contribution of the member for Yan Yean is: dear, oh dear! The contribution we have just heard demonstrates the opposition's lack of understanding of this very important issue. The member for Yan Yean called upon the government to take the advice in Justice Cummins's report. That is exactly what we have done.

If the member for Yan Yean had done her job, she would have known by reading the document that Justice Cummins recommended that the government establish a commissioner to deal with the Aboriginal community. That is exactly what we have done. He did not in fact say that the commissioner needs to be legislated for. The legislation before the house facilitates the opportunity for a commissioner for the Aboriginal community to be appointed, and that is exactly what we have done. Nothing that was handed down in the Cummins report talks about anything to be legislated in regard to a commissioner for the Aboriginal community. If the opposition members had done their homework, they would clearly understand that there was no necessity for the amendment before the house.

For the opposition to stand up in this house and criticise the government for the introduction of this bill in terms of its structure is absolutely appalling. I call upon the member for Yan Yean to point out the occasions when during 11 years of government — the length of time she served as the member for Yan Yean in government — on which she stood in this house during an adjournment debate or in a members statement and called upon the government of the day to do exactly what this government is doing. When they were in government the members of the opposition did nothing

on this very important issue. I am very pleased to see the Minister for Community Services at the table, because when in opposition this government said it would establish this very important body, and I stand proudly in this house and say I am very pleased to see that as a government we are delivering on that commitment.

This important piece of legislation before the house will see the establishment of the Commission for Children and Young People in the state of Victoria, which will be independent of government. It will provide vulnerable children with the same system of independent checks and balances over the child protection system that all other Australian states and territories have had for many years. It is not as though this is a new idea. It is not as though no-one in this country had decided to establish such a body, because other states and territories have already gone down that path. When they were in government, opposition members had every opportunity to establish such a body. They chose not to. We in opposition said we would deliver on this important issue, and that is exactly what we have done. I am very pleased to see that the minister is in the house to see this important legislation pass through, hopefully during this sitting of Parliament.

By way of background, the child safety commissioner is not independent. As explained in the second-reading speech, the child safety commissioner is appointed by the Premier and with the exception of child death inquiries, which are required by legislation, will conduct inquiries only at the request of the minister and make reports only to the minister in relation to these inquiries. The important consequence of this legislation is that the commissioner will have expanded powers to initiate their own inquiries. They will not be relying on a request from the government. They will be able to initiate their own inquiries, which is similar to what happens in other states. That is significant.

What is the community's view of the action taken by this government in establishing such a body? In a *Herald Sun* article the current child safety commissioner, Bernie Geary, is quoted as saying:

If the commission saw that children were being disadvantaged or not properly serviced in almost any area, they'd be able to look into it . . . For the sake of children in Victoria, particularly vulnerable children, this is a massive step forward.

I would have been more than happy, as I am sure would the minister at the table, to have had this debate last year or, more importantly, 11 years ago. We did not.

When in government the now opposition sought to do nothing about this issue, and we are very pleased —

**Ms Thomson** — That is not true.

**Mr WAKELING** — I am happy to take up the interjection of the member opposite who says this is not true. The facts speak for themselves. If that were not true, the opposition would have introduced this bill while it was in government. The simple fact is that it did not; it was not prepared to take that important step forward and introduce the necessary piece of legislation. However, this government has stood up for Victorians and for vulnerable children and is doing the right thing.

I refer to the views of the community. I have highlighted the comments of Bernie Geary, but what does the sector say? The chief executive of the Victorian Council of Social Service, Penny Wilson, is reported as having said Victoria's children deserved 'to have an independent watchdog to protect and promote their interests'. She is also quoted as saying that the Victorian government 'is to be commended for putting the needs of Victoria's children and young people first'. That comment speaks loudly of the important benefit of this piece of legislation.

In the same article child protection expert Karen Flanagan of Save the Children Australia is quoted as saying in a statement commenting on the new body:

This is a positive step forward for the protection of children in Victoria, and it will raise the bar for child protection in schools, kindergartens, businesses and churches ...

Another important organisation which deals with vulnerable children in this state and which understands the needs of vulnerable children and what is needed in this state to improve the lives of vulnerable children is applauding the actions of the minister at the table, the Minister for Community Services, and the actions of this government.

With regard to the establishment of a commissioner for Aboriginal children, this government is very proud of the fact that it will be establishing a commissioner for Aboriginal children, as was highlighted through the inquiry process. In fact this government will be the first government in this country to establish such a commissioner.

**Sitting suspended 6.29 p.m. until 8.02 p.m.**

**Mr WAKELING** — It is a great pleasure to continue my contribution to the debate on this very significant bill. The member for Yan Yean alleged that this government is not providing adequate funding for

the protection of vulnerable children. One only needs to be reminded that in this year's budget this coalition government is delivering \$336 million — significant funding — to protect vulnerable children and their families. This builds on the \$98 million funding contribution of this government in the previous year's budget.

That funding contribution is going to do a range of things. In the short period of time I have allocated to conclude my speech I can say that that funding will mean \$19 million will be provided for the recruitment of 42 new statutory child protection workers, which is a significant contribution; \$51.4 million will be provided to reform the child protection workforce; \$7.3 million will be provided to significantly expand treatment places for children with problem sexual behaviours; \$29.7 million will be provided to expand and develop the Stronger Families initiative; and \$23.7 million will be provided to expand new model conferencing.

As evidenced by the member for Yan Yean, the opposition does not get it. It has not done its homework, has not read the Cummins report, has not read the bill and does not understand the work of this government. I am very pleased to stand in this house as a member of a coalition government seeing the implementation of a coalition election commitment. I am sure it will become law very shortly.

**Ms RICHARDSON** (Northcote) — I am very pleased to rise and add my contribution to the debate on the bill before the house, which establishes a Commission for Children and Young People to replace the Office of the Child Safety Commissioner. The commission's functions will be broader than those of the child safety commissioner. They will include the giving of advice not just to the Minister for Community Services but also to those in government departments and those services which provide important initiatives in this area involving children and young adults.

The commission will also be in a position to monitor government policy and provide the community and service providers with an independent voice and an advocate for vulnerable children and young people. If only we could end it there and commend the government on all of its achievements in respect of this bill. The member for Ferntree Gully was not prepared to go to this particular concern the opposition has raised. Unfortunately the government has established this body but failed to fund it in keeping with the funding provided to similar bodies in other states. That will mean we will have a commission but it will be unable to perform the functions set out for it in this legislation.

We have a watchdog that is missing teeth, because there is not the sort of funding needed to do all of the functions set out in the legislation. In this regard the commission clearly falls short. Our shadow minister for child safety, the member for Yan Yean, has outlined the gaps that will exist as a consequence of the lack of funding and has called on the minister to provide funding to ensure that the commission does not fall short in terms of what it needs to be.

Something that must be done as part of this debate is to commend Bernie Geary, and I thank his staff also, for the role he has played as the child safety commissioner. He did not undertake an easy role, but I believe — and I am sure all members of the house would agree — that he has undertaken his role studiously and he has improved the lives of a great many Victorians. I take this opportunity to commend him for all he has done.

I also take this opportunity to commend the government for commissioning the Cummins report, which was based on the inquiry into the needs of the most vulnerable in this state. However, as outlined by our shadow minister this evening, if only we could say the findings of the Cummins report had been listened to. The most outstanding oversight outlined by the member for Yan Yean was the failure of the legislation to put in place a dedicated Aboriginal commissioner as was recommended in the Cummins report.

The government and the Minister for Community Services have been saying to all Victorians that we should just trust them when it comes to the provision of an Aboriginal commissioner sometime in the future, but as we all know ‘trust’ and ‘the Baillieu government’ are terms that are not often put into the same sentence. ‘Mistrust’ and ‘the Baillieu government’ are terms that are put into the same sentence consistently. That is why we have circulated amendments in the house for the consideration of members, including government members. If we can trust the minister and the Liberal government, surely these amendments will be embraced and supported by all members of this house and the other place.

Sadly other recommendations from the Cummins report have been overlooked and shoved in the too-hard basket by the minister and the Liberal government. They specifically include detailing more of the role of the Victorian Children’s Council so that the commission would have the ability to request advice from the council. Given the lack of funding for this body it is of critical importance for the commission to draw on advice from the Victorian Children’s Council. That is a specific recommendation in the Cummins

report that has been overlooked by the minister and the Liberal government.

The Cummins report also recommends that the government’s performance against the vulnerable children and families strategy be reported on by the commission. We are in the same place with this as we are with so many things in respect of legislation brought before the house by the Liberal government — that is, that this particular key recommendation has been overlooked and will no doubt have an impact on the commission’s ability to perform its role.

There are other recommendations contained in the Cummins report that have been overlooked by the Liberal government which are of concern to members on this side of the house. In summary I call on the government to support each and every one of those recommendations. I urge the government to properly fund this commission, as it is funded in other states around Australia, and not just cherry pick those recommendations that it feels it can live with. I urge the government to embrace the Cummins report recommendations to ensure that vulnerable children and young people are served in a way that reflects the stated purpose for the establishment of this commission.

The Labor opposition will not be supporting this bill. We urge the government to very seriously consider and support the amendment that is before the house so that the legislation can be enhanced. I commend the bill to the house.

**Mr BATTIN** (Gembrook) — I rise today to proudly support the Commission for Children and Young People Bill 2012. This legislation reflects a 2010 election commitment of this government, and it has got on with the business of delivering on it.

I start by saying that prior to coming into Parliament I worked with young people. There is nothing more important we can do in this place than to protect vulnerable children and young people. It is vital that we keep that in our minds when we are delivering bills like this which protect those in our society who need our protection the most. It was this government that commissioned the Cummins report to ensure that we could deliver the best result for children and young people in our community.

There are many government and non-government organisations that do remarkable work and a wonderful job in our community. In my electorate alone there is Echo, run by Wayne Collins; it does a fantastic job working with young people in our community. It is important that we have these facilities in our

communities. We have great community houses, we have scouts, we have guides, we have sporting clubs and the list goes on.

This reform has been required by and called for by the sector for some time. There has been a lot of media coverage around this. There has been a lot of commentary on the radio and in the press over time talking about how important it is that government protect young people in our community. Hinch and Mitchell on 3AW regularly speak about how important it is that government ensure that it has the best practice in place to protect young and vulnerable people in the community.

Over the past decade the government has been called on to act in relation to this issue. An article in the *Age* of 12 May 2002 titled 'Call for a voice for Victoria's children' stated:

The chief executive of Berry Street Victoria, Sandie de Wolf, welcomed Labor's commitment —

at the time —

but said Victoria could also benefit by appointing its own children's commissioner.

Berry Street Victoria hit the news in January when it was revealed that chroming — sniffing paint from a spray can — was happening on Berry Street premises. Chroming is common among young people in crisis.

The then community services minister, Christine Campbell, and Premier Steve Bracks said they were unaware that chroming was occurring at Berry Street. Moira Rayner believes the ensuing crisis could have been minimised if a well-informed children's commissioner — someone who might have discussed chroming with Berry Street Victoria and other local agencies — had been involved.

A children's commissioner was called for in an *Age* article in 2002. It is now 10 years later. For a further eight years the former Labor government failed to act on that call and failed to bring legislation into this Parliament. After eight years the Premier at the time could no longer say he was unaware of these issues in relation to vulnerable young people in the community and neither could any of his ministers. The former Labor government failed to bring in legislation. This government is bringing in legislation.

The sector called for this legislation and is now proud and happy to see it come in. I will quote from statements made by some of the organisations that want to ensure that we have the right program to go forward with in Victoria. In a media release of 22 October the CEO of the Youth Affairs Council of Victoria, Kate Colvin, stated:

In introducing an independent commission for children and young people, the Baillieu government shows foresight and understanding of the needs of Victoria's children and young people. We congratulate the government on the development of a strong commission model, with features such as the capacity to initiate and conduct investigations at both an individual or systemic level on issues that affect children's safety and wellbeing.

In the *Herald Sun* of 22 October child safety commissioner Bernie Geary was reported as saying:

If the commission saw that children were being disadvantaged or not properly serviced in almost any area, they'd be able to look into it ... For the sake of children in Victoria, particularly vulnerable children, this is a massive step forward.

The list goes on in relation to organisations discussing the establishment of this commission. An article published in the *Age* of 11 March headed 'Aboriginal children to get an advocate' says:

After an inquiry into the children protection system, the government will create the new role to improve services and guardianship of Indigenous children, who are 11.5 times more likely to be in out-of-home care than their non-Indigenous counterparts.

...

It found past actions by government and non-government agencies — such as the forcible removal of children — had 'impacted negatively' on Aboriginal families, resulting in continuing trauma and a general suspicion of welfare services.

The opposition has put forward amendments to this legislation, which we will not be supporting. We must put this in perspective. The Cummins report states that the commission would provide flexibility for the number of commissioners to be adjusted in response to changes in the commission's work program. The appointment of multiple commissioners would also provide the commission with a broad range of expertise. For example, the inquiry has recommended the appointment of an Aboriginal children's commissioner.

Not once does the Cummins report state that the appointment of an Aboriginal children's commissioner should be legislated. That is something which should be taken into consideration, and this government has said it will deliver on it. The government is honouring that commitment, as is apparent in the minister's second-reading speech. We will make sure that we have the first Aboriginal children's commissioner in Australia, not just in Victoria. We stand very proudly behind the decision of the minister in delivering on this for all Victorians. It will ensure that we have the best system in place with both a commissioner and an

Aboriginal children's commissioner, who will be appointed once the commissioner has been appointed.

The opposition also talks about funding. I want to make sure that the record is correct in relation to the funding of the commissioner. We are providing a reasonable amount of funding for the commissioner to ensure the safety of children and the completion of any investigations. In a recent media release the Victorian Council of Social Service quoted a figure of \$1.3 million, which is not correct. The correct figure for 2013–14 is \$4.794 million. Over the forward estimates it is more than \$4 million, going up above \$5 million, for the implementation of the commission and ensuring that it has the proper and correct resources to ensure that it is a fair body to get out there and work with our vulnerable young children and protect them.

I will just put on the record a few of the things that have happened in relation to the key differences between the commissioner, the new commissioner and the existing Office of the Child Safety Commissioner. The first and most important thing is that the current system is not independent of government. The system we are creating is 100 per cent independent of government, and I think that is vital when you are talking about dealing with young people and the opportunity to investigate things that are happening to vulnerable young children in state care.

Under the current system the commissioner is appointed by the Premier. Under the new system the commissioner will be appointed by the Governor in Council. The biggest difference I see in relation to this is that the current commissioner, at the request of the minister, investigates and reports on out-of-home-care services for child protection clients — currently it takes the minister to instigate any investigations. The new commission, which as I said, will be independent of government, will be able to initiate and conduct inquiries in relation to child protection clients; youth justice clients; young people under 21 years who are leaving or who have left state care to live independently; a child who is or whose primary carer is or has been a service user of a registered community service, such as an out-of-home-care service or a community-based child and family service; and relevant government and non-government services provided to children and young people or their primary carers when persistent or recurring issues affecting child safety or wellbeing arise, including out-of-home-care services. The reports of own-motion inquiries into persistent and recurring service delivery issues can be tabled in Parliament.

We get back to that independence issue. I think a very important aspect, and probably one of the main aspects of this bill for the house to consider today, relates to making sure there is a commissioner who is independent of government and has the opportunity to initiate their own investigations into the areas that need to be investigated. At the end of the day it is not about the current commissioner or the future commissioner; we are standing here today to protect the vulnerable young people in our community. It is vital that we have an independent commissioner in Victoria who can initiate his or her own investigations and who does not have to wait or rely on the minister to get that happening.

As I have said in my short contribution, I am very proud to stand here and support the bill. I wish it a speedy passage. I do not support the amendments, but I am proud to stand here as part of a coalition government that is delivering for vulnerable young people in the Victorian community, including our Indigenous young people.

**Ms THOMSON** (Footscray) — I rise to support the bill before the house and to support the amendments. I do not think anyone in this chamber would think this is anything other than the hardest area for people to deal with — the safety of young people. I respect greatly all those who work in this area and those who give additional support to those who work in this area. I cannot think of anything that would touch a person or impact upon them more than having to deal with children who have suffered at the hands of adults. Anything we can do to improve the chances of children being protected and having real childhoods is vitally important. It is with this in mind that I sincerely say we on this side of the chamber support the bill.

However, there are a couple of issues about which we have questions, and the amendments go to that. I note that the minister said in her second-reading speech that the government intends that the first additional commissioner will be a commissioner for Aboriginal children and young people. Intentions are great things to have, but it would be far more beneficial if those intentions were recognised within the legislation — embedded — and done. Intentions are often not implemented, or, if they are, they are implemented 12 months down the track or just prior to an election. If those opposite were really serious, they would put in the legislation that they will be appointing an Aboriginal commissioner and that that person will be appointed by such and such a date. In that way they would be able to demonstrate their commitment in the legislation. That is missing, and all we on this side of the house are suggesting is that it would strengthen that

intent and give it real meaning if those in government accepted the amendments and recognised their intent in the legislation.

I support the amendments proposed by the opposition. I think, given the instances of abuse of Aboriginal youths and children in the community, that this is important legislation to pass. It is certainly supported by the community. The government could rethink its position on this, say these are welcome amendments and incorporate them into the legislation.

I also want to talk about Bernie Geary and the work he has done, because certainly he has been a great advocate for children and a great child safety commissioner. I do not think anyone would dispute the work that Bernie Geary and others who work in this area have put in to try to keep young children and adolescents in Victoria safe. I think he has done a wonderful job, and he should be congratulated on it.

As I said at the very beginning, I do not have any qualms in saying that we on this side support this legislation, but there is an issue about the funding. The minister needs to realise that if this commission is to have the capacity to do the work it needs to do, it must have the resources to do it. If the commission is going to instigate inquiries, it needs to have the resources to properly fund those inquiries. The minister believes the funds that have been allocated will be adequate. They may or they may not be, but she does need to keep an eye on the budget arrangements for the commission and ensure that the budget is added to if required and if it looks as though there is more work that the commission has to undertake. I think initially there will be. I think there will be a lot of work that the commission will have to undertake. There will be investigations that the commission will want to undertake. On that basis I think the budget allocated may need to be lifted.

As we know, this piece of legislation arises from Justice Cummins's review, and I think this bill certainly goes some way towards covering all those issues. However, one thing that was recommended was that the commission have the same coercive powers as the Ombudsman. This was recommended by Justice Cummins but is not reflected here in the legislation before the house. I think that needs to be reinvestigated. I think we need to ensure that we are giving enough power to the new Commission for Children and Young People so that it is able to fully investigate issues that come before it.

I think that when we look at the widened powers the commission will have, we realise that they are commendable. I think that is exactly what

Justice Cummins wanted to see. I think it does create an onus to make sure we have and that all departments have a sense of responsibility for ensuring the safety of young people. Whilst you can maybe fix the gaps there might be in the Department of Human Services — and I question this — there is the issue of the interactions between the Department of Education and Early Childhood Development and the Department of Justice and other departments, where knowledge is kept and maybe not shared in the way in which it should be. Hopefully this will help to ensure that investigations that are conducted make sure that departments are fully covering the welfare of children. We know that there have been definite gaps in the past. I support and recommend the bill. I hope the government will rethink its position in relation to the amendments. I commend the bill to the house.

**Debate adjourned on motion of Mrs VICTORIA (Bayswater).**

**Debate adjourned until later this day.**

## PLANNING AND ENVIRONMENT AMENDMENT (GENERAL) BILL 2012

*Second reading*

**Debate resumed from 30 August; motion of Mr CLARK (Attorney-General).**

**Mr WYNNE** (Richmond) — On behalf of the opposition I rise to make a contribution to the debate on the Planning and Environment Amendment (General) Bill 2012. From the outset I indicate that the opposition does not oppose this bill. However, there is one matter we seek further clarification on from the government — namely, new section 20A inserted in the principal act by clause 44 of the bill, which is in relation to referral authorities for the purposes of planning scheme amendments. I will elaborate more on that as I proceed. I understand we have a quite extensive legislative program over the next three days, but if we do not have the opportunity to get some clarification on new section 20A, we will reserve our right to move an amendment in the upper house. We come to this debate seeking clarification in a genuine way because we think there are some potentially deleterious outcomes in relation to referral authorities with new section 20A.

More broadly, this bill abolishes the development assessment committees (DACs), which were established by the previous government. We felt they were a significant opportunity to provide some certainty in the planning process, not only for councils but also for developers and residents in various major activity

centres across metropolitan Melbourne and also in major regional cities such as Geelong. The intellectual underpinning of the establishment of DACs was to provide clarity, assurance and a streamlining of the process through the DAC process.

As members would be aware, the DACs were to have a chairperson nominated by the minister of the day in consultation with the two peak bodies for local government — the MAV (Municipal Association of Victoria) and the Victorian Local Governance Association. From the outset we were very keen to ensure that we had important input from the two peak bodies in the selection of the chair so that there would be some consensus around who chaired those DACs. Two members were to be nominated by the minister of the day and two members were to be nominated by the relevant municipal authority for a particular major activity centre.

The only development assessment committee established in that time was at Doncaster Hill — and I note the member for Doncaster has just joined us in the chamber. This very significant development included a fantastic social housing development, which has been completed. It was beautifully located, right in the heart of a thriving area where some high-density development was not only called for but also welcomed by the local council.

The whole notion of the DACs was to seek a cooperative arrangement between local government and communities, bringing together a vision for both residential and commercial development to maximise the opportunities that stem from what is called in planning terms, locational advantage. If members think of places like Doncaster Hill or the Ringwood interchange, they will agree that these are the sorts of places where a development assessment committee process would naturally fit. Why? Because it was always our view that when you bring all the parties together in a conversation about the aspirations of the council, the aspirations of the development community and the aspirations of the broader community, inevitably you will get a very good outcome for all the parties concerned.

If members think about a place like the Ringwood station precinct, they will agree that it is a very well-located site on a major public transport link. It is just opposite the shopping centres in Ringwood — a major commercial hub — and it is an area ripe for residential development as well. However, the then opposition indicated it had significant concerns about the DAC. At that stage Mr Guy, the then shadow Minister for Planning, now the Minister for Planning,

was quoted in the *Geelong Advertiser* of 22 May 2008 as saying:

The committees will be formed by a majority of unelected, government-appointed mates who will most likely be Melbourne-based and have little or no idea about the issues concerning Victoria's second-largest city.

That was commentary in relation to Geelong, but as we reflect on the proposal for the Planning Application Committee that is before us in the bill, you have to wonder how those comments by the minister line up today, because the minister of the day will have a strong hand in the appointment process for members of the PAC. We will look with interest to see how the PAC appointments are made to ensure that the commentary and allegations made in the upper house — which in our view were injudicious, unwarranted and unsubstantiated — by the then shadow Minister for Planning, now Minister for Planning, do not apply going forward.

More generally, in many respects this initiative mirrors the process and the intellectual underpinning of what we were hoping to achieve through the rollout of the development assessment committee processes. If you put the two processes together and look at what we were seeking to do through the DAC process and what the government seeks to do through the Planning Application Committee process proposed in this legislation, in the broad aspirations and indeed in their actual implementation, we may find similar outcomes in many respects.

In that context it would not be surprising to the house that we do not oppose this initiative, because it is important that we ensure that the appropriate voices of all the key players are heard in the process. The only substantive difference between what we had in place and what the government is proposing in this bill is what I acknowledge the minister flagged at the time — that is, that under the bill local councils have the opportunity to opt in or opt out of the process — whereas an important element of what we were seeking to do was to ensure a stronger engagement in the process by local government. We will see how that emerges over time.

In major activity centres, areas where we would encourage growth, areas where it is obvious that development should occur, areas that are very well located within the context of not only major transport links but also major employment and educational opportunities, it obviously makes good common sense to have this Planning Application Committee process and to facilitate development going forward.

I want to touch on a couple of other matters. I turn specifically to clause 44 of the bill, which inserts a new section 20A into the Planning and Environment Act 1987. As was indicated in the second-reading speech:

This section will introduce a streamlined process to enable straightforward changes to planning schemes to be processed quickly ... and inexpensively ...

That is the view of the government. It goes on to say:

The criteria for determining what amendments may be prepared under the new streamlined process will be prescribed in regulations ...

The regulations are yet to be formed; we do not know what they will look like. The regulations:

... will be developed in consultation with local councils and other planning stakeholders. The prescribed matters are likely to include updates, corrections and technical changes that have no significant policy impact.

At first blush, you would say, 'That's okay; it is all pretty reasonable and straightforward', but in all these things the devil is in the detail. Our concern is one that you, Acting Speaker, have heard me speak of in this house before when it comes to planning matters, whether it be issues around the green wedge and potential incursions into it, about third-party appeal rights, or about ensuring that the voice of the community is heard clearly and unambiguously in the planning process — that is, we do not want to see a continuing erosion, step by step, of the checks and balances that are so important to the planning process.

The minister's press release has its usual level of bluff, bravado and bluster about it. It is headlined 'Pulling Labor's DACs down'. I am sure there was no pun intended! Nonetheless it tells you a little bit —

**Mr Foley** — He needs a new joke writer.

**Mr WYNNE** — I thank the member for Albert Park for his contribution. At one level of course it is whimsical and slightly jocular, but there are also serious issues embedded within this legislation. I note that the press release indicates that the PAC system will be entirely optional for councils to use as a body to seek further advice or as a responsible authority or simply to determine applications. The entire process will be the initiative of the council. The minister goes on to talk in his press release about what he sees as being some of the deficits in the development assessment committee process that we put in place. But it starts to pervade some of the conversation about planning if we find ourselves in a circumstance where the approach of the government to planning can be characterised as being somewhat cavalier.

It is worthy of comment that on many occasions we have seen the Minister for Planning roll out announcements about potential new suburbs. There is a very large proposition for the western suburbs of Melbourne which is poorly linked to public transport. There is no real sense of how a staged development might occur there. My colleague the member for Albert Park is to follow my contribution, and he will certainly be talking about Fishermans Bend, where the government is again talking about a major development of many thousands of properties in high-density developments on a site that, by any measure, is probably one of the most polluted sites in Melbourne. There is the E-Gate proposal at the other end of Spencer Street which the previous government was also looking at in terms of a development approvals process. It is a site that is subject to long-term leases already and is quite severely contaminated as well.

It is easy to have these visions about how to plan a city. Being the Minister for Planning is a great job — there is no doubt about that — but you have to come in behind that with substantial thought and planning of the infrastructure and how you propose to stage development going forward. I note that just a few days ago one of the key agencies of government, Places Victoria, found itself in an extraordinary situation. That is germane to this debate because Places Victoria is one of the delivery arms for government in terms of many of these sites in particular. Its work was moved from the urban fringe to deal with some of the very tricky sites like E-Gate and Fishermans Bend to try to assemble those sites in such a way as to have the appropriate physical and social infrastructure in place but also to be in a position to have staged development of those sites going forward.

It was with extraordinary dismay that we read of the massive layoffs at Places Victoria and also —

**Ms Beattie** interjected.

**Mr WYNNE** — There is a serious question mark over —

**The ACTING SPEAKER (Mr Weller)** — Order! There is a fair bit of latitude but we do not need to go into those sorts of comments about the head, in response to the member for Yuroke's interjection.

**Mr WYNNE** — No, I was not going there, I was talking about the organisation as a delivery arm of this government in terms of its planning aspirations. It is a statement of fact that there is a significant deficit. It is a statement of fact in the newspapers that Places Victoria has laid off a very substantial number of staff.

The member for South Barwon is waving the bill around, but if he had come in to listen to the debate, he would understand what the Places Victoria part of this argument is about. It is about the delivery of this government's planning agenda in part. There are serious questions about the future of that organisation. Many staff were laid off, and we know the chairperson has had to stand down for reasons relating to the Australian Securities and Investments Commission and various other matters. He, quite appropriately, has stepped down from his position.

If we do not have this major delivery arm of government seeking to address many of these questions about how to, in an orderly way, plan for key infrastructure and the development of these areas, we have to ask the obvious question about how these new planning committees are going to work, because inevitably there has to be interplay between the two. I would argue that Places Victoria should be playing a very active role in these major activity centres. Whether it be in Doncaster Hill, Ringwood, Moonee Ponds or any of the major activity centres, there is an obvious synergy between the Planning Application Committee and a delivery agency like Places Victoria. When one arm of that equation is at best severely wounded and in some quite serious trouble, it adds to the concerns of the opposition in relation to how the PAC may work in a practical sense.

I am conscious that a number of other members want to make contributions to this bill.

When you look at the development assessment committee process we had in government and the process the government is proposing through this bill, with the exception of the opt-in and opt-out measure for local government — and I understand that that was a commitment of the government and a clear policy difference on which the then opposition went to the election which it has now implemented, and we understand and do not oppose it — you would have to wonder what the differences are between the two going forward, particularly when the minister is out there accusing us of providing jobs for mates.

The member for South Barwon shakes his head. If you had been here earlier, brother, you could have tuned in and listened to the commentary of the now minister — —

**The ACTING SPEAKER (Mr Weller)** — Order! The member for Richmond knows that it is out of order to respond to interjections, and the member for South Barwon needs to behave.

**Mr WYNNE** — He certainly needs to behave, and he needs to understand that I was quoting a commentary from the *Geelong Advertiser* by the then shadow Minister for Planning in relation to allegations that we were stacking the development assessment committee process with so-called Labor mates. But never mind. He will perhaps learn as the journey goes on.

We will be watching carefully, particularly the process by which the government appoints people to these very important committees, but I indicate to the minister at the table — the Attorney-General, who takes responsibility for planning bills in this house — that we still have some significant concerns in relation to clause 44 of the bill, which inserts a new section 20A into the Planning and Environment Act 1987, in relation to the opportunity for referral authorities to have significant input into the amendment process going forward. That having been said, we reserve our position to potentially move an amendment in the other place, and I flag that to the minister now. On that basis, we do not oppose the bill.

**Mr MORRIS (Mornington)** — I am delighted to rise this evening to support the Planning and Environment Amendment (General) Bill 2012. The bill has a dry and uninspiring title, but it will implement a very exciting change which will wind back the clock a little. The earlier speaker talked about some changes the former government had made, and this bill undoes what was undoubtedly a direct attack on local democracy in this state.

I was interested in the mildly revisionist view, to be kind, expressed by the member for Richmond that the DACs (development assessment committees) were about strengthening the role of local government in the process. As the member for South Barwon intimated, when the score is 3 to 2 and local government has 2 and the others have 3 and it is not optional, then you have taken the power away from local government. It is there, it is window-dressing, but if the council does not agree, it is purely and simply outvoted. This process did, in practice and in fact, take away the opportunity for local government to be involved in local planning.

The impact of the bill is that it restores planning powers to local government. It undoes what was undoubtedly little more than a decade of neglect, destruction and confusion and, somewhat paradoxically but so often the case, a decade of prevarication. For too long we saw successive Labor planning ministers — and when you think back over that period there were quite a few of them; I have not bothered to count up the number but there was a real procession — introduce measures that

loaded up the red tape burden and increased the complexity of the planning system several fold but at the same time significantly reduced certainty for the community and for the development industry.

It created an absolute dog's breakfast of confusing and contradictory controls. It was a process that was to some extent a stealthy one — slowly but surely over that period local government was sidelined. We had changes relating to the powers to initiate amendments, we had the DACs legislation, we had local opinion sidelined and we had, sadly, councillors attacked because they dared to stand up for the interests of their communities. Probably the worst example of the process was Melbourne 2030, which introduced a whole range of controls. There were some good elements to it, though the rhetoric was better than the planning controls, but the outcomes it delivered were absolutely abysmal. The whole process culminated in the introduction of the somewhat infamous DACs.

It is reasonable to say that never before has there been such a full-on, frontal attack on local government and its capacity to represent its communities. Local opinion was sidelined and there was a direct assault on the democratic process. It is a central tenet of this government's approach that in the arena of planning councils, along with their communities, should be the main protagonists and the main decision-makers. That is a fundamental principle that we take very seriously, and I am pleased that this bill redresses the balance and reinstates that situation where local communities have control of their destinies.

I talked about the mildly revisionist view proposed by the previous speaker, but I recognise the moderation of his approach. Unfortunately the same is not true of his colleagues. For many years members of the former government sang arias about the importance of local government and talked about how important local democracy was, but at exactly the same time that government was taking steps behind the scenes to diminish its status and powers. Since this government has taken office the opposition has criticised the steps taken in legislation by the government, it has criticised planning decisions that have been taken and criticised the changes to the framework, but none of those criticisms have been based on fact. It has subjected and it continues to subject any planning proposal put forward by the government to what I would term wilful misrepresentation.

In relation to the recent VicSmart legislation, the shadow Minister for Planning, Mr Tee, a member for Eastern Metropolitan Region in the other place, claimed, absolutely falsely — and I have the media

release here — that height limits and density limits had been abandoned and that this will be open slather for anyone who wants to rape and pillage their neighbourhoods, which is complete and utter rubbish. A series of false allegations were made before this bill was introduced, but it is interesting to observe that since the day of its introduction there has been absolute silence.

Members would be aware that the bill was introduced to this house and first read on 29 August; it was second read on 30 August. What have we heard from the opposition spokesperson since then? Absolutely nothing. I checked the library website, and on 29 August the shadow minister issued a media release trying to fit up Lady April Hamer with some green wedge issues and seeking to invoke the spirit of the great Sir Rupert Hamer in support of Labor's allegations regarding the green wedge. That was the last comment we heard from the opposition. I thought, 'That can't be right'. I checked the ALP website. There was absolutely nothing at all on the ALP website. I thought, 'Perhaps he has confined his comments to the house?'

**Mr Wynne** — On a point of order, Acting Speaker, I know the lead speaker is always given a little bit of leeway in terms of their contribution, but this debate is not about the ALP website or what my colleague in the upper house Brian Tee, a member for Eastern Metropolitan Region and the shadow Minister for Planning, has to say. I ask you to invite the member in the brief time he has left to come back to the bill.

**Mr Clark** — On the point of order, Acting Speaker, it is perfectly in order for the speaker to question the position of other members or parties in the debate in relation to the bill before the house. I suggest that you reject the point of order.

**The ACTING SPEAKER (Dr Sykes)** — Order! I think we can proceed with the member making a contribution that relates to the bill and responds to the propositions put by the previous speaker.

**Mr MORRIS** — Acting Speaker, I think the position of the opposition and of the opposition's principal spokesman is particularly important. The fact is that whether you are looking at media releases, websites, Twitter or any other source of comment, you will see there has been absolutely no comment on this legislation from the shadow minister since 28 August. His two tweets are from 10 October, and the last one before that was on 28 August. This is excellent legislation, and I support it fully.

**Mr FOLEY** (Albert Park) — I am very pleased to rise to make a few comments in regard to this bill, the appropriately named, as the speaker before me said, Planning and Environment Amendment (General) Bill 2012. As the honourable member for Richmond indicated, whilst the opposition will not be opposing this bill — in that it gives effect to some of the government's commitments in regard to planning legislation changes that it went to the people on in 2010 — we will be reserving our position on how the specifics of clause 44 of the bill are dealt with in the other place.

Having said that, I preface my brief comments by saying that I did not know the member for Mornington was prone to overstatement and exaggeration until I heard the speech he gave before I rose to speak. He has a reputation as being a relatively understated contributor to debate in this place, but I am going to have to recast my thoughts on the honourable member based on that performance.

I understand that the member has a history in local government — indeed, as I understand it, he is the Parliamentary Secretary for the Minister for Local Government. However, to suggest that this government is somehow or other a champion of local government democracy, that it is building on what I think he said was a decade of destruction of local government and that this bill seeks to overturn confusion in regard to planning powers indicates that the member for Mornington's vision is a little bit myopic.

He should cast his vision more broadly, in particular to the activities of the Minister for Planning and how this government seeks to deal with planning legislation. I do not wish to paraphrase the Minister for Planning, but in terms of setting the framework in which he sees his own activities in government, which therefore informs his approach to bills such as this, I have heard the minister describe his approach at a Property Council of Australia event as being to overturn the socialist planning regime that he inherited from the former government. The minister, quite rightly, sees the planning portfolio as an economic development portfolio, as indeed it has always been, but the overblown rhetorical position he brings to his portfolio does him no justice and no good and should inform the approach of the member for Mornington and others on his side to this particular bill.

What this minister has shown, perhaps not so much in this bill but more broadly, is that he is very good on the sweeping rhetoric about what is going to happen in 5, 10 or 20 years, but he is not very good on what is going to happen next week, next month or in this term of

government. If you are the action man of the government, seeking to find a seat to come downstairs in order to replace the Premier, then you have to deal with that.

**Mr Morris** — On a point of order, Acting Speaker, we had some commentary about relevance before, and we are getting a long way from the bill now. I ask you to bring the member back to the bill.

**The ACTING SPEAKER (Dr Sykes)** — Order! We will work within the spirit of the debate, but I ask the member for Albert Park to focus on the bill rather than making commentary on the personal features and characteristics of the minister.

**Mr FOLEY** — Thank you, Acting Speaker. I will certainly take heed of your guidance.

As we have heard, the Planning and Environment Amendment (General) Bill seeks to make a number of amendments to the Planning and Environment Act 1987. Specifically it delivers the government's election commitment by abolishing the development assessment committees, establishing the Planning Application Committee, streamlining processes under the act and making a number of other consequential amendments in relation to public open space and a few minor amendments to the Local Government Act 1989 which are associated with the processes in the bill.

The Attorney-General, in representing the Minister for Planning in this place, said in the second-reading speech that the goal of this legislation was to return 'certainty, clarity and accountability to the planning system'. That strikes me as somewhat incongruous given what this government is doing in my community through this bill, which the honourable member for Richmond spoke about. I will briefly give the house a whistlestop tour of how planning certainty, accountability and transparency has happened in the district of Albert Park.

The substantial piece of activity in the district relates to the government's urban renewal planning project at Fishermans Bend, which is a substantial four-precinct plan that will go for many years and was allocated to Places Victoria as the delivery agent. What did this government do in terms of making local government the champion of that planning decision? The first thing it did was take responsibility for this project straight off local government. How did it do this? The local authority did two years worth of work in establishing a planning framework. It involved the planning department, and indeed the City of Port Phillip had briefed the minister's department and his office in

regard to that plan. The week after the announcement of the plan planning authority status was ripped off that local government and the minister became the responsible planning authority. Apparently this is the activity of a minister and a government that is committed to local government democracy and the championing of local participation.

**Mr Wynne** interjected.

**The ACTING SPEAKER (Dr Sykes)** — Order! Member for Richmond! The member for Albert Park is very comfortable.

**Mr FOLEY** — That contrasts substantially with the honourable member for Mornington's contribution on this bill. Whilst Mornington might be a democratic planning nirvana, that certainly is not the case in Albert Park and the area of Fishermans Bend. It does not end at Fishermans Bend, because the minister's deregulated vision of an anti-Socialist planning system means it is a case of 'let it rip'. This minister has said this in his Manhattanisation vision for the expanded CBD where no height limit is high enough and no space between high-rise towers is close enough. There is no role here for local government. The work of local government is not just cut out but is specifically ignored, so for the parliamentary secretary to get up here and seriously suggest that this government is committed to the principles he has enunciated and which are set out in this bill, leaves us gobsmacked as to the level of hypocrisy reflected in this minister's rhetorical position and in activities on the ground.

In this respect the amount of activity that this points to is surprising, and I am glad the member for South Barwon has rejoined us because I want to point out how soon members opposite forget the positions they held while in local government. I understand that the honourable member for South Barwon was a councillor at the Greater Geelong City Council. I remind him that he was quoted in the *Geelong Advertiser* of 19 November 2008 as having said the then Labor government only seemed to be paying lip service to consultation with the council. He was then quoted as having said:

I don't want people from Melbourne or anywhere else making decisions for Geelong ...

In regard to how that might work, the honourable member for South Barwon's participation at that time stands in stark contrast with the ripping off of local government's powers that this Minister for Planning and this government have delivered time after time, through call-in after call-in, through mismanagement of Places Victoria and through its oversight in how it has

done this. Whilst we look forward to the passage of this bill, the debate is not over by a long shot.

**The ACTING SPEAKER (Dr Sykes)** — Order! I call on the member for Mordialloc, within the latitude extended to the member for Albert Park.

**Ms WREFORD (Mordialloc)** — Thank you, Acting Speaker. I rise in support of the Planning and Environment Amendment (General) Bill 2012, and I will need to talk about the bill because the previous speaker clearly does not understand what this bill is doing. This bill is about removing layers of Labor's beloved red tape and returning planning powers to the hands of the community. That is what this bill is about, and that is where planning should be decided — through elected local government. It is part of our election commitment to make planning fairer, consistent, transparent, certain and efficient. That is for our neighbours, for councils, for businesses, for planners, for developers and for the community.

This bill removes the development assessment committees, otherwise known as DACs, and returns these powers to local government, which is what we should be doing. It creates a planning expertise service, modernises the role of referral bodies, streamlines the planning scheme amendment process and improves section 173 agreements. It makes general improvements to the act, mainly to speed things up.

It is important to get Victoria moving after 11 years of Labor creating red tape around planning decisions. I am sure that by now we have all heard the planning minister's clever line that with this bill we are actually pulling down Labor's DACs. Labor took planning powers from the community by creating the DACs, which made decisions in place of local government. Sometimes you wonder what local government is doing if it cannot make these sort of decisions. Theoretically the DACs were meant to encourage joint local and state government decision making, but why does the government need a role in local decisions? Local communities, through local government, are perfectly capable of making these decisions without Big Brother.

Part 2 of the bill abolishes the DACs, so councils regain their powers. You can imagine how residents in my electorate, most of whom are in the city of Kingston, although some are in the city of Greater Dandenong, felt about decisions affecting their streets being taken away from them and made by a faceless committee, probably in a CBD tower.

Whilst the wild creation of the DACs was not a good outcome, one of the ideas behind them had some merit,

and that was creating a base of expertise. There is a shortage of planners and particularly of those with highly specific expertise. We will create a body called the Planning Application Committee, which is provided for in part 3 of the bill. It will be a body that councils can choose to consult with on highly complex planning matters or ones that require very specific expertise. Not all councils can afford the services of an expert on, for example, retail space requirements, so they might go to the PAC, which will provide information for all Victorian councils. Councils may, with the minister's consent, refer the whole of a complex application to the PAC.

Part 4 of the bill modernises the role of referral authorities. Currently they all have the same power to require a permit to be refused or to require conditions to be included. The bill allows for a second type of authority, a recommending referral authority, which can make recommendations on an application that a council can choose to include or exclude. This is a good step. An authority which is perhaps just looking at maps might not be as familiar with an area as a council is. For example, a VicRoads officer in, say, Burwood, would not know how far traffic banks back from the level crossing in, say, Parkdale, so a recommendation might be made that if traffic regularly banks back to, say, 150 metres, a particular treatment be included. That is common sense and is really important.

The bill makes further general changes to rules around referral authorities. The council must now provide information prescribed in the regulations about why a referral is needed. The bill requires a referral authority to act promptly. That is important, because currently many applications take much longer than they should. The referral authority will be allowed to amend permits granted by the Victorian Civil and Administrative Tribunal in particular circumstances rather than the applicant having to seek an amendment through VCAT. This part of the bill will take a load off VCAT, and that is really important because VCAT deals with a lot of permit extension requests, and taking the load off it will speed up the process.

Parts 5 and 6 of the bill streamline the planning scheme amendment process. Early on, councils must ask a minister if they can prepare an amendment. The bill gives the minister 10 days to respond, which will definitely speed things up. Getting something out of a minister in 10 days seems quite amazing, but that is what will happen under the bill. Straightforward changes, such as removing redundant provisions and making corrections, will be sped up. They do not require the same consultation as strategically significant ones. The definitions of which changes are

straightforward will be developed in consultation with councils. That is still to come.

Part 7 of the bill makes improvements to agreements pursuant to section 173 of the principal act. Currently, to end an agreement all parties must agree, but that is not always possible or necessary. The bill introduces a process. If the responsible authority — for example, the council — agrees with the change in principle, a process similar to a planning permit process can begin, complete with appeal rights to VCAT. The minister no longer needs to be advised of all agreements, which saves all parties much administration and gets rid of red tape. The bill clarifies that all owners in a subdivision are subject to existing agreements and that an agreement must be registered on a title.

Parts 8 to 10 make refinements to the operation of the act. They define a permit, provide immunity to planning panels, clarify compensation responsibilities and allow VCAT to limit its reviews to the points of contention if the parties agree. Part 11 clarifies public open space relating to subdivisions.

In summary, the bill is about removing layers of Labor's beloved red tape and returning planning powers to where they should be — in the community's hands — through the locally elected government. The government is taking the power away from the faceless people in the city towers and putting it back into the hands of the communities. In my area that will be in the Kingston and Greater Dandenong communities, but the bill applies right across the state. It is part of the government's election commitment to make planning fairer, consistent, transparent, certain and efficient for neighbours, councils, businesses, planners, developers and communities.

The bill removes the DACs and returns powers to local governments, creates a planning expertise service, modernises the role of referral bodies, streamlines the planning scheme amendment process, improves section 173 agreements and makes general improvements to the act, mainly to speed things up. It will be great for all communities, including those in Kingston and Greater Dandenong in my electorate. This is an important bill to get Victoria moving after 11 years of Labor creating red tape around planning. I commend the bill to the house.

**Mr PANDAZOPOULOS** (Dandenong) — It is a pleasure to speak on the Planning and Environment Amendment (General) Bill 2012. The member for Mordialloc mentioned that planning requires fairness, transparency and a reduction in red tape; I guess that is part of certainty. The reality of the bill is that there is a

lot of window-dressing around how it is delivering on some broad election commitments of the government. A press release under the heading 'Pulling Labor's DACs down', apart from being juvenile and bullying, does not really give you confidence that there is much meat in the whole policy. That is the reality. As someone who has been in local government, who has been on the Municipal Association of Victoria executive and who has chaired the MAV planning committee prior to Parliament, I have followed planning for a long period of time, and I have been the acting planning minister on various occasions.

**Mr McIntosh** — And this was the best media release you have read!

**Mr PANDAZOPOULOS** — No, it goes to show that the government's rhetoric about this massive reform does not really match the reality. The reality is that we need to provide certainty to the community and the development industry, and the bill might do some of that. But what we are really doing is replacing development assessment committees (DACs) with the Planning Application Committee (PAC). There was only one DAC; the Doncaster Hill committee was the only development assessment committee in place. There is a big song and dance about pulling Labor's DACs down — the one DAC. The whole planning policy is based on pulling down one DAC, the Doncaster Hill one, which had two municipal reps on it. But the DACs are being replaced with the PAC, which will be made up of a whole lot of people appointed by the minister.

At the same time as this spin and rhetoric is occurring, the bill gives power back to the councils; it is empowering local councils. It is creating a mechanism for councils not to be part of a shared planning process and to abrogate their responsibility. For good or bad, councils often put these issues in the too-hard basket. Maybe the government is creating the PAC to assist in that process.

I would much rather there be a planning policy built on some broad bipartisan support. If you have that, you have the community and the industry, generally, on the same page. But at the end of the day it is also about people making money, and rightly so. That is part of the society we live in. That also involves landowners trying to maximise the value of their land. Those developments add to the community; there is no doubt about that. It is a matter of where the balance ends up being.

The reality is that whoever is in government finds this issue really hard, because governments are always

going to be accused of being in the pockets of developers and not having the community's interests at heart. The government's planning policy — which is what this bill is about — is about the government dancing around straw. It is interesting that the government is moving from DACs to the PAC, because it was operating as a pack around every planning decision Labor made, trying to undermine it. Now the government is trying to create a new environment which the community will not have faith in either because the community is cynical of governments.

It has taken two years for the policy to reach this stage. The minister has been seen running around at Ventnor and doing things against departmental advice and what local councils want. Media releases put out on Friday afternoons, when the media has gone to ground, talk about new towers around the place. Whether it is in the suburbs, the CBD or on St Kilda Road, these towers are not supported by local councils or communities, but, despite the rhetoric what we get from this minister is not really about giving more power to councils, empowering communities and all of those things. In effect, towers are being put into areas that were less likely to have them in the past, and taller and bulkier towers are being put into areas where higher density is allowed. That is generally what this minister has provided for.

Surprise, surprise if we and the community are a bit cynical about the intentions of the government. There is a growing organisation of outcry among community groups on planning issues. They are mobilising against this government, and this is only the second year of this government. It is amazing that in a short period of time the government has been able to disappoint people. From the time when then opposition members spoke rhetoric about this issue to now when they are in government, they have been able to disappoint so many parts of the community.

We are cynical about clause 44. The minister may give himself 10 days to make decisions on small issues, but when members see his record over the last two years, they will not necessarily have confidence in this issue. There will be scrutiny at a different level — that is, when the bill is debated in the Legislative Council. Thank God for the reforms to the Legislative Council we put in place that allow for a more detailed, clause by clause analysis of government bills. We will use that process to try to get more information from the Minister for Planning, seeing as that is the chamber he is in.

I hear from strategic planners and those in the development industry that they have been extremely confused by this government. They have understood

the key role of certain development sites and activity centres in the state. Dandenong is one of the big activity centres. It is part of a Places Victoria project. If you are a developer, you are wondering where you are going to put your money in Victoria. In the past you put it into development in Docklands and activity centres. That is where your higher value projects are, and that is where commercial projects, residential towers and high-end strategic retail might go. But under this government it is all over the place. It is like telling people, 'Ignore all of that work on planning and activity centres in the past, hang around to find out what the new planning policy is and maybe you will get another development outcome somewhere else that is not part of a strategic plan'.

Like those in all other activity centres, we in Dandenong are concerned. It is like this government has been telling those in the development industry, 'Don't think about these areas'. Meanwhile the government has bought huge parcels of land. The *Saturday Age* last weekend contained an article about the Places Victoria debts and how the acting chairman will restructure debt by selling land. What a great thing for the development industry for land to be just sat on! This is not what we want in the development game: buying a big parcel of land and getting huge capital appreciation or land value for land in Fishermans Bend rather than investing in Docklands, which is twice the size of the Melbourne CBD, where public money and government money has been invested.

The development industry and strategic planners in the state are highly confused. They are asking, 'Where is the state going? Is it a situation of trying my luck and the minister might like my project and that is where the money is going to go, or do I put my money in strategic development sites like activity centres?'. Certain areas are activity centres because they are in strategic locations with road and public transport networks and because there is a critical mass in terms of retail, commercial or residential activities. There is a higher concentration of communities in those activity centres so those centres can function and provide a variety of things local community catchments need. That is the planning we have been pursuing. There has been massive confusion.

This bill will not add much more to that. We acknowledge that in order to have a planning policy the government had to say something. It is putting things in place. The department will do the best it can in these scenarios, but this is simply not some big, new regime about communities and local governments being empowered. Over the next two years of this government's term we will clearly see that that is not

the case, partly because it is really hard to keep everyone happy in relation to strategic projects.

We have all had projects in our electorates and near the places we live that we would much prefer to be different. But the reality is that because of the process of community members and stakeholders having a say — as frustrating as it is — to decision-makers in local councils, planning areas or the development industry, we can have better planning outcomes overall whereby we can ameliorate impacts and ensure better developments. There may be a cost and there may be a need to prepare in regard to a variation. We are not always going to have unanimity with the community in regard to these issues, but we have a growing population that we have to cater for.

**Debate adjourned on motion of Mr WELLER (Rodney).**

**Debate adjourned until later this day.**

## **MINERAL RESOURCES (SUSTAINABLE DEVELOPMENT) AMENDMENT BILL 2012**

*Second reading*

**Debate resumed from 10 October; motion of Mr O'BRIEN (Minister for Energy and Resources).**

**Ms D'AMBROSIO** (Mill Park) — I rise to speak in the debate on the Mineral Resources (Sustainable Development) Amendment Bill 2012. I wish to state from the outset that the opposition will not be opposing this bill. The bill amends the principal act, the Mineral Resources (Sustainable Development) Act 1990 and makes some routine changes to it. These changes seek to improve or strengthen existing provisions to reflect a growth in community expectations in aspects of such legislation for the mining and extractive industries sector, particularly with respect to economic development, environmental effects and social effects.

By its very nomenclature the Mineral Resources Sustainable Development Act 1990 attempts to balance the economic development of Victoria's mining and extractive industries with the environmental and social expectations of the community. Economic development of the state helps drive job creation and standards of living. We need to see industry and economic development through these prisms. The mining sector is an important element of Victoria's economic development, but we need to measure its value and worth by how much it improves Victoria's lot in terms of the jobs it creates, the standard of living of the community, environmental standards and occupational

health and safety, which is an element of the standard of living. These three elements are all important measures of a successful community, as well as the social expectations for occupational health and safety standards in what is potentially a dangerous industry. These are rightly important elements that are reflected in degrees that are debatable in certain acts and in the bill we have before us today.

The public's confidence in the economic, environmental and social elements must be continuously monitored and improved upon to satisfy community expectations. This can be measured not just by the legislative and regulatory changes that governments choose to make from time to time to improve standards but also by the resources that governments provide to ensure that the regulatory frameworks that are in place are effective on the ground and actually deliver the outcomes that regulatory frameworks and policies strive to achieve.

The bill seeks to do a number of these things through three types of amendments. The first group of amendments deals with existing enforcement provisions of the act that pertain to compliance with mining rules. The second group of amendments broadens the opportunities for government intervention to protect the community's interests, and I will expand on what that means a little later. The third group of amendments seeks to increase maximum penalties for failure to comply with a safety order, and I will comment on those as we move on. The opposition considers these three groups of amendments to be sensible reforms. I will take the opportunity to comment in the first instance on those amendments that deal with the enforcement provisions under section 110 of the principal act, which concern the failure to comply with notices and the like.

This bill seeks to provide a mechanism where none currently exists for the minister to enforce compliance with a notice issued under section 110 of the act. The bill also seeks to provide a specific mechanism to address significant safety or environmental risks or contraventions of the act and regulations. I note from the minister's second-reading speech that this group of amendments will align this principal act with standards in Victoria's Occupational Health and Safety Act 2004. The minister also refers to an alignment to similar legislation in New South Wales — that is, the New South Wales Mining Act 1992 — where a minister can cause corrective or remedial work to be undertaken and pursue cost recovery for it where there is a failure to comply with a direction. This is a sensible change that we have before us. Equally the bill seeks to reflect penalties that apply in other similar acts by way of

increasing the maximum penalties in this bill. Another similar act with which the bill seeks to draw a comparison is the Environment Protection Act 1970. It makes sense when we are dealing with similar breaches or causes of concern that penalties be aligned so that there is consistency in dealing with similar or comparable breaches across Victoria's statutes.

I note in passing that the mining industry has expressed some concerns, as was anticipated, with the increases in penalties. It has indicated that the scope of these increases only serves to make Victoria less attractive in terms of mining investment. I wish to simply note that in passing. I also note that the Department of Justice has recommended the penalty increases. If we consider penalties for the purpose that they seek to serve — that is, to ensure that regulations and laws are adhered to to minimise contraventions or breaches — then we need to ensure that penalties are commensurate with the level of the breach or the expectations of the community regarding the prevention of those breaches with respect to mining activities. There have been increases in community standards as to what is acceptable in terms of environmental impacts and social impacts through improvements to occupational health and safety, but they are importantly balanced by the need to drive the economy to ensure the industry is able to thrive and prosper. In the case of a failure to comply with a safety order, the maximum penalties that can be applied have been increased by about 150 per cent.

These penalties can be court-imposed on a company or individuals. I reflect on the fact that when the Occupational Health and Safety Act 1985 was introduced by the Cain Labor government those on the other side of the house did not embrace the need for such groundbreaking legislation and improvements in standards of occupational health and safety. I recall as a young person the feverish debates on this front that took place in this and the other chamber.

Changes in community expectations at the time drove the then government to introduce groundbreaking reform, and it is pleasing to note that some decades later in a review and update of the Occupational Health and Safety Act 1985 we had some very positive comments from those on the other side stating that the act did have some positive effects in raising the standards of workplaces and improving health and safety outcomes for workers. We all know how desirable it is that people are able to go to work, to return home to their families in one piece and to enjoy a lengthy and relatively healthy life with important standards in place. I reflect on that. To an extent this bill also reflects an understanding of the importance of the role that penalties can play in improving standards and changing

community expectations of mining activities with respect to environment, health and safety. Therefore we see in this bill a significant increase in penalties to reflect the standards that apply in other Victorian acts. This is something that we on this side of the house are glad about.

We are glad that the government still exhibits a positive response to community standards with regard to safety. Of course we always have to be vigilant about these matters, and that is something that comes naturally to those on this side of the house when it comes to occupational health and safety. We value that and are very proud of carrying the torch. We will continue to do so in improving occupational health and safety standards in workplaces, including in the mining industry. We will always hold any government to account when it comes to community expectations so that laws and regulations continue to improve the quality of life of ordinary working Victorians.

I wish now to reflect on the real value of the increases in maximum penalties so we can ascertain the strength of those penalties. The maximum penalty that can be ordered against a company is now increased to \$352 100, and in the case of an individual, \$70 420. The bill provides courts with the power to require compliance with a notice, and the relevant minister, as I touched on earlier, will be able to seek an injunction from the Supreme Court requiring compliance with or preventing the contravention of a notice. These are sensible amendments in the bill, and we are happy to see them go forward. A further set of amendments seeks to broaden the scope of the principal act so as to empower the minister to intervene in order to protect the community interest, not just with respect to the environment but to also encompass, and I quote directly 'public safety, the environment, land, property or infrastructure'.

An inspector will also have a longer time frame within which he or she can enter a worksite or workplace if he or she has a reasonable belief that there is an immediate risk present. This will provide greater opportunity for them to respond adequately to that risk.

The bill also allows for the minister to authorise another person to enter either private land or Crown land for the purposes of conducting remedial works, and this is important. Reasonable notice must be provided unless there is an emergency which warrants immediate access rather than reasonable notice to be given. I also note from the minister's second-reading speech that in the case of residential premises reasonable steps will need to be taken to obtain consent from the occupier. That is not unreasonable; it is a sensible step. It is always

desirable to achieve a result through cooperation and consent, and where there is an absence of consent it is important that an act empower or provide an opportunity for a person to take more direct action.

Any unreasonable obstruction or hindrance of an authorised person undertaking remedial works will be deemed to be an offence. That is a logical amendment in the bill. Compensation can be payable by the state to the owner or occupier of private land where there has been damage or loss as a result of remedial actions that have been undertaken. Compensation will be payable in accordance with part 10 of the Land Acquisition and Compensation Act 1986. For consistency's sake it is important that reference be made to an existing compensation scheme in the statute to create similar compensation schemes in this bill. The state will be able to recover compensation from an authority-holder who has failed to comply with a court order or injunction. It is important that the primary person responsible for the failure to comply with an order, thus causing remedial action to be undertaken by the state, be made accountable and responsible for the costs incurred by the state. The same applies to the compensation paid by the state where that is the case.

I note that the opposition has concerns with the resourcing of the department. The question of resources must be raised by the opposition in relation to this improvement in the monitoring of mining activity with respect to environmental and health and safety impacts. While changes in legislation and regulations can be welcome, even applauded sometimes if they are good, we cannot forget the fact that unless proper and adequate resources are provided by government, including people on the ground to do the monitoring, enforcement and inspection, all the laws and regulations to protect health and safety or the environment count for nil. I am not suggesting that they will count for nil in this case, but it is important for us to reflect on the fact that significant cuts to the budget have been made by the Baillieu government.

The Department of Primary Industries has not been spared those cuts. I raise concerns about the capacity, not the capability, of the department to be able to make good the improvements that this bill seeks to deliver. I stress those words 'seeks to deliver' because it is an objective. The actual delivery is something that can only be brought about by adequate resourcing and an improved public service capacity to do that monitoring and enforcement. I reflect on the fact that 4200 public servants have been targeted for redundancy by this government. As I said earlier, the Department of Primary Industries has not been spared. I know the shadow minister for resources in the other place has had

a lot to say with respect to regional offices of the Department of Primary Industries, and it is something we need to consider very seriously in the light of the bill before us.

I also wish to reflect on comments made in the community about the capacity of the Department of Primary Industries to monitor improvements with respect to the mining sector. I refer to an article in the *Moorabool News* of 13 November this year —

**Mr Nardella** — A great newspaper.

**Ms D'AMBROSIO** — Yes, it is a terrific newspaper, and it is a great area too. In the article the Moorabool Environment Group secretary, Deb Porter, is quoted as expressing great concern on the part of her community regarding the department's capacity to monitor mining activities, given the significant budget cuts that this government has imposed on the Department of Primary Industries that is ultimately responsible for delivering on the changes that this amending bill seeks to achieve.

The Baillieu government promised to create at least 50 000 new jobs every year in its first term of government. Reflecting on the budget cuts made to the Department of Primary Industries, we have actually seen Victoria go backwards, with the loss of 17 000 Victorian jobs, and among those are the jobs of public servants from the Department of Primary Industries who are charged with the additional workload and responsibilities to deliver on what this bill seeks to achieve. Whether the government achieves those changes is going to be a matter of having people on the ground and having the work done and delivered. That will be the test.

I contrast that position with Labor's economic and jobs record, which speaks for itself when it came to jobs in regional Victoria, including in the mining communities that this bill deals with. In the last 12 months of the previous Labor government, 100 000 new jobs were created. There was a budget surplus for 11 straight years, for each and every year that the previous Labor government was in power. Some \$30 billion was invested to grow the economy across Victoria, including in regional Victoria and our mining communities. These jobs were created and shared across industry sectors, including mining. This is an important point to remember. We have had a spate of similar calibre bills introduced by the Minister for Energy and Resources that on the surface seem inoffensive or perhaps even positive but which do not tell a coherent story that reflects any strategic plans for driving jobs and investment.

Three principles underpin the principal act this bill amends. They are about sustainable development, which is part of the nomenclature of the principal act and this bill. Of course they are about health and safety and environmental sustainability, but they are also about economic development and economic sustainability. Without a strategic plan to grow jobs across all Victoria's regions and metropolitan Melbourne and to grow jobs across all the industry sectors, including mining, we simply have a legislative regulatory framework. The benefits of economic sustainability and development of the industry lag behind. Unfortunately in Victoria we have a situation where the economic development of our communities is falling behind that of those other states.

While the opposition does not oppose this bill, it had hoped that after two years this bill and bills of a similar calibre would have been underpinned by a clear strategic plan for creating jobs in Victoria's economy, to grow all of our industry sectors, including mining, and to give Victorians real, sustainable living conditions. Yes, there are environmental and health and safety standards, but there are also living standards which come from the creation of jobs and from the economic development of key industries, including mining, which at the end of the day underpin the standard of living for ordinary Victorians. This is a significant missing link in the coalition's record of two years in government. It has no story to tell and no plan. The opposition has grave concerns for the mining sector. As I said, while we do not oppose this bill, we hope the calibre of such legislation is dramatically improved on to drive economic development in our communities for all Victorians to share.

**The DEPUTY SPEAKER** — Order! The honourable member may continue her speech when the matter is next before the house.

**Business interrupted pursuant to sessional orders.**

## ADJOURNMENT

**The DEPUTY SPEAKER** — Order! The question is:

That the house now adjourns.

### Buses: Footscray interchange

**Ms THOMSON** (Footscray) — The adjournment matter I raise tonight is for the Minister for Public Transport and concerns the need for a bus interchange at Footscray station. The action I seek from the minister is that work be undertaken to look at placing the bus interchange at Footscray station.

Prior to the regional rail link project with the Footscray station renewal, it was intended that the bus interchange would be at the station. I understand that with the additional works being done through the regional rail link there are now issues about how that might be done. It is certainly not an issue for the regional rail link project; it is a separate project. However, the Leeds Street tram stops at Footscray station, which is one of the busiest stations in metropolitan Melbourne, so having the bus interchange there makes a great deal of sense.

A number of people have approached me about the bus interchange being put at Footscray station, including council representatives who wish to see it there. It would mean that there is a public transport hub in and around Footscray station. With the prospect of a Metro rail tunnel going from Footscray to around that South Kensington point, it makes even more sense to integrate all modes of public transport at the station.

Given that the placement of a bus interchange at Footscray station was being investigated and that there have been some questions raised about whether it will be put there in planning for the future, there is a need to consult, investigate and look at all viable options for ensuring that the bus interchange is placed at Footscray station, which would make it easier for those who are commuting by whatever mode of public transport to get onto the next mode of public transport and get to wherever they need to go. I ask the minister to investigate, as much as he possibly can, the locating of the bus interchange at Footscray station, to meet the commitment to do so and to ensure that all modes of transport are properly integrated.

### **Nicholson River Dam: decommissioning**

**Mr BULL** (Gippsland East) — I raise a matter for the attention of the Minister for Water, and the action I seek is for the minister to come to East Gippsland and meet with the local community of Nicholson relating to the decommissioning of the Nicholson River Dam. Earlier this year East Gippsland Water announced through the local press its proposal to decommission its redundant dam on the Nicholson River in a move that would help restore the natural environment of the river and the surrounding catchment area.

This small dam, with a capacity of 640 megalitres, was constructed in 1977 to supply drinking water to a number of townships in Gippsland East, including Lakes Entrance. However, due to the quality of the water in the Nicholson River Dam, which also became quite expensive for East Gippsland Water to treat, the unreliability of supply and difficulties in providing

disinfection, customers were switched to the higher quality water that was available in the Mitchell River supply system in 2000. In the same year the dam was also removed from day-to-day service.

East Gippsland Water relinquished its water entitlement for the Nicholson River, and with no viable use for the dam it decided to decommission the facility. The dam currently costs East Gippsland Water ratepayers in excess of \$30 000 a year to maintain, and if it is not decommissioned, it will require more than \$1.3 million to refurbish in the near future. Decommissioning the Nicholson River Dam would mean that East Gippsland Water customers would no longer have to bear the costs of both the ongoing maintenance and the significant capital infrastructure that would otherwise be required. However, in recent times the progress towards the decommissioning appears to have stalled somewhat. I understand that the decommissioning was reliant on a level of federal government support, which had been committed and included in the plans.

I ask the minister to come to the Gippsland East electorate to talk to the people whose land abuts the Nicholson River and who are impacted by the dam to keep them up to speed with the plans for the dam's decommissioning. Those who are familiar with the Nicholson River will know it is a popular site for bream fishing and recreational boating. A number of boats have their ports on the Nicholson River where it crosses the highway near the township. I call on the minister to come to the region and talk to local land-holders to update them on the decommissioning of the dam.

### **Royal Parade, Parkville: closure**

**Ms KANIS** (Melbourne) — The adjournment matter I raise is for the Minister for Roads. The action I seek is for the minister to inspect the road closure at the site of the cracked road on Royal Parade between Grattan Street and Flemington Road in Parkville and answer questions about the road — namely, what caused the crack in the road, what is being done to ensure public safety and when will the road be fully reopened?

It has been over a month since the northbound lanes of Royal Parade were closed on 11 October 2012. One lane was reopened recently, but residents, pedestrians and commuters do not know when the whole road will reopen and traffic will return to normal. Many of my constituents have reported to my office that work in the area appears to have stalled and they do not know what is happening. VicRoads has stated that the road has been closed and that repairs are being done; however, little information seems to have been provided to the

public about the cause of the cracks in the road, the extent of the damage and what is being done to address the problem. This lack of information is causing anxiety that the cracks may be caused by a broader problem at the site that is not being discussed.

The Melbourne health and knowledge precinct is an important part of the Melbourne electorate. It is a busy place with a lively mix of residents, workers, students and people visiting hospitals. The road closure is having a ripple effect on traffic throughout Carlton, Parkville and North Melbourne. Residents are concerned that the crack in the road may also have a ripple effect on the stability of their properties.

Hopefully the minister will heed my call to visit the site. If he does, I would be very happy to accompany him on the visit so that I can work with him to ensure that people know what is happening in the area and that public safety is maintained.

### **Australian Master of the Amateurs Championship: funding**

**Mr THOMPSON** (Sandringham) — The matter I raise is for the attention of the Minister for Tourism and Major Events, and the action I seek is for the minister to provide funding support to help market the 2013 Australian Master of the Amateurs Championship event to be held at Royal Melbourne Golf Club in January. The event will be convened early next year. The tournament is considered by many of the world's leading professional and amateur golfers to be one of the finest amateur golf championships in the world. The event will provide branding opportunities nationally and internationally to raise the profile and awareness of Melbourne and its sand-belt golf courses as a premier golf destination.

The Royal Melbourne Golf Club course has international credibility and respect, and it is consistently ranked among the leading 10 to 15 courses in the world. Since 2006 the event has received significant recognition internationally and has gone from being outside the top 100 amateur international golf tournaments to currently being within the top 10 tournaments. The event is managed by Master of the Amateurs Pty Ltd, the Melbourne-based company that owns the event. The 2012 Australian Master of the Amateurs Championship attracted 54 elite amateur golfers, of whom 23 were Australian and 31 international. The international teams for the 2013 Australian Master of the Amateurs Championship are from the USA, Germany, England, New Zealand, Fiji, Vanuatu, Singapore, China, France, Malaysia, Italy and Mexico.

It is interesting to note that major events form a large part of the Melbourne tourism calendar. Whether it be the Australian Open Tennis Championships, the Australian Formula One Grand Prix, the AFL Grand Final, the Spring Racing Carnival or the MotoGP at Phillip Island, all these events serve to provide a hospitality base, with people filling the hotels and restaurants of Melbourne and using the transport services that help to keep the momentum for a tourism base in the city of Melbourne. It is also interesting that Melbourne's golf courses, those in the sand belt in particular, rate amongst the very best in the world.

Probably one of the greatest years in the history of Australian golf was 1954, when Doug Bachli won the British Amateur Championship and Peter Thomson won the British Open. One golf club being the source of the winners of both the British Open and the British Amateur Championship was a feat that was unprecedented in world golfing history, that club being the Victoria Golf Club.

Among other great sand-belt courses, Royal Melbourne stands as one of the greatest, alongside Kingston Heath Golf Club, in which I declare an interest, having been a non-playing member for 38 years. Golf is a great game, and this event will help to highlight its contribution to tourism in Melbourne.

### **Planning: Edgars Creek parkland**

**Ms CAMPBELL** (Pascoe Vale) — I raise a matter for the attention of the Minister for Planning, and the action I seek is that after two years of procrastination the minister finally signs the necessary documentation for Moreland City Council to be the committee of management for the Edgars Creek parkland. In June 2010 the then Minister for Planning, Minister Madden, now the member for Essendon, visited the Edgars Creek parkland and gave the local community the outstanding news that the Brumby government was transferring management of this magnificent piece of public open space from VicRoads to Moreland City Council. It was one of the greatest ever wins for our local community and one of the proudest days of my time in the electorate. The health and welfare of Moreland residents is going to be enhanced when finally the minister signs this letter and ensures that the lungs of Moreland become true Moreland community public open space.

After four years of work by our local community and the Edgars Creek task force, our work and advocacy were recognised on that very special day in June 2010. I put on record that the then Minister for Roads and Ports, Minister Pallas, the member for Tarneit, and the

then Minister for Planning, Minister Madden, were acclaimed for having a long-term vision and meeting Labor's 2006 election pledge to the Pascoe Vale electorate to retain the Edgars Creek parkland. Moreland City Council and the community were informed that the transfer of the management of land would take approximately 12 months, give or take a month or two. If we look at the reality of that, the maximum time it was expected to take to transfer the land was 14 months. What in fact happened was there were four months under Labor, then a month of caretaker government, and now the second anniversary of the Baillieu government has come around yet still the Minister for Planning has not finalised this land transfer.

In August 2011 an email was received by Moreland City Council and advice was provided by the Department of Planning and Community Development that the minister had reviewed the documentation and the land would soon be transferred — it said 'soon'. We are now almost into December 2012, and Moreland residents are still waiting. Moreland City Council followed up this matter, as did I, in February of this year, but nothing has occurred since then. On 24 October I raised this matter in the house. Again, we are looking at two years and four months since this land was to be provided to Moreland. I spoke personally to the minister during that sitting week and also earlier in November.

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

### **Road safety: speed limit review**

**Mr GIDLEY** (Mount Waverley) — The matter I raise is for the attention of the Minister for Roads, and the action I seek from the minister is that he outline to the house the steps the government is taking to improve Victoria's speed zone system. The electorate I represent has a variety of education institutions, whether they be primary or secondary schools or indeed the Waverley TAFE campus. My electorate also includes many aged-care facilities, strip shopping centres and sites for a number of other activities, businesses and residential facilities.

Whilst this is a great part of Melbourne in which to live and for me to represent, its dynamic nature and the variety of education and aged-care institutions, strip shopping centres and other facilities mean that there is significant interaction between pedestrians and other road users such as motor vehicles, bicycles and public transport. The growing population and the interaction

of people using those facilities presents a range of challenges in ensuring the safety of our road system.

Residents have told me that the road network should be able to cater for increasing traffic volumes whilst continuing to improve road safety for all road users. An electorate that has many primary and secondary education facilities, the Waverley campus of Holmesglen TAFE, aged-care facilities, shopping centres and residents who have a quite legitimate view that they want to see continued improvements in the safety of our road network creates challenges in dealing with increasing traffic levels.

I will refer to two examples of major roads in my electorate. Springvale Road and Blackburn Road in Glen Waverley, among others leading into Waverley Road, have significant traffic volumes. In representing my electorate I have always ensured that I have been as accessible as possible, whether through email, letters or visits to strip shopping centres or other places, and that has given me the opportunity to listen to that feedback from residents as to what they would like. At every opportunity, after listening to their comments, I have continued to advocate their views in a range of forums. It is in that context that I seek that the minister outline to the house again the steps the government is taking to meet the expectations, interests and priorities of constituents in my electorate to improve Victoria's speed zone system.

### **Anzac grants program**

**Mr PANDAZOPOULOS** (Dandenong) — The matter I raise is for the Minister for Veterans' Affairs and concerns a request for the Victorian government and the federal Department of Veterans' Affairs to do something similar to what was announced recently on Remembrance Day by the New South Wales government, which was the establishment of an Anzac community grants program. The New South Wales Veterans' Affairs website states:

The New South Wales government has created a new grants program aimed at helping young people and multicultural communities participate in the Anzac spirit and traditions.

The media release of the New South Wales Minister for Citizenship and Communities states:

Young people and multicultural communities wanting to participate in the Anzac tradition can now apply to the NSW government for grants to assist their projects ...

...

With more than a quarter of NSW residents being born overseas, we need to ensure that knowledge and respect for Anzac traditions are passed on to all ...

...

On Remembrance Day it is important that all Australians, including people from a multicultural background, embrace the Anzac spirit.

I strongly agree and commend those statements. When we look at the Victorian grants program, there is not a similar category, and discussion around this topic is occurring in a week when I have been criticised mischievously by the media. Those who know me know I have been working very hard for a long period of time on the forgotten part of the Anzac story and particularly as it relates to our immigrant communities. I gave a speech at the Ethnic Communities Council of Victoria conference last week, for example, stating that the Gallipoli story is a story of diversity, because we were fighting there with many other nations, and some of those people are now Australians, having migrated here.

I have received some great letters about this issue. People have said, 'My kids' great-great-grandfather was an English soldier at Gallipoli', but the kids have a different Gallipoli story as well. Gallipoli also highlighted the diversity of the Australian armed forces, as part of a new nation that was barely 14-years old at the time. Prior to that we were colonies, and many Australians had joined with other armed forces, such as the British flying service, because they were living or studying overseas. We need to encourage all immigrants, young people and in all our community to understand the diverse stories around the Anzac legend, and that is why the New South Wales program is so important.

Next week I have been invited to address a forum funded by this program at the New South Wales Parliament about the Battle of Greece and Crete campaigns. I have been asked to give a talk about the creation of Anzac trails where Australian troops were in Greece in World War I and World War II. This talk will be funded by a New South Wales government grant program. This is all about expanding the program to be more inclusive. The Anzac story is an inclusive one for all immigrant communities, and it is also an inclusive story for young people. The period of time between World War I and World War II can be bridged by the newer generations of young people and immigrants to this land, people who have heard the story but may not necessarily know how relevant their own communities are to it — for example, the Jewish community may wish to apply for a grant to learn more about the important role leaders of the Jewish community have played in Anzac forces, or even those who were members of the Zion mule corps in Gallipoli.

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

### **Elsternwick Plaza: redevelopment**

**Mr SOUTHWICK** (Caulfield) — The matter I wish to raise is for the Minister for Public Transport, and the action I seek is for the minister to visit my electorate to meet with local traders and tour the land around Elsternwick railway station, particularly the parcel of government land known as Elsternwick Plaza. The visit will hopefully get the ball rolling on upgrading and activating this prime piece of public land that will certainly be of benefit to commuters and to the local community.

Glen Huntly Road, Elsternwick, where the station is located, is one of the most beautiful and dynamic areas. The station is used daily by some 3600 patrons, and it is only a short walk from the beautiful Rippon Lea estate, a vibrant shopping strip and the historic ABC Elsternwick studios, which have been home to some of Australian TV's iconic moments.

As I have advised the house previously, Glen Eira has one of the lowest proportions of public open space of any council, and the retention and enhancement of open space is considered one of the highest priorities in our area. It is important that this open space is not only retained but beautified and incorporated into an overall strategy to form an appropriate gateway into Elsternwick. Currently this area of parkland, which is managed by council, has become an eyesore and it is in desperate need of rejuvenation and restoration. My initial discussions with council indicate that it would be prepared to upgrade this area providing it was given a suitable lease from VicTrack.

Located alongside Elsternwick Plaza is a historic rifle range. The building, which is part of a heritage district, has been left to fall into disrepair over decades and is wasted space. The rifle range is an opportunity waiting for someone to breathe life into it. Whether it be a cafe, retail space or art gallery, something needs to be done to activate this space and I want to see this come to fruition. To complete the puzzle, as the plaza is adjacent to Elsternwick railway station, any restoration of the building and open space should be part of an overall strategy to activate the area. There is a great deal of potential in this site, and it is my hope to work with stakeholders, including VicTrack, Glen Eira council and local traders, to bring this about.

At this point I want to praise the great work of the local traders association, the Elsternwick Main Street Committee chairman, Brent Howard, and the executive

officer, Alison Doherty, who have been tireless advocates for local small businesses and for this project. They have continued to engage with this issue. As someone who sees local trader associations as great ways of supporting small business, I am very happy to have people like Alison and Brent working in my electorate. This is truly an important opportunity to activate the station and its surrounds and to make it the appropriate gateway to Elsternwick. I repeat my call for the minister to visit Elsternwick Plaza, to meet with local traders from the main street committee and council representatives to provide support through VicTrack for the rejuvenation and activation of this beautiful precinct.

### **Buses: route 832**

**Mr PERERA** (Cranbourne) — I wish to raise a matter for the Minister for Public Transport. The action I seek is for the enhancement of the existing bus route 832 to include Sandarra Boulevard in Sandhurst on its route. Bus route 832 runs within the city of Frankston from Frankston station to Carrum Downs via Kananook, and along McCormicks and Wedge roads. Sandarra Boulevard runs from McCormicks Road to Wedge Road.

The proposed route extension is almost circular in shape and exits from the current route at Wedge Road and returns to Wedge Road 50 metres away from the exit point. Therefore no bus travel along Wedge Road would be lost. However, the proposal would benefit the residents living in this estate. Clearly enhancing this bus route to also include Sandarra Boulevard would enable Sandarra residents to attend their employment and educational needs, medical appointments, shopping and entertainment in all surrounding areas by getting a bus conveniently from a bus stop near their homes.

Funding for this sort of enhancement would cost approximately \$80 000 per annum, thus saving thousands upon thousands in setting up a new route just for the estate. This is a very small amount of money to pay to service over 500 households in the Sandarra estate, and would also have the benefit of motivating residents to use less environmentally unfriendly car trips. This new estate has been developed within the past two years, and currently about 80 per cent of the houses are occupied. All blocks have been sold, and new houses are being built on vacant blocks on a daily basis. This is the time to get the new residents motivated to adapt to a lifestyle of using public transport, and fortunately it is a very low-cost initiative.

I have conducted many mobile office visits, have doorknocked the local area and recently completed an

electorate-wide survey. Time and again residents from the Sandarra estate have put to me that they require a bus route running through their estate. These residents believe it is achievable, as the estate connects with the current route on McCormicks and Wedge roads.

Bus services play a major role in the provision of public transport. Public transport is needed urgently in growing areas like the electorate of Cranbourne. The previous Labor government undertook a comprehensive bus review in 2009 that included my electorate of Cranbourne. However, it is certainly time for a new bus study to be initiated in view of the population growth. I urge the Minister for Public Transport to support this much-needed enhancement of the existing bus route 832.

### **Swinburne University of Technology: Prahran campus**

**Mr NEWTON-BROWN** (Prahran) — My adjournment matter is directed to the Minister for Higher Education and Skills. The action I seek is that he provide an update on the future of the Swinburne University of Technology TAFE site in Prahran. I was very pleased to host the minister last week when he came to see the Prahran site. It was great for him to see the local context of Prahran TAFE. It is located behind Chapel Street, and its students are big contributors to the local economy, particularly the cafes, bars and various retail outlets on Chapel Street. The Windsor end of Chapel Street is buzzing. Putting aside the educational issues for a moment, it is important to note the contribution to businesses that students at the Swinburne TAFE make.

The TAFE site has a long and proud history of providing educational opportunities for our local kids. Prahran is one of the most densely populated areas in the state. This is why it is so important to hang onto public land for educational purposes in the inner city. If it goes, you cannot just buy another site. I have previously stated my views that this land must not be sold off for apartments. This is a time of change in the sector. Swinburne seeks to consolidate its operations at the Hawthorn campus, but it wants to sell the Prahran site to help fund this consolidation.

The minister has recently visited the site. He has met with the National Institute of Circus Arts, which shares the site, to discuss the future of circus arts in Prahran. He has also had the opportunity to review the bids of other TAFE institutions for the site. Other members in the house should make no mistake, there is great demand for this site from TAFE institutions other than Swinburne. There is also local support for a secondary

school on the site, should the feasibility study currently being undertaken be positive. In conclusion, I seek that the minister provide an update on his preliminary views of the potential future of the site and in particular his views as to whether the site will be retained for educational purposes.

### Responses

**Ms ASHER** (Minister for Tourism and Major Events) — The member for Sandringham raised with me the issue of securing marketing funding through Tourism Victoria for the Australian Master of the Amateurs golf championship. He specifically requested some funding to help market the 2013 event, which will be held from 8 to 11 January 2013. The member for Sandringham clearly outlined to the house the value of the many outstanding golf courses we have in metropolitan Melbourne and country Victoria. Our sand-belt courses are world renowned. He is aware of the value of the many courses in his electorate, such as the Royal Melbourne Golf Club course, and of the economic value of golf tourism. The member also provided us with his knowledge of history in the story of how in 1954 a member of the same golf club won both the British Open and the British Amateur Championship.

I do not profess to have a huge knowledge of golf; however, I do have a broad understanding of the economic value of golf tourism. I am pleased to advise the member for Sandringham that the coalition government has allocated \$25 000 to help promote the event and showcase our unique collection of sand-belt courses as a premier golf destination to national and international audiences.

**Mr Wynne** interjected.

**Ms ASHER** — The member for Richmond is being flippant about the very important subject of golf.

**Mr Wynne** — I understand the importance of golf.

**Ms ASHER** — Let me tell the member for Richmond that in my household I understand the importance of golf too. On to the very important issue that was raised with me by the member for Sandringham.

The member mentioned that this event is known worldwide and that the 2012 event attracted 23 Australian and 31 international elite amateur golfers. The funding of \$25 000 will be used for media advertising, editorials in golf magazines and website development. It is all about marketing this particular event to try to gain even more visitors for the 2013

event. The funding will aim to encourage spectators, competitors and their accompanying families and friends to stay on in Melbourne and hopefully — as you would be interested in, Deputy Speaker — then explore regional Victoria and its many attractions, not just in the Yarra Valley but right across the state.

Golf is a very important part of Victoria's major events strategy, and events such as the President's Cup and the Australian Masters, held recently, have helped to drive strong interstate and international visitation and yield to Victoria. I thank the member for Sandringham for raising this particular matter with me and for his broad support for the economic benefits of golf tourism to not only his electorate but the whole state of Victoria.

**The DEPUTY SPEAKER** — Order! The Minister for Public Transport to respond to matters raised by the members for Footscray, Cranbourne, Melbourne, Mount Waverley and Caulfield.

**Mr MULDER** (Minister for Public Transport) — It is good to be popular. I am a hardworking minister!

The member for Footscray raised an issue in relation to the bus interchange at Footscray station. As the member would be aware, with the advancement of the regional rail link project an awful amount of work is happening in that particular location. We insisted that the regional rail link team alter its specifications for Footscray station to make sure that ramps were installed. We had ended up with a situation like the one at Laverton, where we have lifts and staircases, but when the lifts do not work people are trapped on the stations and cannot get out. We have made a significant investment at Footscray station to make sure that there are ramps to cater for elderly people, women with prams and people with disabilities so they can access and use public transport as needed.

Public Transport Victoria is at the moment working through a program of integrating train and bus timetables to make sure we get the connectivity across the network that we need to make this work. The member pointed out that there was a lot of discussion prior to the regional rail link project in relation to a bus interchange at Footscray; however, when we took over the project the bus interchange was not included as part of it.

**An honourable member** interjected.

**Mr MULDER** — It was never included, and given that Footscray was going to be identified as a major hub I would have expected it to be included. I have to go back and talk to the regional rail link team to work out if it would mean a major change in the specification

and scope to alter the project to include a bus interchange because I have been very solid on my position in relation to changes to scope once tenders have been let. As everyone is aware, if you are building a house for \$400 000 and you want to move a room or move a wall, the builder wants \$70 000 to do it. We are not going to get caught in the space of being dragged into massive cost overruns and major changes to scope once we have let contracts and tenders. We will have that discussion, but it would have been better if this issue had been resolved prior to us taking over the matter, prior to scope being developed and prior to all of those contracts being in a position to be let. We will have that discussion and get back to the member for Footscray in relation to that matter.

The member for Cranbourne raised a matter with me in relation to bus route 832. From Frankston station it winds its way through that area, and the member for Frankston has asked me to look at it, including a route deviation that runs into one of the recently developed estates where a lot of the blocks have been sold and new homes are being built. Once again, Public Transport Victoria — the new statutory authority — is going through a process of trying to align bus and train timetables. It will look at where we have buses running empty and try to direct those buses into areas of greatest need, where we have significant development and a real call on people in those areas. In that particular case there may be an opportunity to realign an existing route or transfer some redundant activity to where demand is at the moment.

On behalf of the member for Cranbourne, I will ask Public Transport Victoria to investigate his request to see whether or not it is possible to provide a service in that area at this time. If it requires a call on funds that are not available at this time, that will be taken into consideration going forward. However, we have been successful in realigning a number of bus routes to be able to pick up capacity, and it is all about trying to make sure we get the best bang for our buck in terms of the dollars we spend in that area.

The member for Melbourne raised an issue with me in relation to Royal Parade, the work that is being undertaken there at the moment and the decision to close all outbound lanes, including the bicycle lane and adjacent footpath on Elizabeth Street. This was due to works that were being undertaken at the Victorian Comprehensive Cancer Centre project, where significant excavation took place at the location and cracks appeared in the road network close by. We also have tram tracks alongside that. VicRoads acted responsibly and very quickly, closing down the roads while a full investigation was carried out. I understand

that Grocon is taking up remedial works on site at this moment. One lane has been opened, but further lanes will not be opened until remedial and geotech work has been carried out and VicRoads gets clearance to open them.

VicRoads has advised me that in its investigations and discussions, Grocon indicates there is still minor movement at that location. Until that settles down those roads will not be opened. The member for Melbourne has asked me to attend a site to have a look at that issue with her. VicRoads has the technical details and information at hand, and I suggest that it may be better for the member for Melbourne to meet with a member of VicRoads at that location. I am more than happy to make arrangements on her behalf for the VicRoads regional manager to meet her there so that she can get a better understanding of what is going on and relay that information back to her constituents. I will organise that for the member for Melbourne.

The member for Caulfield raised an issue with me in relation to a fantastic project at the rifle range site at Elsternwick station and the opportunity that presents for the redevelopment of that site and the public open space there. The member for Caulfield has been extremely active in this space, talking with local council and talking with local shop owners but also engaging with VicTrack, which looks after and is custodian of that land on behalf of the Victorian government. I have been out there and walked that site with the member for Caulfield. We had discussions with the operator of the local restaurant-cafe on that site. We had a good look around the area, and I believe the member for Caulfield has a very good feel for what could take place at that location. The view is — and this consideration is currently under investigation — that local council might take control of that open space, enhance it and beautify the area. The rifle range building could be refurbished, renovated, put back to its former glory and put to some potential commercial use.

I am going to let the member for Caulfield, who has been very active in this space, drive that project and carry out those negotiations on behalf of his local community with the local council and with VicTrack because he brought that project to me in the early stages. That site had been neglected by the former government and basically left to rot, and it presents a great opportunity for the people of Elsternwick. I believe the member for Caulfield is the one who will take that matter forward for his local constituents. I thank the member for bringing the matter to my attention and in particular for taking me out there and introducing me to local shop owners and the guy who runs the restaurant. We had a nice cup of coffee and a

scone on the way through, and I got a very good feel for what the member for Caulfield sees as a great use for that site.

I want to touch on an issue that was raised with me by the member for Mount Waverley. The member is seeking an outline for actions the government is taking in relation to Victoria's speed zone system and how that would impact on his electorate. His constituents have expressed to him a lot of interest in relation to speed zones in his area, around built-up areas and around schools. I say to the member for Mount Waverley that it is one of the things that we took on board very early in the piece on coming into government, and it is something which should have been done a long time ago but which was ignored by the former government. We conducted a speed limit review around the state.

Instead of imposing our views on the Victorian public we asked members of the public to come to government and provide their views about how speed zones should be implemented across the state. If my memory serves me right, I believe we got something like 600 submissions in relation to the speed limit review across the state. As a result, comprehensive changes have been made to the myriad speed zones across the state — the mishmash of speed zones that confused and frustrated a lot of motorists.

The recommendations were to reduce the speed limits to 40, 50, 60, 80, 100 and 110 kilometres per hour, review all 70 and 90-kilometre-per-hour speed limits and make approximately 100 changes to localised sites, as recommended by the submissions. We have removed 80-kilometre-per-hour buffer zone signs and replaced them with '60 ahead' signs on the approaches to rural towns. We have reduced sign clutter, which I know the member for Mount Waverley will be aware of, as he regularly checks a lot of locations in his area. The number of very different signs in and around speed zones in particular confuses motorists.

Our view is that a lot of that clutter should be removed, along with deadwood, if there is any deadwood. We know there is an awful lot of that around the place; you do not have to look far to see the amount of deadwood as well as clutter. If you can get rid of deadwood — tired old sleepers and worn-out signs — you have a good chance of making progress. We also said we would remove or relocate advisory speed signs that are too close to regulatory signs and remove 'end limit' signs and replace them with regulatory speed limit signs.

We will also be developing guidelines. I know the member for Mount Waverley is very interested in the

issue of 40-kilometre-per-hour zones in heavily used pedestrian areas and where there is a high crash risk. In his electorate there will be guidelines developed that will enable those speed zones to be put in place to offer the greatest level of protection for pedestrians. The member for Mount Waverley can take that information back to his community. We are making great progress in that area, and there will be changes made. The member will see a lot of those changes occur in and around his electorate where inappropriate speed zones are in place and there are multiple speed zones over very short distances, which confuse motorists. I thank the member for Mount Waverley for bringing that to my attention on behalf of his constituents.

**Mr WALSH** (Minister for Water) — The member for Gippsland East raised an issue about the Nicholson River Dam in his electorate and an opportunity for me to go down there and meet with his community about an update on the issues around the dam. The Nicholson River bulk entitlement was transferred from the Nicholson River to the Mitchell River in 2010, which means that the 640-megalitre dam on the Nicholson River is no longer needed. East Gippsland Water and the Department of Sustainability and Environment (DSE) have been working on progressing the issue to decommission that dam and minimise future maintenance costs on a dam that is not needed. There is an estimated cost of \$35 000 per year in ongoing maintenance, even if the dam is not used. If it has to be upgraded to the new Australian dam safety standards, it will cost about \$1.4 million, so there are some cost issues there.

There was an agreement between East Gippsland Water, DSE and the commonwealth government to share the costs of decommissioning that dam. In 2011 the estimated cost of doing that was \$6 million. As Minister for Water I approved the decommissioning of the dam in February this year. Unfortunately since that time more detailed assessments of the estimated cost of decommissioning the dam show that it has blown out to \$9 million. Unfortunately the commonwealth government has changed its mind and decided not to put in the \$2 million it was going to put in, which is unfortunate for the people around the Nicholson dam and particularly for East Gippsland Water customers in the future. The issue is how that project can be funded in a realistic way in the future. I inform the member for Gippsland East that for the foreseeable future the project has been put on hold until a way is found to fund the project.

**Mr DELAHUNTY** (Minister for Veterans' Affairs) — I rise to respond to the matter raised with me by the member for Dandenong, who I know has a

strong commitment to Anzac Day activities, particularly in relation to the First World War and the involvement of many people from Europe in these events. He spoke about the New South Wales government's Anzac community grants program, and he has given me a brochure which outlines that grants of up to \$5000 can be applied for. The brochure goes on to say that applicants can apply for either a youth grant or a multicultural grant but that applications simply for excursions are not eligible for funding. The grants go to community groups, ex-service organisations, schools and other educational institutions, local government, museums and historical societies. I am always looking at ideas for how we can engage our youth, because it is important we pass on the baton to them in relation to our Australian war history.

The member also spoke about the Anzac centenary grants. As you know, Deputy Speaker, the centenary of World War I will be a worldwide event, with many communities, individuals and governments working together to appropriately honour the great Anzacs. The centenary of Anzac will run from 5 August 2014 through to Remembrance Day, 11 November, 2018. It is planned that during the Anzac centenary the sacrifices of all Australian service personnel will be acknowledged and honoured. They have done us all very proud. The central message of the Anzac legend is about the birth of the Australian nation and the unification of its people, regardless of their backgrounds.

This government plans to acknowledge the importance of this event. I have a strong position: I want to pass on the baton to the younger generation. It has been great to see that a lot of young people have attended events held throughout the year on, for example, Anzac Day, Remembrance Day and the 70th anniversary of the bombing of Darwin. A lot of people visit the hub of our remembrance memorials, which is the Shrine of Remembrance.

A program which the previous government started and which we have committed to continuing is the Premier's Spirit of Anzac prize, which includes an overseas study tour for 10 students. It is designed to engage younger Victorians and assist them to better understand the service history of our veterans. The program has been going for a few years now, and I am pleased to say that in the last couple of years students from a range of backgrounds have been involved with the Spirit of Anzac prize. The students act as ambassadors for Victoria while they are overseas, but more importantly when they return they act as ambassadors for what they have witnessed, helping to

ensure that the baton of commemoration is passed on to the younger generation.

It is interesting that while 10 students get that opportunity, there are 17 other students who are regional finalists. Now they get the opportunity to do a study tour of Canberra. Last year they attended the Australian War Memorial, where they saw the wonderful exhibitions, participated in a debate at Old Parliament House and saw a film on Sir John Monash. We promote this event. Back in April I put out a media release to launch the competition. I have sent letters to all secondary principals and coordinators of year 9 and 10 in Victorian schools, all state MPs of all political parties and key ex-service organisations. Not only that, I am encouraging local members to promote the Spirit of Anzac prize, because it gives year 9 and 10 students of all nationalities the opportunity to go on the study tour.

The member for Dandenong suggested a very good opportunity tonight. I will have it looked at by my department and the Victorian Veterans Council, which advises me in relation to a lot of activities. I will look at these types of things. We will also be setting up a committee to run the Anzac centenary event that will run for four years. I will feed this information into it and ask for advice. I look forward to responding to the member for Dandenong on the issue he has raised tonight.

**Mr R. SMITH** (Minister for Environment and Climate Change) — The members for Pascoe Vale and Prahran raised matters for ministers in the other place. The member for Pascoe Vale raised a matter for the Minister for Planning with regard to signing documentation in relation to Edgars Creek parkland, and the member for Prahran raised a matter for the Minister for Higher Education and Skills with regard to the Swinburne TAFE site in his electorate. I will pass those matters on to the relevant ministers.

**The DEPUTY SPEAKER** — Order! The house stands adjourned until tomorrow.

**House adjourned 10.49 p.m.**

