

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-EIGHTH PARLIAMENT**

**FIRST SESSION**

**Tuesday, 1 September 2015**

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**Deputy Speaker:**

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Mr Thompson, Ms Thomson, Ms Ward and Mr Watt.

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**Deputy Leader of the Parliamentary Labor Party and Deputy Premier:**

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

The Hon. M. J. GUY

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

The Hon. D. J. HODGETT

**Leader of The Nationals:**

The Hon. P. L. WALSH

**Deputy Leader of The Nationals:**

Ms S. RYAN

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

*Parliamentary Services* — Secretary: Mr P. Lochert

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**FIFTY-EIGHTH PARLIAMENT — FIRST SESSION**

<b>Member</b>	<b>District</b>	<b>Party</b>	<b>Member</b>	<b>District</b>	<b>Party</b>
Allan, Ms Jacinta Marie	Bendigo East	ALP	McLeish, Ms Lucinda Gaye	Eildon	LP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Angus, Mr Neil Andrew Warwick	Forest Hill	LP	Morris, Mr David Charles	Mornington	LP
Asher, Ms Louise	Brighton	LP	Mulder, Mr Terence Wynn <sup>1</sup>	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Naphthine, Dr Denis Vincent <sup>2</sup>	South-West Coast	LP
Blackwood, Mr Gary John	Narracan	LP	Nardella, Mr Donato Antonio	Melton	ALP
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Brooks, Mr Colin William	Bundoora	ALP	Noonan, Mr Wade Matthew	Williamstown	ALP
Bull, Mr Joshua Michael	Sunbury	ALP	Northe, Mr Russell John	Morwell	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Daniel David <sup>3</sup>	Gippsland South	Nats
Burgess, Mr Neale Ronald	Hastings	LP	O'Brien, Mr Michael Anthony	Malvern	LP
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McCurdy, Mr Timothy Logan	Ovens Valley	Nats	Wynne, Mr Richard William	Richmond	ALP
McGuire, Mr Frank	Broadmeadows	ALP			

<sup>1</sup> Resigned 3 September 2015

<sup>2</sup> Resigned 3 September 2015

<sup>3</sup> Elected 14 March 2015

<sup>4</sup> Resigned 2 February 2015

**PARTY ABBREVIATIONS**

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

## Legislative Assembly committees

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

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

## Joint committees

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

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

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

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

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

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

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

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

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

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

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



# CONTENTS

## TUESDAY, 1 SEPTEMBER 2015

### CONDOLENCES

<i>Hon. Francis Raymond Scully</i> .....	2923
<i>Hon. Frank Noel Wilkes, AM</i> .....	2928

### RULINGS BY THE CHAIR

<i>Quoting from documents</i> .....	2941
-------------------------------------	------

### ABSENCE OF MINISTER..... 2942

### QUESTIONS WITHOUT NOTICE and MINISTERS

#### STATEMENTS

<i>Government financial management</i> .....	2942, 2944, 2946
<i>Ministers statements: nurse-to-patient ratios</i> .....	2943, 2945
<i>Ministers statements: Bio21</i> .....	2947
<i>Special religious instruction</i> .....	2947, 2948
<i>Ministers statements: WorkSafe</i> .....	2948
<i>China-Australia free trade agreement</i> .....	2949
<i>Ministers statements: firefighter post-traumatic stress support program</i> .....	2949

### SUSPENSION OF MEMBER

<i>Member for Hawthorn</i> .....	2943
----------------------------------	------

### CONSTITUENCY QUESTIONS

<i>Croydon electorate</i> .....	2950
<i>Buninyong electorate</i> .....	2950
<i>Ovens Valley electorate</i> .....	2950
<i>Eltham electorate</i> .....	2951
<i>Gembrook electorate</i> .....	2951
<i>St Albans electorate</i> .....	2951
<i>Rowville electorate</i> .....	2951
<i>Frankston electorate</i> .....	2952
<i>Sandringham electorate</i> .....	2952
<i>Essendon electorate</i> .....	2952

### SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AND OTHER ACTS AMENDMENT BILL 2015

<i>Introduction and first reading</i> .....	2952
---	------

### SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) BILL 2015

<i>Introduction and first reading</i> .....	2952
---	------

### CRIMINAL ORGANISATIONS CONTROL AMENDMENT (UNLAWFUL ASSOCIATIONS) BILL 2015

<i>Introduction and first reading</i> .....	2952
---	------

### ENERGY LEGISLATION AMENDMENT (CONSUMER PROTECTION) BILL 2015

<i>Introduction and first reading</i> .....	2953
---	------

### PREVENTION OF CRUELTY TO ANIMALS AMENDMENT BILL 2015

<i>Introduction and first reading</i> .....	2953
---	------

### BUSINESS OF THE HOUSE

<i>Notices of motion</i> .....	2953
<i>Program</i> .....	2955

### PETITIONS

<i>Sunbury municipality</i> .....	2953
-----------------------------------	------

### VICTORIAN PUBLIC HEALTH AND WELLBEING

<i>PLAN 2015–2019</i> .....	2953
-----------------------------	------

### SCRUTINY OF ACTS AND REGULATIONS COMMITTEE

<i>Alert Digest No. 10</i> .....	2953
----------------------------------	------

### DOCUMENTS..... 2954

### INFRASTRUCTURE VICTORIA BILL 2015

<i>Council's amendments</i> .....	2954
-----------------------------------	------

### ROYAL ASSENT..... 2954

### APPROPRIATION MESSAGES..... 2954

### ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE

<i>Membership</i> .....	2954
-------------------------	------

### MEMBERS STATEMENTS

<i>Meals on Wheels</i> .....	2958
<i>Illegal deer hunting</i> .....	2958
<i>Bart Cummings</i> .....	2958
<i>Gippsland Fighting Ice</i> .....	2959
<i>Gippsland Business Awards</i> .....	2959
<i>Gippsland Galaxy</i> .....	2959
<i>Albert Park electorate schools</i> .....	2959
<i>St Kilda City Junior Football Club</i> .....	2959
<i>Public transport forum</i> .....	2959
<i>Emmanuel College, Altona North</i> .....	2960
<i>Warrandyte electorate schools</i> .....	2960
<i>Family violence</i> .....	2960, 2965
<i>Calder Freeway speed limits</i> .....	2961
<i>Aichi Prefecture, Japan</i> .....	2961
<i>Equal Pay Day</i> .....	2961
<i>Birthday felicitations</i> .....	2961
<i>Kerrilyn Bassett</i> .....	2961
<i>University of Melbourne Dookie campus</i> .....	2961
<i>Bendigo protests</i> .....	2962
<i>Fire services review</i> .....	2962
<i>Polish Community Council of Victoria</i> .....	2962
<i>Legacy Week</i> .....	2963
<i>Ballarat arts events</i> .....	2963
<i>Elliott Grayling and Shari Handy</i> .....	2964
<i>Livestock transport</i> .....	2964
<i>Mildura child death</i> .....	2964
<i>Mildura church community day</i> .....	2964
<i>Country Fire Authority volunteer training facility</i> .....	2964
<i>Bec Olsen</i> .....	2964
<i>Italian community</i> .....	2964
<i>University Park Primary School</i> .....	2964
<i>St Edwards Anglican Church art show</i> .....	2964
<i>Whitehorse district scouts</i> .....	2965
<i>Public transport strikes</i> .....	2965
<i>Election commitments</i> .....	2965
<i>Nurse-to-patient ratios</i> .....	2965
<i>RACING AMENDMENT BILL 2015</i>	
<i>Second reading</i> .....	2965
<i>NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2015</i>	
<i>Second reading</i> .....	2978
<i>ADJOURNMENT</i>	
<i>Road Trauma Support Services Victoria</i> .....	2982
<i>Geelong Region Innovation and Investment Fund</i> .....	2982
<i>Mount Buffalo Chalet</i> .....	2983

# CONTENTS

---

<i>Yan Yean Road duplication</i> .....	2983
<i>Forest industry task force</i> .....	2984
<i>Pascoe Vale electorate railway stations</i> .....	2984
<i>Horace Petty housing estate kindergarten</i> .....	2985
<i>Bundoora development planning permit</i> .....	2985
<i>Caulfield Racecourse Reserve</i> .....	2985
<i>Narre Warren South electorate sports clubs</i> .....	2986
<i>Responses</i> .....	2986

**Tuesday, 1 September 2015**

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

**CONDOLENCES**

**Hon. Francis Raymond Scully**

**Mr ANDREWS (Premier) — I move:**

That this house expresses its sincere sorrow at the death of the Honourable Francis Raymond Scully and places on the record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as member of the Legislative Assembly for the electoral district of Richmond from 1949 to 1958 and Minister without Portfolio from 1952 to 1955.

I rise to pay my respects to Francis Raymond Scully, a former member for Richmond, who passed away last month aged 95. When Frank Scully was nine years old the world was plunged into an economic crisis of unprecedented severity. No single force beyond his control more determined the course of Frank's life than this great upheaval. In Melbourne the depression hit Richmond hardest. A lot of it is captured in Professor Janet McCalman's *Struggletown*, a painfully human account of urban poverty among the 3.8 square kilometres of cottages and factories between Punt Road, Victoria Street and the Yarra River.

In Depression-era Richmond parents died and children worked. That is what happened to Frank. His father died in 1935 when Frank was 15, and the young man was torn from the St Ignatius schoolyard and sent off to work on the railways. He eventually became the railway's leading shunter. Like so many members of this place who are drawn to the aid and the service of the Australian worker, Frank got involved in his union — the Victorian branch of the Australian Railways Union. But this was the late 1930s, so it goes without saying that the organisation was riven with a searing ideological tension that shaped Frank's passions and opinions for the rest of his life. Frank soon joined the Movement and then led the ALP industrial group within the Australian Railways Union, contesting elections and running interference against the incumbents, who were aligned to the Communist Party of Australia. Frank devoted a decade to this fight, as did some of the toughest operators of his generation on either side of the divide in almost any industry. It is a period of our history that is not written about enough.

Frank won Labor preselection for his local state seat, Richmond, and was elected to this place in 1949. He served as cabinet secretary and as Assistant Minister of Electrical Undertakings and Assistant Minister for

Lands in the Cain government, which was then Victoria's longest serving Labor government, holding office for a grand sum of two and half years. That government started very well, but we all know how it ended: in a demoralising mess that broke apart families, colleagues and lifelong friends.

I am not here to blame anyone, especially not a decent man who has just departed us. If there is one thing to blame for the story of the split, it is the era in which its protagonists were raised. To be born of Frank's generation and of Frank's stock — a working-class man between the wars — was to witness and live through the harshest of conditions. Think of all the fathers coming home bearing the scars of Western Europe. Think of those two generations of mothers in 1915 at the height of the war and in 1935 at the height of the Depression. Think of the children like Frank who were far too young to witness something far too real. Frank witnessed his Richmond collapsing into a tight maze of slums and diphtheria, and within the union he witnessed one of the most punishing ideological clashes that our young and peaceful federation had ever recorded.

This is not just Frank's story, though; this was the fire from which almost every Labor MP of the era emerged. They were very tough men who had lived through very tough times, and in 1954 and 1955 they made very tough decisions that would change the course of Australian politics for the next quarter of a century. When the party split, Frank joined what was then known as the Coleman-Barry group, later known as the Australian Labor Party (Anti-Communist) and now known as the Democratic Labour Party.

If you want my opinion, Speaker, I do not believe the split was a good thing for workers, a good thing for Catholics, a good thing for anyone. I think it was a tragedy, and I will always think that. Certainly it signalled the end of a successful Labor government, which fell a few months later. Nothing can heal that — not even time. But we owe it to Frank Scully to genuinely recognise his contribution to our public life, because it was real and it was passionate — and that is what matters. Frank was the only sitting DLP member to be re-elected to the Legislative Assembly at the 1955 election. He served as the party's leader, marshalling his MPs in the upper house, who from time to time claimed a thin balance of power. He was defeated in the seat of Richmond at the 1958 election, and he retired to a life of family, faith, community work and small suburban business. Frank Scully had a controversial career, but we can never forget that he lived in controversial times. It is painful to think of what could

have been should we all have had the licence of choosing our timing in politics.

I want to send my condolences to Moira, Michael, Kathleen, Louise and Jeff, and to Frank's many grandchildren and great-grandchildren: Sam, Mat, James, Hannah, Sarah, Tom, Naomi, Andrew, Hamish, Ethan and Nellie. You can all be proud that your grandpa had the honour of representing the working-class families he was raised alongside during one of the toughest times in Australian history. Frank Scully was a survivor, and they do not make them like him anymore. On behalf of the Victorian government and the Victorian Labor Party, I wish him peace and life eternal.

**Mr GUY** (Leader of the Opposition) — I rise on behalf of the Liberal and Nationals coalition to pay my respects to Mr Frank Scully, member of Parliament from 1949 to 1958 and minister. Many of us in this chamber were not even alive when Mr Scully served in this place. In fact many of us may not even have parents who were alive when Mr Scully served, but nonetheless time does not diminish the importance of his service.

Born in Bendigo, Mr Scully grew up in the then working-class suburb of Richmond, attending St Ignatius Catholic school until his father passed away in 1935 when Frank was just 15. At the height of the Depression, Frank left school and followed his father into the Victorian Railways transportation branch, rising to the position of lead shunter. Frank became active in the Australian Railways Union and quickly became leader of the anti-Communist force within the Victorian branch, which had been all but taken over by a tight, underground Communist Party operation. In response to the growing number of activists of the Communist Party of Australia within his union and the union movement and with the support of B. A. Santamaria's anti-Communist Catholic Social Studies Movement, Frank Scully built an organisation that was able to counter meetings and contest internal elections. Through his work with the railways union he became leader of the ALP industrial group within it, effectively the leader of an anti-Communist branch within a branch; and from there he successfully sought preselection for the state seat of Richmond, which he won in 1949.

In 1952 he rose to the positions of Assistant Minister of Lands, Assistant Minister of Electrical Undertakings and Secretary to Cabinet under Premier John Cain, Sr, where he served until 1955. He was a key player in the passage of the Co-operation Act in 1953, which kicked off the growth of credit, housing and agricultural

cooperatives in Victoria and then across the country. Late in the previous year the then federal Labor leader, Doc Evatt, had denounced the anti-Communist uprising within parts of the Labor Party, which had by that point, through the industrial groups, wrested back control of some of the unions and the Victorian Movement had become the strongest in the country. Evatt dissolved the Victorian ALP executive, suspending suspected pro-Santamaria members, including Frank Scully, in that year.

At 4.30 in the morning of 20 April 1955, Scully and 10 of his colleagues crossed the floor and fatefully voted in a motion of no confidence in the Cain government, ending the premiership of John Cain, Sr. Frank went on to join the new Australian Labor Party (Anti-Communist), which, as the Premier said, became the Democratic Labor Party in 1957, and served as its only member of the Legislative Assembly Parliament during those years.

This was a tumultuous period in Victorian politics, particularly for those from the Labor side. It is a period which still has impacts even today, with the presence once again in this Parliament of the DLP. It is a period that has clearly had a great influence over post-war Australian politics, not just in Victoria. Indeed the influence of the DLP was part of the reason the state Liberals managed an unbroken 27 years in office, from 1955 to 1982.

As the Premier said, after politics Mr Scully went on to own a newsagency at Yea in central Victoria and later owned one at suburban Sandringham, where he retired with his wife, Moira. They had two children, Michael and Kathleen. He remained an active contributor to political debate through the DLP and the National Civic Council. Frank will be remembered as a man who fought courageously against the communist tide threatening the labour movement and as, more than any of us, a man who put principle over his career and voted with his feet. My condolences to his extended family. May this courageous man rest in peace.

**Mr WYNNE** (Minister for Planning) — I rise to condole for Francis Raymond Scully, a predecessor of mine in the seat of Richmond, where he represented the ALP from 1949 to March 1955. Mr Scully recently passed away at the age of 95. He leaves his wife, Moira, his sister, Mary, and his two children, Michael and Kathleen. He was grandfather to Sam, Mat, James, Hannah, Sarah, Tom, Naomi, Andrew and Hamish and great-grandfather to Ethan and Nellie. Four brothers, Jack, Vincent, Desmond and Jim, have all predeceased him.

As we have heard, Scully was a railway worker and active in the Australian Railways Union Industrial Group. He was elected to this place in December 1949 and served in the turbulent times of coalition governments. Francis Scully rose to be cabinet secretary — indeed a position I have held — and then Assistant Minister of Lands and Assistant Minister of Electrical Undertakings in the third government of John Cain from 1952 to 1955. He was a member of the Catholic Social Studies Movement, otherwise known as ‘the Movement’, in Victoria. As a consequence of the dramatic Australian Labor Party split of 1955 he was expelled from the ministry and subsequently the ALP.

He was then a member of the Australian Labor Party (Anti-Communist) and subsequently the Democratic Labor Party, remaining in the Legislative Assembly until 1958. Scully was the only member of the DLP in the lower house of the Victorian Parliament during those three years. As the Premier has observed, the Labor Party split deeply divided inner city communities, in particular in Richmond but right across inner Melbourne, and families as well. I come from a large Catholic family, and my older sisters attest to the often heated political arguments between my father and his brother — my father a wharf labourer and his brother a meatworker, a political divide that endures today between myself and my cousin.

For members who want to refresh their memory of those turbulent events, I recommend Paul Strangio’s excellent history, *Neither Power nor Glory — 100 Years of Political Labor in Victoria, 1856–1956*. A former member for Oakleigh and distinguished member of this house Race Mathews has recently also written a very detailed thesis on the history of the split, which I would argue will be a definitive source for many years to come.

As has been recorded, Scully was defeated at the 1958 election when the seat of Richmond was won back for Labor by Bill Towers, who held it until 1962. Subsequently Clyde Holding was elected to start his 15-year spell in Parliament, and we chronicled Clyde’s parliamentary life not so long ago. After his defeat Frank Scully went on to manage a number of newsagencies in country Victoria and Sandringham. He enjoyed a long and fruitful life after Parliament. I wish his family well. Despite the differences that arose 60 years ago, everyone on this side of the house acknowledges Frank Scully’s contribution over nine years to this Parliament and to the electors of Richmond.

**Mr WALSH** (Murray Plains) — I also rise to join the condolence motion for Francis Raymond Scully. As

has been said, Frank was born in Bendigo on 27 January 1920 and passed away peacefully at Cabrini Prahran aged 95 in August this year. He is survived by his wife, Moira. He was father to Michael and Kathleen, father-in-law to Louise and Jeff, and he had grandchildren and great-grandchildren.

Frank was the member for Richmond from 1949 to 1958. In that time he was the Assistant Minister for Lands, the Assistant Minister for Electrical Undertakings and the Cabinet Secretary. As has been quoted in the press, Frank Scully was the last surviving MP from the Labor split of the 1950s. I do not think any of us in this place could understand the tensions and in some ways the hatred that came out of that particular event in politics.

Frank was the son of a railway worker, and his father passed away in the middle of the Depression in the 1930s. As the Premier said, Frank was forced to leave school and go to work, something that was very typical of that time and which probably shaped a generation of people, given the sorts of circumstances they were raised in. Frank was a passionate fighter of the Communist Party and its threat to take over Australian unions and Australian society. That group lacked direction until Bob Santamaria came on the scene and brought it together, which led to the split that has been talked about.

What is interesting is reading Frank’s first speech in this place. At that time there was no such thing as a maiden speech or inaugural speech, so it was in the adjournment debate that he got to speak for the first time. He raised an issue about the Communist Party and the actions it was taking with strikes at the Holmesglen housing commission facility. It was quite a lengthy contribution about those issues. At one stage a point of order was raised by Lieutenant Colonel Leggatt, who was the member for Mornington and who asked whether the matter was actually government business. It was pointed out to him by the Speaker at the time — it was a very wise Speaker — that it was government business because the government controlled the housing commission, so it was an issue that Frank had legitimacy to raise. He made a lengthy contribution about what the Communist Party was doing at the time in those particular workplaces to cause trouble. Lieutenant Colonel Leggatt apologised for raising the point of order after he had heard the contribution and understood what it was all about.

What I also found interesting was reading that the person who responded to the adjournment issue was Sir John McDonald, who was the Country Party Premier at the time. It is interesting to revisit the history of this

place. I suppose we can only hope that history may repeat itself one day in those particular circumstances.

**An honourable member** interjected.

**Mr WALSH** — The Country Party will always be there to fight communism. We sometimes wonder about the value of condolence motions, but I think it is important that we reflect on what members of Parliament before us did and what they lived through, because at times we tend to live in the moment and think that we are the ones at the centre of the biggest issues of the time. If we look back at history, both men for whom we are moving condolence motions today were great men who passionately believed in what they were doing in being elected to Parliament to represent the people who sent them to this place. We should never lose sight of that.

Frank Scully was, from what I have read, very much a man of principle who effectively sacrificed his career in politics for what he believed in. I imagine that quite a few members of the Labor Party at that time probably did what they did with very heavy hearts, but they realised it was something they needed to do at that time to stop the spread of communism in Victoria. I think we are all better for it. We now know the history of communism and that it has not survived even in the places where it did take a strong hold. We owe those members a legacy for that. Vale, Frank Scully.

**Mr PEARSON** (Essendon) — I rise to speak on the condolence motion for Frank Scully. As has been indicated, Frank left school at 15, when his father died, to work on the railways. He was active in the Australian Railways Union and ultimately became the member for Richmond when Standish Keon vacated the seat to become the federal member for Yarra at the 1949 election. From my research, I understand that Frank was probably the only member of the Catholic Social Studies Movement to have been a member of this place. As has been previously outlined, the Movement sought to try to disrupt the influence of the Communist Party within the trade union movement.

As has previously been said, Frank was secretary to the cabinet and was a junior minister in 1952. Let us think about that for a moment. Here is a guy who left school at 15 and was cabinet secretary at 32 — in less than 20 years he was a junior minister and a cabinet secretary. We only have to think about that in the context of what we have seen over recent times. How talented must he have been, and what could he have been?

Scully was the only member of the Australian Labor Party (Anti-Communist) to hold his seat in 1955 before losing it in 1958. Again, he must have been an incredible local member of Parliament to have held his seat in 1955 against the tide. I understand that members of the Democratic Labor Party used to frequent the Latin restaurant in Melbourne, which is no longer operating, and that David White had lunch with Standish Keon in the late 1970s. Keon had lost his seat of Yarra in 1955, and David said that he saw a man before him who bore the frustration of what could have been. I remember speaking with Jim Cairns at Melbourne University in the early 1990s. Many of us probably remember Jim selling his books on campus. Cairns told me that Keon could have been Prime Minister, but it was not to be.

It has been said to me, and I assume it is the case, that by the 1960s half the DLP wanted to go back to the ALP and the other half wanted to stay out. However, let there be no mistake made: the split devastated communities. I remember that one of my high school teachers had grown up in a small Victorian country town. That teacher described how when the priest got up to denounce the Labor Party, one of the church's leaders, who was sitting with his wife and six children in the front row, had got up and walked out. His wife broke down and cried. It was awful. There was violence, sometimes extreme violence, in inner Melbourne communities as the DLP and ALP battled each other. Even now in some parts of Melbourne you can see broken glass on the tops of walls, which was an attempt to prevent people getting in to attack other people.

Times like this give us a moment to pause and reflect. I read Frank's contribution to the no-confidence debate against the Cain government in the final hours of 1955. When Frank's allotted time to speak had expired, Sir Henry Bolte granted leave for him to speak for another 15 minutes. The debate lasted until 4.30 in the morning, and shouts of, 'You're a fanatic', 'You're not a Labor man' and 'You're a rat' rang out across the chamber. At the end of the debate Bob Pettiona, who was the then member for Prahran and was a former friend of one of the former ministers who was supporting the Bolte no-confidence motion, showered Francis Scully with 30 silver threepences, hissing, 'There you are, you ... Judas'. The coins were collected by the Serjeant-at-Arms and are displayed near the parliamentary library. It was a bitter and angry debate, and Frank, who I think would have been sitting near where the Minister for Industry now sits, gave a detailed account of his grievances and anxieties about the influence of the Communist Party on society.

I am not sure whether Frank and his 27 other parliamentary colleagues who left to form the Australian Labor Party (Anti-Communist) and subsequently the DLP had any idea that torpedoing the Cain government would condemn the ALP to nine straight election defeats and an eternity in opposition, but their actions changed Victoria and changed the nation. As Marx said, the history of all past generations ‘weighs like a nightmare on the brain of the living’. The events of 60 years ago changed the Labor Party and our community, and their impacts are still felt today.

Since I started working here in the 1990s, I have always been drawn to the caucus photo of the last Cain government, which was taken near the tennis court. You can see the Labor members for Hawthorn, Dundas, which was a seat around Hamilton, and Mildura — seats which we have never held since May 1955. Other seats took years to win back, such as Broadmeadows in 1962, Moonee Ponds in 1967, Dandenong in 1969 and Box Hill and Ivanhoe in 1982.

In many respects the split was influenced in part by the attitude of the local Roman Catholic archbishop. Cardinal Gilroy was archbishop of Sydney and was the first Australian-born prelate, and Gilroy had no interest in directing his flock on political matters, unlike the archbishop of Melbourne, Daniel Mannix, or Bob Santamaria, for that matter, and as a consequence the Labor Party never split in New South Wales. Mannix had taken a very different view.

By the time Mannix died in 1963 at the age of 99 it was all too late. Justin Simonds, Mannix’s successor, who was more like Gilroy, was too old and too sick to heal the wounds from 1955, and people like Scully were never able to make a direct contribution to parliamentary life again. Instead the ALP in Victoria became an insular, conservative, anti-Catholic rump which had no interest in acquiring political power; a political movement that was more interested in squabbling over the crumbs of opposition than in advancing the interests of working people.

It should come as no surprise that I grew up in a household where we loathed and despised the DLP for the fact that it traded away the dreams of a generation of working-class people to ward off a fiction, a fantasy. The price levied against the working class was, among other things, a pointless war in Vietnam, no meaningful access to higher education, no universal health care, and Soviet-style apartment blocks that destroyed inner urban communities under the guise of slum reclamation.

Frank could have been a great champion of the Labor movement. He could have been like Cain or Wran or Cahill or McKell, but he was not. It is because he was not, I fear, that not only the Labor Party but Victoria is all the worse for it. Vale, Frank Scully.

**Mr THOMPSON** (Sandringham) — At the Sacred Heart Catholic Church in Fernhill Road, Sandringham, two of the Richmond Football Club’s greatest icons and sons gathered among the mourners to pay their respects to the former member for Richmond, Frank Scully. John Nix, a 95-game player from 1949 to 1956, was a nearly lifelong friend of the Scully family. He and Tommy Hafey were the architects of Richmond’s 1967 premiership year. John knew Frank as a local member of Parliament when he served as a policeman in Richmond, as a friend of Jack Dyer and later in Sandringham as an active justice of the peace, bail justice and newsagency business mentor.

John Nix described Frank Scully as a very honest, helpful man who was always available to serve. Frank had a range of popular expressions recalled by both his son, Michael, and John Nix. When asked how he was upon meeting him, Frank would reply, ‘A lot better for seeing you’. His regular parting words to those who shared his company were, ‘Take care. Good people are getting scarce’.

John Nix recalled observing the lampposts in Richmond during the 1955 election, where every lamppost had the words, ‘Out Scully’. In spite of this Frank Scully was re-elected in 1955. An editorial quoted by Frank Scully’s son, Michael, from the front page of the *Richmond News*, of Wednesday, 4 June 1958, shortly after Frank was defeated in the 1958 election under the headline ‘:Thank You Frank Scully’ states

After nine long years of superbly representing Richmond — the needy, the ‘have-nots’, the businessman with his occasional problem — attempting and more often than not successfully bringing down legislation for the benefit not only of Richmond but for the whole of Victoria, Frank Scully, last Saturday, relinquished his seat in Parliament when he was defeated by the Evatt Labor candidate.

Another Richmond legend, Francis Bourke, a 300-game and five-time premiership player, knew Frank Scully very well. He described Frank Scully as a man of integrity who was genuinely interested in other people. He was sharp as a tack; he stood on his digs. He was not afraid to take a principled stand.

Frank Scully’s grandson Matthew Rowse recalled a note on the Scully family fridge outlining the words of Edmund Burke — unrelated to Francis Bourke — ‘The only thing necessary for the triumph of evil is that good

men do nothing'. Francis Bourke played football as Frank Scully lived his politics. And in reverse Frank Scully fought his politics with the same courage, conviction and commitment as Francis Bourke played his football.

Matters raised by Frank Scully for his electorate included advocacy for people robbed by bad undertakers, problems with substandard housing, concern regarding road accidents, the impact of land tax on old-age pensioners and outstanding matters to be addressed by the railways department and the education department.

Frank was Secretary to Cabinet in the Cain Labor government from December 1952 to March 1955 and was the Assistant Minister of Lands and Assistant Minister of Electrical Undertakings during the same period.

The 82-page *Hansard* record of the 19 April 1955 debate headed 'Want of confidence in ministers' could be regarded as mandatory reading for any student of Australian politics. During the debate Mr Scully made the following statements:

We are confronted with a most important decision. The eyes of the commonwealth are on the Victorian Parliament ... The question to be decided is one of fundamental principle — whether we, as loyal Australians, are prepared to take action against communism, which will destroy this country and will do to our people exactly the same as has been done to the people of all those countries that the communists have conquered ...

If being a loyal Australian prepared to fight communism is being a fanatic, I am proud to be one.

Arguably as a result of the split Frank Scully truncated his political career as the member for Richmond in this place by several decades.

Frank had a positive influence on many issues while he was in Parliament, two in particular. The first was his influence in the establishment of the Co-operation Act 1953 that led to the formation of many housing societies and credit unions. This opened the door to housing finance for many people who would otherwise not have been able to obtain such finance, and it provided finance to people to acquire household appliances. The second was his active involvement and intervention to eliminate the discriminatory practice of Catholic schoolchildren not being able to travel to school on government buses.

After a period of time as a newsagent in Yea — his parting contribution to that community was making 95 in his final game of cricket in his early 40s — he travelled to Sandringham and took over the local

newsagency, where he was always involved in community and local organisations. He was a justice of the peace, an active member of the Sandringham Traders Association, Rotary, Probus and the Knights of the Southern Cross.

He was also an active participant at Sacred Heart Church, Sandringham, and was involved in the establishment of the Sacred Heart Credit Union, which provided support to many parishioners, particularly young people, which enabled them to obtain loans to acquire cars which they otherwise could not have obtained. He was involved for many years in the St Vincent de Paul Society with his wife, Moira, and in delivering packages to the needy. Scully's newsagency offered employment to hundreds of people over a 27-year period.

Frank was a man of great faith not only in relation to his support of the Richmond Football Club but also as a devout and strong Catholic for whom the power of prayer was a very strong part of his life. John Nix advised that an ongoing focus of his prayer was that politicians might be better people. His faith played an important part in all of his decisions in life.

I convey my condolences to Frank's wife, Moira; to his children, Michael and Kathleen; to their spouses, Louise and Jeff; and to his nine grandchildren and great-grandchildren. At Frank's funeral at the Sacred Heart church in Sandringham, his son, Michael, concluded with the words:

Goodbye. You are now at peace with the God you so loved. Rest in peace.

On behalf of members of the Sandringham community, vale, Frank Scully.

**The SPEAKER** — Order! I too would like to express my condolences to the family and friends of Francis Scully. Francis was the member for Richmond from 1949 to 1958 and the leader of the Democratic Labor Party from 1955 to 1958.

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

**Hon. Frank Noel Wilkes, AM**

**Mr ANDREWS** (Premier) — I move:

That this house expresses its sincere sorrow at the death of the Honourable Frank Noel Wilkes, AM, and places on the record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as member of the Legislative Assembly for the electoral district of Northcote from 1957 to 1988 and Leader of the Opposition

from 1977 to 1981, Minister for Local Government from 1982 to 1985, Minister for Housing from 1985 to 1987, Minister for Tourism and Minister for Water Resources from 1987 to 1988.

Yesterday I had the great honour and privilege of delivering the eulogy at Frank Wilkes's state funeral service at St Mary's Catholic Church in Thornbury. I wish again to contribute to his memory, and I apologise to those who have already heard this eulogy, but for someone who was such a faithful servant of our party, our community and this Parliament, it seems fitting to read into *Hansard* the eulogy that I delivered yesterday.

As Frank Noel Wilkes made his way into this place to give his inaugural speech in the spring of 1957, Sir Henry Bolte stopped him in the corridor and said, 'Son, a good speech is a short speech'. Frank heeded that advice throughout the three decades he was to spend in this chamber, during which he rose from a self-described rank outsider to a Labor Party leader and indeed a father of this house. I will try to heed Sir Henry's advice today so that we can hear from all those who have different reflections about Frank's parliamentary service and his life. Knowing Frank, he would want all of us — both at his memorial service and during today's motion — to move about our business with a minimum of fuss and bother.

Condolence speeches usually start with the date of birth — that is 16 July 1922, for the record — but I think it is clear that we cannot begin a true story about Frank Wilkes's life without instead mentioning the place of his birth:

... that community of proud suburban families he called Northcote.

In 1979 the *Age* wrote:

... rarely has an Australian political leader so fully and consistently identified with his place of origin.

It went on to say:

Wilkes has lived all his life, with the exception of war service, in Northcote. His childhood, his schooling, his work career, his married life and his political career have all centred on Northcote.

That war service took him to New Guinea as a radio operator, and it brought him back home into accountancy, at Caulfield Tech, then valuing and surveying at RMIT, then the Northcote branch of the Australian Labor Party at age 24 and then through the doors of C. E. Wilkes and Co — his father's sunroom furniture factory. He did his time both on the floor and in the back office. He joined the Furnishing Trade Society and became an active unionist, despite being a

manager, and was twice elected as the society's president.

But Frank Wilkes's style was shaped in council not union meetings. I think all of us assembled here in this centre of our parliamentary democracy would agree that Frank's is a most enviable electoral record in Australian politics. From his very first term as a councillor in 1954 to his retirement from Northcote council in 1978, Frank Wilkes was elected unopposed every single time.

The *Nation Review* states:

Northcote council is Wilkes' council ... He is the unchained mayor of Northcote, and ... the ratepayers and council employees can be very thankful for it.

In an environment which was corruptive and divisive, he managed to keep a clean skin because:

he has supplemented his 'machine power' with a 'protect the battler' morality ... his guiding star.

After three years on council, Frank nominated against a field of more than two dozen for preselection in the state seat of Northcote. He said:

I probably got as big a shock as anyone when I won.

Of the many words written about Frank's temperament in Parliament, they all basically say the same thing:

He has a general air of competence. He likes to get things done ...

He is intelligent, civilised ... neat and trim.

Immaculately dressed, meticulously organised.

Frank was a man who had his life together and 'his view [was] the view from the kitchen table'. Always focused on the hopes and fears of everyday families and of people 'buffeted by forces beyond their control'.

The *Age* found in Frank Wilkes:

... a pervasive conservatism — an acceptance of existing social institutions and a willingness to work within them.

But perhaps he said it best himself:

It is essential in public life to face up to change even though it may be opposed to your own personal views ...

After all, this is a man who was one of the founding Victorian members of the Congress for International Co-operation and Disarmament, who was the first Victorian political leader to call for the decriminalisation of homosexuality and who pioneered the land rights issue in this Parliament.

So he may have been a conservative man with a cautious touch, but he had a radical streak of decency, and that made him the best thing a working-class community could ever wish for in their advocate: someone with the instincts of the common man without the passions of the populist; someone who put people first.

Frank was elected Labor's whip in 1959. He became deputy leader in 1967, serving under Clyde Holding, a man as free and impulsive as Frank was painstaking and particular. Now you can choose a lot of things in politics, but you cannot choose your timing, and timing was certainly the great foe of anyone involved in Victorian Labor politics in the 1950s, 1960s and 1970s, as we have just heard in a number of eloquent condolence motion contributions. Frank Wilkes endured that storm from commencement to completion, and just as the rays of the sun were starting to break through, in 1977 he was elected leader of the Victorian Labor Party.

Quickly things changed. In 1979 — and I know he will forgive me for using this term — Frank Wilkes led Labor to its most victorious defeat. I actually mean those words because Frank Wilkes managed a 5.3 per cent swing, something almost unheard of in Victorian politics. To put it in context, that is a bigger swing, a more profound swing, than the ones which carried the Cain government, the Bracks government and indeed the current government into office from the opposition benches. For a wounded Labor movement that had spent two and a half painful decades dragging itself back to life, the 1979 election was the moment the Labor Party finally opened its eyes again. Frank disciplined the caucus, professionalised campaigns and modernised the many sclerotic processes of policy development.

Thanks to a lot of Frank's meticulous work, Labor ultimately entered office a few years later, but it did so without Frank as leader. That is not a reflection of his abilities; that is just the sad rhythm of life and politics. 'Some disappointment', Frank later said, 'but that's politics'. There was no time for self-reflection. He was quickly thrown into one of the toughest assignments in government — overseeing the state's then 211 municipalities and shires as a senior member of the Victorian Labor cabinet, its first cabinet in decades. There had never been a more qualified local government minister — and perhaps since — and it was in this role that he won the most praise and got the most done. He gave councils more power to control their own future. He let them invest locally, build locally, form partnerships locally and create jobs locally. He gave everyone a vote — universal suffrage

delivered by Frank Wilkes. He gave councils the power to clean up social housing and improve people's lives, and, an accountant until the end, he made councils more professional, more responsible and more transparent.

Frank also served as the Minister for Housing, the Minister for Tourism and the Minister for Water Resources, and no doubt other members of the house will comment on that ministerial service. He retired from this place in 1988. It was a lifetime in politics, involving decades of public service — indeed he was the father of this house when he left it — and yet a former staff member, Noel Turnbull, said about him:

Political commitments that clashed with Fitzroy —

games —

were never given high priority and he preferred to talk to journalists about his roses and tomatoes than about the issues of the day.

Frank Wilkes was a normal person, an ordinary bloke with the extraordinary gifts of grace, patience and civility. He was a quiet man with quiet traits who brought down a deafening loyalty upon the things that were right and just.

Some of the first words in one of Frank's first speeches paid mention to his predecessor in Northcote, John Cain, Sr, who had recently passed. He said that John Cain's 'fidelity to the party of which he was a member and which he subsequently led was never questioned'. This was, in Frank's eyes, the highest of praise. Now, almost 60 years later, we can say that Frank's dedication, like Cain's, was complete.

No-one can question the loyalty of this man to his family, his party, his state and his beloved Northcote, and no-one can impugn his decades of service to the people of Victoria. Frank Wilkes may not agree with me on this, but I think he lived an extraordinary and fascinating life. He joined Labor in the darkest of times and retired in the best of them. He nurtured his working-class neighbourhood, and he helped his neighbours to prosper. He dealt with much change in his political career. The lurid theatre of election campaigning at a time when television had just become king was no easy task, and of course he sat around a cabinet table that brought sudden great and lasting change to this state. I think the modern political history of our state could almost be told through Frank Wilkes's biography alone, and that makes him unforgettable and irreplaceable.

To Susan, Helen — who is a former member of the other place and whom we all know so well — Lisa, Nicholas, Silvio and Ian, to Frank's friends, neighbours

and colleagues, to everyone who loved him and everyone he loved and to all the members of our great and forbearing Labor family I give my deepest condolences on behalf of the parliamentary Labor Party and on behalf of the government and the state.

I wish Frank Wilkes peace in rest. I know very soon he will find his way back to Wilma, and together they will humbly toast a life well lived. Frank Wilkes served his community, his party, this Parliament and this state with grace, dignity, dedication and clarity of purpose. He was always for fairness, always for doing the right thing for those who would in the absence of governments with those sorts of priorities never get the life opportunities they were entitled to. It was a life well lived and service honoured by us all today.

**Mr GUY** (Leader of the Opposition) — On behalf of the Liberal-Nationals coalition I rise to pay my respects to a former minister, former party leader and serviceman in Mr Frank Wilkes. Frank Noel Wilkes was born in 1922 in the inner northern suburb of Northcote, and he attended local schools such as Northcote Primary School, Northcote High School and Preston Technical School.

When the Second World War came Frank Wilkes served with distinction from 1943 to 1945 as a signalman in the south-west Pacific and after the war returned to study accountancy and valuing. He worked at and eventually managed his father's furniture factory and from there became a member of the state executive of the Furniture Trade Society. Frank Wilkes's dedication to his local area and, as the Premier said, his love of his suburb of Northcote, was manifest in his length and breadth of service to it. His legacy of local and community service is evident in his involvement with other local organisations, including as a member of the Preston and Northcote Community Hospital board, a trustee of Yarra Bend Park for seven years, and a trustee of the Northcote creche. He also served the community as a justice of the peace.

Frank Wilkes joined the Northcote branch of the Labor Party in 1948 before he was elected to Northcote City Council in 1954, where he served until the late 1970s. As the Premier said, it is an impressive distinction to be elected unopposed for more than two decades. If only politics were like that today!

In 1955 Frank Wilkes became the local campaign manager for the then member for Northcote, John Cain, Sr, who was at that stage Premier. Upon the death of Mr Cain in 1957, Wilkes was elected to his former mentor's seat of Northcote in the Legislative Assembly, which he held for 31 years — noting that for over 20 of

those years as an MP he also served as a sitting local councillor.

Frank Wilkes's career within his party saw a rapid elevation. In 1959 he became the whip, and then deputy leader in 1967. He served 10 years in that role as the loyal deputy to leader Clyde Holding, and after Mr Holding had conceded three election defeats, the deputy leader, Frank Wilkes, assumed the role as Labor leader and Leader of the Opposition in 1977.

As has been said Frank Wilkes had a matter-of-fact style, and while many in the media did not give him much chance of winning government back at the 1979 election from the overwhelming majority that Rupert Hamer had won at the 1976 election, he actually won 11 seats and brought the then historically weak Victorian Labor Party to a position where it was well in contention to win at the 1982 election. One of the new members elected in 1979 was a brash young lawyer, John Cain, Jr, whom Mr Wilkes had defeated for preselection for Northcote in 1957. While Frank Wilkes had performed exceedingly well in the 1979 election, his party chose a new leader in 1981 — around the same time the then Liberal government did — and John Cain, Jr, took over the leadership and ultimately led Labor back to government after a 27-year period in opposition.

Frank Wilkes was rewarded for his long service to Labor and to the Parliament by being appointed Minister for Local Government. As a councillor for more than 20 years, he was clearly one of the best people in the Parliament to befit that role. After the 1985 election Wilkes also served as Minister for Housing from 1985 to 1987 and as Minister for Tourism and Minister for Water Resources from 1987 until he chose to retire from politics at the 1988 election. By that stage he had been here for 31 years, 25 years of them in opposition, so no-one can say he was not dedicated and tenacious.

Upon his retirement, Frank Wilkes took up his other great interests, particularly sport, serving as the chair of Vicsport from 1988 to 1998 and then as a director until 2004. He also served the MCG as a trustee and the Victorian Institute of Sport as deputy chairman.

In recognition of his long service, Frank Wilkes was appointed a Member of the Order of Australia in 1989 for service to government and politics and to the Parliament of Victoria, and he was a recipient of the Centenary Medal in 2001.

Let me be clear, being the Leader of the Opposition is many times a thankless job — not that many people

have been in that club. But as the Premier will attest, those who serve in it have to have a special kind of mettle and fortitude. Frank Wilkes clearly had that and was clearly a passionate Labor man and passionate about Melbourne's inner northern suburbs. And while many of those suburbs have and are changing from the working-class places they were back in post-war Australia, you will see many plaques, foundation stones and memorials to the work of Frank Wilkes around Northcote, if you take a walk around that suburb.

A warrior for his party, Frank Wilkes's passion for politics was obviously infectious, particularly in his family, as his daughter and former Victorian MP from 2002 to 2006, Helen Buckingham, will no doubt attest. Today we honour this former party leader, minister, serviceman, husband, father and grandfather, Frank Wilkes. May he rest in peace.

**Mr MERLINO** (Minister for Education) — I rise to join the Premier and the Leader of the Opposition in paying tribute to and reflecting on the rare and illustrious political life of the Honourable Frank Noel Wilkes. Frank was born in 1922 and passed away at the impressive age of 93 on 20 August 2015. Frank was a true Labor man and made significant contributions to the party he loved throughout his career, particularly during his 30 years as the state member representing Northcote. Frank could not have been more local, attending Northcote Primary School, Northcote High School and Preston Technical School before serving in World War II as a radio operator. He then studied accounting and worked at his father's furniture factory before moving on to political life. He and his wife, Wilma, raised their two children, Susan and Helen, our dear friend and former colleague, in Northcote. He was a local member steeped in the community he represented, joining the Northcote branch of the Labor Party in 1948.

Coming into office, Frank had remarkably big shoes to fill. The state electorate of Northcote had been held since 1917 by former Labor Premier John Cain, Sr. When John Cain passed away in 1957, Frank was elected to represent Northcote at the subsequent by-election. He became Labor whip in 1959 and deputy leader in 1967. In 1977, following 10 years as deputy, he became Leader of the Opposition, holding the position until 1981.

Following Labor's success in the 1982 election, led by the son of his mentor, John Cain, he fulfilled a number of important ministerial roles, including in local government, tourism, water resources and housing, until his retirement from politics in 1988. In 1982, on becoming Minister for Local Government, he showed

that after 25 years of politics he had not lost his core community values. On talking about local government reform he said:

You cannot look at reform as if it were an abstract concept — like local government itself — it is about people. About where they live. About their aspirations.

Thirty years later, these words ring true. That is why we are all here — for the people of Victoria.

Frank never lost his moral compass. In this tough business of politics he was a man who was focused on the everyday, the issues that faced working families. As the *Nation Review* stated, Frank had 'a "protect the battler" morality' which was 'his guiding star'. After a lifetime of dedication to public service Frank did not forget that he was here as a representative of the people of Victoria. His dedication to his local community went beyond state politics. While he was the state member for Northcote he also represented his community as a Northcote councillor between 1954 and 1978. At the height of his political career and with his statewide responsibilities Frank was enmeshed in his local community. He was the epitome of a local member, taking time out to attend local footy games on weekends and ensuring that he was always grounded in the needs of his community.

Frank was a quiet and dedicated achiever. He was known in Parliament for being methodical, self-disciplined and thorough. In the lead-up to the 1979 Victorian election Frank was penned as the 'quiet lion' by the *Canberra Times* — I like that description — and it was that quiet confidence that meant that under his leadership at the 1979 election Labor gained 11 seats.

When one enters public service there is little one can hope for other than to make a positive difference. In his quiet, decent and methodical way Frank did that. He held numerous public positions. He was twice president of the Furniture Trades Society, a member of the Preston and Northcote Community Hospital board, Yarra Bend Park trustee, an MCG trustee, chairman of the Sports Federation of Victoria and deputy chair of the Victorian Institute of Sport.

When Frank retired from politics in 1988, both sides of the house came together to reflect on what then Premier John Cain called 'a remarkable record of achievement in public life'. Former Leader of The Nationals Peter Ross-Edwards was quoted as saying:

There is no more respected member than Frank Wilkes — he is a man of integrity.

Full of integrity, disciplined, meticulous, competent, capable and decent — these are all words that often come up when talking about Frank. In the 1989 Queen's Birthday honours, Frank was deservedly rewarded for his dedication and service and made a Member of the Order of Australia for service to government and politics and the Victorian Parliament.

Frank's renowned commitment to the Labor Party and Labor values was clearly infectious, as his daughter Helen Buckingham joined the Legislative Council representing the Koonung Province with distinction in 2002 before retiring in 2006. I am sure that Frank would have been very proud when Helen entered this place.

Frank was a wonderful example of someone who lived by Labor values. He valued and worked tirelessly for his local community, and his legacy will be felt for a long time. I would like to extend my sincerest condolences to the Wilkes family: Frank's daughters, Susan and Helen; his son-in-law, Ian; and his grandchildren, Lisa, Silvio and Nicholas. I take this opportunity to thank and honour Frank for his lifelong dedication to the people of Victoria. Vale, Frank Wilkes.

**Mr WALSH** (Murray Plains) — I rise to join other members of Parliament, particularly the Premier and the Leader of the Opposition, in speaking on the condolence motion for Frank Noel Wilkes. As has already been said, Frank was born in Northcote and educated at the Northcote state primary school and high school and went on to Preston Technical School. He studied accountancy and valuing at RMIT and CIT. Before that time he served with distinction in the Australian Imperial Force in the south-west Pacific, particularly in New Guinea as a radio operator.

Frank then came home and worked in his father's furniture business, which has been well talked about already. The interesting thing about Frank's career is the fact that he spent a long time as both a councillor and member of Parliament simultaneously. He was a member of Northcote City Council from 1954 to 1978 and a member of this place from 1957 to 1988. He spent 21 years as a senior member of Parliament and as a councillor. I have never aspired to be a councillor, but Frank did both jobs and was at the beck and call of his community. As has already been said, he was a passionate supporter of the Northcote community. His would have been an interesting job; every time he walked down the street he would have had both those hats on. Someone would have always been stopping him about issues. Full credit to Frank for the work he did in both those roles.

As has been said, Frank had two years in this place before he was elected to the position of whip, and he then went on in 1967 to become deputy opposition leader, which he served as for 10 years before he became Leader of the Opposition from 1977 to 1981. The transition to the leadership of John Cain, Jr. has already been talked about. On the election of the Cain government Frank had the opportunity to serve as Minister for Local Government.

It is interesting to reflect on the local government portfolio at that time. There were something like 211 councils in Victoria, compared to the 79 or 80 councils that there are now. In some ways having 211 councils to deal with as the Minister for Local Government would have been a bit like herding cats. I notice that the former Minister for Local Government is smiling about that issue. Frank was also Minister for Housing and brought in some significant reforms while in that portfolio. He went on to serve as Minister for Tourism and Minister for Water Resources as well, so he was someone who had a very lengthy but, more importantly, distinguished career in this place.

It is interesting that he was also the no. 2 ticket-holder of the Fitzroy Football Club. I would be interested to know who the no. 1 ticket-holder of the time was, whose presence meant that Frank Wilkes could not be the no. 1 — —

**Ms Allan** — Nancye Cain.

**Mr WALSH** — I am now informed who put him out of that position.

I know Dr Sykes, the former member for Benalla in this place, would have been very happy to have someone like Mr Wilkes at the Fitzroy Football Club, because Bill was a passionate player with that club for a period of time.

One of the things that was written about Frank Wilkes at the time was that while a lot of the Labor leaders of that time, including Whitlam, Dunstan, Wran and Holding, were lawyers, one of Frank's strengths was that he was not a lawyer. With all due respect to any lawyers in this house, it is important to have a number of lawyers in our midst who give us guidance on legal issues, but it is also important to have a diversity of other careers across the chamber. A domination by lawyers is not necessarily a good thing for a wide-ranging debate. At times they focus on the detail more than the concept. That is a friendly debate we will have over time.

It was interesting to read Frank's first contribution to this place, which was on the Clean Air Bill. At that time

there was significant air pollution in this state, particularly from the burning of coal, briquettes and oil to power factories, but also from the high sulphur dioxide and lead levels in our petroleum fuels. There was a vigorous debate at that time about cleaning up the air in this city. We can be thankful to the governments of the time for the way they improved the air quality in Victoria as well as the living conditions for people in the inner suburbs.

It is interesting, in reading *Hansard* of the time, that the member of Parliament who followed Frank in speaking on that bill was Sir Herbert Hyland, the then member for Gippsland South, who not only congratulated Frank on his first contribution to Parliament, but also went on to talk about the Gas and Fuel Corporation and Australian Paper at Morwell and Maryvale and the pollution being produced in that area. In particular he stated that something had to be done about the drain that went out to sea and the pollution it caused down there. It only took 40 years, but something was ultimately done about that issue through the creation of the Gippsland Water Factory, which improved waste water quality in Gippsland. Sometimes things move slowly, but ultimately they do get fixed. It is an interesting observation on the debate on that bill that, in the case of Gippsland, it took 40 years to fix that issue, but it was ultimately done.

On behalf of The Nationals and the Parliament, I express my condolences to Frank's family. He is someone who served with distinction, and someone who set the scene for the ultimate victory of John Cain, Jr, in this place. As we all know, there is no such thing as justice in politics. Sometimes the people who do the hard work do not necessarily get the ultimate rewards, but that is the way it works. Full credit to Frank for what he did as a member of Parliament and also as a councillor in local government. I cannot imagine the commitments of time that he would have had to make, nor his family's contribution to the community of Northcote and this place. Vale, Frank Wilkes.

**Mr PALLAS** (Treasurer) — Frank Wilkes is a leader worthy of celebration for his contribution to the modernisation of this place. He was the quiet lion of Labor who let his values and actions speak loudly. The few people in this Parliament who had the opportunity to meet him will know him as a man who served his state and his party at a time of generational change for the Australian Labor Party. Elected to Parliament in the 1950s and rising to Labor leader in the 1970s, he faced challenges of party identity no recent leader has had to confront. He was a man of a different generation but he kept up with the changing times, except of course in his refusal to go quietly in relation to the disappearance of

his beloved Fitzroy Football Club. He was a Northcote man, born and bred. Initially he went into his father's furniture business, where he rose to the position of manager. He was also a member of the Furniture Trades Union.

Frank began his political career when he joined the Labor Party in 1948, and he served as a campaign manager for John Cain, Sr, in 1952 and again in 1955. He was elected as a Northcote city councillor in 1954, and he served for 24 years as a councillor. In a record many of us in this place would envy, he was elected unopposed for most of his time as a local member, as has been observed by number of other speakers in their eulogies of Frank. As members will be aware, being a councillor and an MP at the same time is something that is no longer possible. No doubt we all sit back in awe when considering the level of contribution and commitment to public life that must have been involved in taking on both roles.

When John Cain, Sr, died in 1957, Frank Wilkes stood in a hotly contested preselection for his seat with the former Premier's son, John Cain, and 25 other candidates. Frank won and went on to hold the seat for 32 years. Frank was elected unopposed successively as Labor whip in 1959 and deputy leader in 1967, supporting Clyde Holding through a long period of difficult times for Labor.

After the 1976 election Frank was elected Leader of the Opposition and set out on the long road to rebuild the party's electoral fortunes. He achieved a 5.2 per cent swing in the 1979 election, gaining 11 seats and providing the platform for the ALP's win in the 1981 election. Among his many achievements Frank was the first Victorian MP to call for the legalisation of homosexuality and the first Victorian MP to introduce a private members bill to grant land rights to Victorian Aboriginals.

Political life in those days was very different. The 24-hour media cycle did not exist and the internet was still 20 years in the future. Frank had just three advisers and a two-room office to fit them into. His chief of staff was Race Mathews, and I understand that David White was also amongst his staff. Although written off by critics, having managed a 5.2 per cent swing and gained 11 seats in 1979 he put the party back into serious contention. With a new generation of candidates and a new sense of purpose, the party was invigorated and in a potential winning position at the next and successive elections. In the end the baton passed to John Cain, Jr, who led the party back to government in 1982 and into a decade of Labor reforms. Frank then served very successfully as the Minister for Local Government, the

Minister for Housing, the Minister for Tourism and the Minister for Water Resources until his retirement in 1988 after a marathon 31 years in Parliament.

Perhaps a Treasurer ought not mention this — and I hope the current Minister for Housing, Disability and Ageing does not take offence — but when Frank was the Minister for Housing he was always highly resistant to Treasury attempting to evict housing commission tenants because of rental arrears. He grew up in the Depression, he served in the Second World War and he saw firsthand social problems which today's members fortunately have not had to experience. Significantly, like many returning servicemen, he talked very little about his time in New Guinea.

Frank was appointed a Member of the Order of Australia in the 1989 Queen's Birthday honours for service to government, politics and the Victorian Parliament. One of his daughters, Helen Buckingham, followed in his footsteps by being elected a member of the Legislative Council. She represented Koonung Province from 2002 to 2006, and might I say she represented that province with distinction.

I offer his family sincere condolences. I am sure members from both sides of the house will join me in paying tribute to Frank and his excellent service to this Parliament — a man whose values spoke loud, a man whose contribution to public life was unquestioned and a man who history and circumstance did not favour with the ultimate prize of leadership of the state but whose efforts leave an enduring legacy for this state and for his party. Vale, Frank Wilkes.

**Ms RICHARDSON** (Minister for Women) — As the Premier has said, Frank Wilkes lived an extraordinary life of public service, so much so it is difficult to do justice to all that he achieved. But picture this: as the new member for Northcote, like every other new member in this place, I looked back in time to see whose shoes I needed to fill, and there standing in my past was the extraordinary Frank Wilkes with this enormous pair of boots looming before me. After all, he was the member for Northcote for 32 years. I would have to retire at age 72 to reach that milestone!

As other speakers have mentioned, Frank was a Northcote city councillor, elected unopposed for 25 years. He was the Leader of the Opposition for four years, and six months before the 1979 election he secured an almost impossible 9 per cent swing to Labor at the Ballarat Province by-election. David Williams was the Labor candidate, and in the wings the stand-out volunteer supporting the campaign was a future Labor leader in Steve Bracks. This win in Ballarat Province

helped turn the tide, and at the general election Frank, as leader, secured a 5.3 per cent swing to Labor. His effort is regarded as the very foundation of the win that subsequently came, leading Labor out of our 27 years in the wilderness.

You might think that Frank was bitter about never being Premier, about losing the leadership to John Cain, but he was not. In fact no-one was more pleased than Frank to see Labor win government in this state. He was then a minister for six years, and he well and truly passed what I call the Gough Whitlam test in that he made reforms that withstood the test of time and a change of government. All this and more was swirling through my mind when I first knocked on his door as the newly elected member for Northcote. I confess the first thing that struck me when he appeared at the door was how immaculate he was. In all honesty I gave myself a once-over to make sure I did not look too shabby as I crossed the threshold. I learnt much later that he always dressed that way. Even for doctor's appointments when he was under the weather, he would take the time to be dressed best, no matter what.

Then we got to talking and I quickly realised that the challenge posed by Frank Wilkes was much larger than his enormous set of public achievements because here was a man who challenged you to look at politics and public service in a completely unique way. Sure, we agreed that he and I were lucky enough to represent the best electorate anywhere in the state. In 2010, just after we announced Labor's plans to fix the Chandler Highway bridge, he rang to say he felt that his seat and his community were in safe hands. Honestly, I felt a wave of relief after that phone call because this was Frank Wilkes, the man who was and forever will be Mr Northcote, telling me that all was okay.

But a life like Frank Wilkes's and a man like Frank Wilkes challenges you to do and be so much more. If we compare politicians to lawyers and Parliament to our courts, few people would conclude that the adversarial model played out in our political and legal system is perfect and even fewer could successfully argue that an adversarial model brings out the best in human beings. As MPs we rarely have the time to sit back and ask: does this system truly deliver the best outcomes? Does it truly bring out the best in us? Does it inspire us? Adversarial, conflict-focused public service often becomes more of a job and less of a joy, and while each of us can blame the system we find ourselves in, we are all individuals with choices to make about how we conduct ourselves and how we work together.

Frank Wilkes consistently took the time to make choices about the way he conducted himself in Parliament and in public life. Those choices played out in some very interesting ways. He was a gentleman who always played the policy, not the man. He always sought cooperation over combat while holding firm to his beliefs. He acted decently, even when pressured to do otherwise. He respected alternative views and approaches no matter what.

One of the best examples of this approach was his surprising support of former Premier Jeff Kennett. Jeff, as you would recall, had a somewhat combative style, particularly when it came to anything to do with the Labor Party. No doubt Frank and Jeff had some interesting exchanges in their time, but on one notable occasion Frank took the view that Jeff had been unfairly maligned in a newspaper article, and in the legal action that followed Frank offered to appear as a witness in defence of Jeff Kennett. Frank took a bit of a beating from his own colleagues for that particular decision, but he took the view that it was the right thing to do. In my mind that summed up Frank to a tee.

I was lucky enough to get to know Frank and to talk to him about integrity, leadership and his unique approach to politics. Indeed, those discussions do in part inform me as I undertake my work as Minister for the Prevention of Family Violence. Entirely in keeping with Frank's approach, it is my view that if we are to make long-term and lasting solutions to family violence, we will need to collaborate in a bipartisan way. The last thing we need to do when we are searching for ways to diminish conflict in the home is to perpetuate them in this house. Frank embodied this principle. He challenged us to think and act differently, and at every step of the way he led by example.

Talking to his daughter Helen, we both agreed that he was unique in this place in another way: he was a lousy hater. He was unable to hold grudges, and the best example of this was that he did not feel one bit of bitterness about losing the leadership of the Labor Party. As he described it, he was a man more comfortable in front of live crowds yelling out arguments on the back of trucks and in local halls. He knew that the modern media cycle was not suited to his style of politics. He handed on the baton, and he was so proud of all that the party he loved achieved for working people.

Right to the end Frank had a keen political eye. It was in fact Frank who first alerted me to the similarities between his political foes when he was a marginal seat member for Northcote — namely, the Democratic Labor Party — and the Greens political party. Both

parties are determined to undermine Labor at every turn, both are more critical of Labor than the conservatives and both are doing all they can to undermine the achievements of the one truly progressive party in our state — the Labor Party. But he was always gracious in his comparisons, and I confess that I am somewhat less so.

I have learnt a lot from Frank, as has the Labor Party. His leadership style laid the foundation for our future Labor leaders. He truly broke the mould. His passion for the TV series *Yes Minister* was not one I could share — it was far too much of a documentary for my liking — but I always enjoyed talking to him about our mutual love of Labor and of Northcote. His contribution and reach across our community and our party is profound. I thank Helen and Susan for sharing Frank with us. They can be very proud of all that their dad stood for and achieved. His voice and actions speak to us still. To Lisa, Nicholas, Silvio and Ian, on behalf of the electorate he loved to the end, your loss is our loss. Vale, Frank Wilkes.

**Ms GREEN** (Yan Yean) — It is a great pleasure to join the condolence motion for a dear friend, Frank Noel Wilkes. I was deeply fond of Frank Wilkes. He was a monumental and measured father figure to me, as well as a mentor and confidant. He taught me the true meaning of the privilege it is to be a servant of your electorate by representing it in this place. I am sure that he knew every nook and cranny of Northcote, where he was born and, as his daughter Helen, another great friend of mine, said at his funeral yesterday, where he lived for 86 of his 93 years. It seemed to me that he also knew everyone in Northcote — everyone who had ever lived there and everyone who was going to live there.

Frank entered Parliament almost exactly six years before I was born and retired 11 days after my 25th birthday. He was my local MP, but I met Frank in 1986, when I was a baby public servant at the Ministry of Housing. I was a bit afraid because I was supposed to go up to the ministerial suite and teach the minister how to use his new pager. He set me at ease immediately and called me Danny — a name that he and his family have stuck with for good since then — and a solid friendship was formed. He sat me down, and we had a great chat about social justice, what was happening in the department and what was happening in Northcote. There was not a lot of talk about the pager, but I think he worked out how to use it. He even showed me a cartoon from a previous Minister for Housing that was left in the ministerial suite by a Minister Kennett. He said, 'That Kennett, Danny, is a funny fellow'. The cartoon said 'Jeff was here, and I'll

be back' — and he was, and Frank and I often talked about his return many times after.

This friendship and my respect for Frank were pivotal in my decision to join the Labor Party a short year or two later. It was, however, after Frank's retirement that I was a daily beneficiary of Frank's knowledge. As an electorate officer for Tony Sheehan — having just had my second baby, juggling family life, breastfeeding in the middle of the day, having another child at school and taking part in local branch activities and union activities — Frank was always saying, 'Danny, you're a young person, you need to be getting out there and enjoying life'. I would say 'Yeah, thanks, Frank. When I get some time'. But during the day I learnt so much about Labor history, Northcote history, parliamentary history and the history of the split.

In an extremely rare public comment, as reported in an edition of the *Australian* in 1981, his wife, Wilma, described him:

He's honest, hardworking and loyal, Yes, loyal, and I'll put that at the top of the list because it stands out above everything else.

Russell Badham in a 1977 *Nation Review* described Frank Wilkes as:

... immaculately dressed, meticulously organised, and with an exemplary private life ...

I thought that was interesting coming from Russell, because a few short years later he also became a mayor of Northcote.

The way Frank dressed impressed me very much. I think he thought that because you were of the working class did not mean that you had to dress down, that as their representative you should not only respect yourself but also respect your community. I was amazed that some years later he still seemed to know the names of everyone in the street.

I have a favourite memory of the way Frank dressed. He was a member of the Melbourne Cricket Ground Trust and used to be able to get tickets to concerts at the tennis centre. He used to say, 'Danny, you're a young person. I can get you tickets to go to bands'. Having a young baby at the time, I was exhausted, and when I got home from work I wanted to sleep. One morning he said to me, 'Danny, that's it. I've been telling you for ages you should go to a concert. I've got you and your husband tickets to AC/DC, and I'm going to take you in the corporate box'. It was one of the few times I saw Frank without a tie, in a sports jacket with an open-neck shirt and absolutely perfectly dressed. We ate club sandwiches and drank beer and chardonnay whilst

watching an AC/DC concert. It was one of those unforgettable things that I will always remember about Frank.

I also learnt about my own family and the community of Warrnambool where I grew up. My family had been split by the split in the Labor Party — evenly split — so it was not talked about by the time I was born. I learnt from Frank why my father did not talk to our neighbour four doors down, Mal Gladman. I thought, 'He takes up the collection at church on Sunday; he must be all right', but Frank told me that Mal was the last Labor member for Warrnambool. Frank also told me that nice Mr Primmer, who lived over the back fence, had been a Labor senator, so I started to understand that where I had been raised had not always had a conservative history. Frank was all about knowing where you come from.

Frank never forgot about those who needed him — working people. He told me many stories. He was very loyal to his staff and to his driver. He told me a story about how, as opposition leader, he had a phone call one weekend from his driver. His driver said, 'Frank, I'm in a spot of bother. Another driver and I have taken your car away for the weekend' — I think they were rabbiting, shooting or something like that, and they were up near Echuca or somewhere up near the Murray and had gotten bogged. Frank got in his own car, went up and dug them out. He covered for them and never dobbed them in. That was just Frank. He thought what they had done was not really that bad a thing, and he did not think they deserved to lose their jobs or their livelihood because of it.

His daughter, Helen, said to me in the dining room, 'I couldn't believe Veronica was at the funeral'. Helen reminded me that it was not until the time when Frank was elected to Parliament that members had electorate offices. Everyone knew where Frank lived, in St Neots Avenue, so people would come and knock on the door. Although Wilma had a great aversion to politics, she looked after many families who came there, and I am sure that Helen and Susan did too, as did Frank.

People always knew they could come to the Wilkes home and be looked after. Veronica had been a frequent visitor to Frank's home, and Helen said to me yesterday that she could not believe Veronica was at the funeral. I met Veronica, and she sat next to me at the funeral. I have a rotten cold at the moment, so I was coughing, and this dear old lady handed me a pocketful of throat lozenges. She said, 'We're here to respect Frank. You sound like you've got a cough. I can't forget what he did for me and for my family'. There were so many

families like Veronica's in Northcote and across this state.

Frank's life warrants a book about the history he lived through and the time he served. I am very grateful for what I learnt from being close to Frank and from knowing his family — indeed he knew my children. It was a great privilege to have known him. He was at the forefront of reform in this state, such as the compulsory wearing of seatbelts and universal suffrage in local government, and he had a deep and abiding passion for social justice. Frank Wilkes, I will never forget you. You were a giant of a man, a giant of the labour movement and a giant of the political scene in Victoria and in this Parliament. Vale, Frank Wilkes.

**Mr McGUIRE** (Broadmeadows) — Joyous bells, not a funeral toll, rang out yesterday after the state funeral to commemorate the life and times of Frank Wilkes. It was a fitting farewell to a man whose formative years were shaped by the Great Depression but who rose to bring together a shattered Labor Party and set it up again to govern Victoria. In the 1970s Frank Wilkes declared that the heart of the ALP was to work against poverty, to work for the oppressed and to fight for the battler. It was a credo that he held all his life and fought for all the way to government.

Frank Wilkes's commitment to social justice saw him rise to the leadership of the Victorian ALP, which was no mean feat given that he was factionally unaligned and that he was elected unopposed time and again for the council at Northcote and rose from outsider to leader of the Victorian ALP. It makes a clear comment that he was a consummate numbers man.

Renowned for his patience and civility, Frank Wilkes brought the Victorian ALP back from the wilderness after the great split of 1955, which coincidentally has been remarked on in earlier contributions canvassed today. Under the leadership of Frank Wilkes, at the 1979 election Labor achieved a swing of 5.3 per cent, which the current Premier graciously acknowledged — at the state funeral yesterday and again in this Parliament today — as a larger swing than the Cain government, the Bracks government and the Andrews Labor government achieved on coming to power.

That 5.3 per cent swing in 1979 paved the way for generational change in Victoria. In 1982 the first Labor government for 27 years was elected, the Labor premiership passing from John Cain, Sr, to his son John Cain, who became Victoria's longest serving Labor Premier, which is still marked today by his statue outside 1 Treasury Place. As an MP, Frank Wilkes was proud of his contribution to the parliamentary

committee whose recommendations led to the introduction of the compulsory wearing of seatbelts. He also worked to get Australia's first Ombudsman and for the introduction of universal suffrage for local government. He never forgot where he came from. He also made sure that local councils had the power to address social housing.

He served with great distinction in the Cain government as Minister of Local Government, Minister for Housing, Minister for Tourism, Minister for Water Resources and as a member of the Conservation of Energy Resources Committee. He was honoured as a member of the Order of Australia in 1989 for eminent services to the Parliament of Victoria and was a recipient of the Centenary Medal in 2001.

I extend my condolences to all of Frank Wilkes's family and his many friends, and I acknowledge his dedication to the causes closest to his heart. At his state funeral, which was held in the local church — again reflecting his humility — the bells rang out and could be heard across his beloved former constituency, where he was born and where he lived for all but a handful of his 93 years. The bells will toll for all of us; let us hope they ring with the gusto they did yesterday, echoing the life and times of Frank Wilkes.

**Mr PEARSON** (Essendon) — Politics is hard; opposition is so much harder. It is easy to join a winning team. It is harder to sign up to a party which is more like a permanent opposition party than a major political party. It is a great honour to represent your party in this place, and it is an even greater honour to lead it. Frank Wilkes did a fantastic job in preparing the Labor Party for government. In 1650 Thomas Fuller wrote, 'It is always darkest just before the day dawneth'. If you look at what Frank did, particularly in that 1979 election, you realise how important it was. For the first time since 1955 a seat like Essendon came back to Labor, and there was renewal and reform of the party. People like Peter Spyker, Rob Jolly, Race Mathews and Barry Rowe joined the party. As others have commented, the party picked up 11 seats in a 5.2 per cent swing. It is interesting that after the 1979 election the shadow cabinet was no longer fully elected by the caucus — and it has not happened since then.

Frank made a fantastic contribution. It should be acknowledged that he was the first major Victorian political leader to put homosexual law reform on the agenda. Those of us on this side of the house are very proud that he did so, and we are proud to be associated with that.

In preparing for today I read the notice put in the newspaper by his family, which says:

An honourable man, whose life was his family and his community.

A life well lived.

I thought, ‘What a fitting tribute to a person’. It reminded me of Thomas Jefferson, who was the Minister to France, the first Secretary of State, the second Vice President and the third President of the United States of America, but on his tombstone is written:

Here was buried Thomas Jefferson, author of the declaration of American independence, of the statute of Virginia for religious freedom, and father of the University of Virginia.

Reading what Frank’s family wrote about him, I could not think of a higher honour that any father could have bestowed upon him by his children. I am honoured to make this brief contribution to recognise the great role that Frank played in tough times — 25 years in opposition and only 6 years in government. Vale, Frank Wilkes.

**Ms THOMSON** (Footscray) — I rise in this condolence debate to express my sorrow at the death of the Honourable Frank Noel Wilkes, a man born of a different time but whose values were not. He was a man whose values stand the test of time today. The value he placed on the needs of individuals, the compassion he displayed not only for individuals within his own beloved Northcote but also for all Victorians, his commitment to those who were least able to look after themselves, his commitment well before his time to forge views in relation to the recognition of the right of homosexuals to live as equals, the role he took in Indigenous affairs long before others were prepared to stand up in Parliament and talk about them, and his own role as a minister in implementing universal suffrage for council elections are all issues in which he was ahead of his time and are qualities that are still valued and valuable today.

I also want to talk about Frank the man. I had the opportunity to know Frank Wilkes, although not as well as some may have and certainly not as well as the member for Northcote or the member for Yan Yean did. But as a member of Young Labor, after going out letterboxing and doing the sorts of things that Young Labor people do, I got to spend a fair bit of time in Parliament late at night with the MPs who were around then. The one thing that struck me about Frank Wilkes every single time was how immaculate he was. He was without a doubt the best-dressed person on any side of the Parliament, and I do not just mean how he put

together a shirt, tie and a suit. From the top of his head to the tips of his boots he was well and truly immaculate, with not a hair out of place and shoes always perfectly shined — and he wore it with great pride.

I remember being here very late one night. He was Leader of the Opposition at the time, and his secretary came in with what looked like dry-cleaning. I said, ‘Have you been off to get the dry-cleaning?’, and she said, ‘No, he spilt something on his shirt and has demanded a complete change, so I have got his new shirt and a new tie to match the shirt, so he can continue to look immaculate’. Even after long hours in the Parliament, when everyone else was looking crumpled, Frank never did. Frank was a contained man. I do not think I ever heard him raise his voice in anger. It is not that he was not passionate — he certainly did speak passionately — but I do not think I ever recall him saying a word in anger.

The Premier alluded to the contrast between Clyde Holding and Frank Wilkes. For anyone who knew both those gentlemen, in every single way there was a contrast. Clyde was out there and robust and very demonstrative in the way he spoke. Frank was always detailed and contained and yet still got his message of great compassion across. They were very different human beings, and yet as a partnership it seemed to kind of work. To be a deputy for 10 years and then take on the leadership is something I do not think you would see in today’s politics, but loyalty was first and foremost in Frank’s mind. He really was a true Labor man, and he was a true Northcote man. I think the values of caring about your local community and being part of your local community are still as worthwhile and important today as they were for Frank during his entire life.

At his funeral yesterday his daughter Helen spoke of Frank being a child of the Depression and of his politics being influenced by the Depression. I think for very many Labor Party members of that time that is exactly their story — of watching families being dispossessed of their homes, of losing their assets and of having people come to take their furniture away because they could not pay their bills because they were unemployed. These things affected those Labor Party members for generations to come, and Frank was one of them. Those stories are numerous in the Labor Party; they are stories that I think have not yet been properly written but need to be.

Frank was also a great family man. He was married to Wilma for 56 years. That is an incredible credit to both Wilma and Frank, particularly as political life is not an

easy one. We all know that. Yesterday Helen said that she thinks the reason they stayed so happily married for 56 years was because his wife, Wilma, was really not interested in politics but was interested in human beings. I think that is a testament to a marriage that would have had hard times. There is no doubt about that. You cannot be in this game without putting stress on families and on relationships. The fact that they were able to keep that together and have a family that is still very close, with children who are still very political, is a testament to Frank and Wilma.

I think one of the greatest testaments to Frank is his daughter Helen, who as both a friend and a former colleague made a great contribution to this place as a member of the Legislative Council. She took the values of her father and enhanced them in her contribution and her time in this Parliament. She is still very much a committed community activist.

But we are all envious of Frank's record of being in this place for so long. Being able to win countless elections without being opposed is an amazing feat that none of us will experience as members of Parliament.

Yesterday it was said that he received 70 per cent of the primary vote in his best-ever election. I do not think there is anyone in this chamber who thinks they will ever achieve 70 per cent of the primary vote in any election. I am only sorry that I did not sit down with Frank and ask him how he got that.

It was a different time when Frank was a member of Parliament. He was a long time in the wilderness. As a person who has only spent four years in opposition, I can only admire the strength of character that kept him here fighting for the people of Northcote, and fighting for the Victorians he loved so dearly for so very long in order to see a Labor government get elected in 1982 and set about changing society for the better and delivering to those most in need. Vale, Frank Wilkes.

To Frank's family, to Susan, to Helen, to his children and grandchildren, I say thank you for sharing him with us. We are the better for having had him in our lives.

**Mr THOMPSON** (Sandringham) — I would like to amplify on a couple of contributions Frank Wilkes made to the Victorian Parliament. In 1967 the Victorian parliamentary Road Safety Committee had been established and Frank Wilkes was a member of it. At its first inquiry, which dealt with the issue of vehicle inspections, the committee had before it an expert witness, Professor Peter Joubert. The committee asked him whether vehicle inspections would reduce the road toll, which was a matter of alarming concern in the late 1950s and early 1960s when literally hundreds and

close to thousands of Victorians were dying annually on Victorian roads and the number of personal injuries had risen to over 20 000.

Frank Wilkes was a member of the committee when Peter Joubert told it that its members were wasting their time. They asked Joubert what they should do, and the response was that they should look at the mandatory wearing of seatbelts. That issue was taken up by the committee and then cascaded around the world. The contribution by the member for Northcote at that stage was a very important one because collaboratively that report stands as one of the great reports of the Victorian Parliament.

Another comment I will briefly make is that the then members for Malvern and Northcote occupied opposite seats in the late 1970s and early 1980s. The member for Forest Hill at the time, John Richardson, once remarked that those members did not disagree on anything except what to disagree about. Vale, Frank Wilkes.

**The SPEAKER** — Order! I pay tribute to the late Frank Wilkes, the Leader of the Opposition from 1977 until 1981. He had an impressive political career. He began his parliamentary career in 1957 as the member for Northcote. I would like to acknowledge Frank's contribution and dedication to the state of Victoria in the housing, local government, tourism and infrastructure sectors. Before becoming the member for Northcote, Frank served as a radio operator in the Australian army in the south-west Pacific from 1940 to 1945.

I wish to highlight Frank's contribution and make particular reference to his work with the Congress for International Co-operation and Disarmament. He was one of the founding Victorian members of the Australian and New Zealand Congress for International Co-operation and Disarmament, which was later known as the Congress for International Co-operation and Disarmament — the CICD. It was established at an international peace congress staged in Melbourne in 1959. Since its inception in 1959 the Congress for International Co-operation and Disarmament has actively campaigned for peace and disarmament.

A few months after becoming the Victorian Leader of the Opposition, Frank delivered a Arthur Calwell Memorial Lecture entitled 'Against Poverty' at Monash University. I would like to end my tribute to Frank by quoting a passage from his lecture. He said:

Overcoming poverty is the whole purpose of the Labor movement as I have known it in all my years as a trade unionist, a branch member and a member of Parliament. The 8-hour day, the 40-hour week, paid sickness and recreation

leave, workers compensation, indexed social security benefits and Medibank are only a few of the mighty milestones we have established, along the road which is taking us forward to a society of equals — the road which is leading us to Ben Chifley's light on the hill.

To Helen, who is a dear friend of mine and who served as a member of the Legislative Council for Koonung Province from 2000 to 2006, to Suzanne and to Frank's family and friends, my heartfelt condolences to you.

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

### ADJOURNMENT

**Mr ANDREWS** (Premier) — I move:

That, as a further mark of respect to the memory of the late Honourable Francis Raymond Scully and the late Honourable Frank Noel Wilkes, AM, the house now adjourns until 3.00 p.m. today.

**Motion agreed to.**

**House adjourned 1.52 p.m.**

**The SPEAKER took the chair at 3.03 p.m.**

### RULINGS BY THE CHAIR

#### Quoting from documents

**The SPEAKER** — Order! I gave a commitment to the house that I would review with the Clerk the video footage of question time on Thursday, 20 August, to clarify two issues regarding the requirement to make documents available to the house. The Clerk and I have reviewed the video footage, and I can report to the house as follows.

The first matter concerned the Minister for Police and the requirement that he make available to the house a copy of a document that he used when quoting some remarks of Senior Sergeant Ron Iddles. Following a number of points of order the minister provided two documents: a photocopy of part of the relevant section of the *Berwick Leader* containing Senior Sergeant Iddles's remarks and a briefing note prepared for the minister on the particular topic he was responding to during question time. Some words in the briefing note had been marked with an orange highlighter. Both documents contain the words quoted by the minister as they appear in *Hansard*.

The video shows that the minister had two pieces of paper in his hand at the time the quote was made. One piece of paper appeared to be marked with an orange

highlighter. The minister shuffled the two pieces of paper as he was quoting. Our practice requires that where a member is quoting from a public document that consists of more than one piece of paper, all pieces of paper need to be provided to the house. Initially the minister provided one piece of paper to the house. Subsequently, in response to further points of order, the minister provided a second piece of paper to the house. It is clear to me that the minister needed to provide both pieces of paper to the house. Therefore the Chair concludes that the minister fulfilled his obligations by making both pieces of paper available to the house.

The second matter related to whether the member for Box Hill had quoted from a document when asking a question. A review of the video footage and the *Hansard* record shows that the member was paraphrasing the details of a policy and was therefore not required to make his document available to the house.

In order to assist members' understanding of the requirements of the house when quoting from documents, I will outline the principles involved. The basic rule is that where members are only referring to notes or to a document or paraphrasing a document, those notes or the document referred to need not be provided to the house. However, where members quote from public documents in debate they must be prepared to make available on request those particular documents. Documents from public officers, in connection to public questions, are regarded as public documents.

Qualifications apply to the basic rule, namely:

- (1) if the document quoted from is a part of, or attached to, a file, the file also must be made available;
- (2) where the document consists of more than one sheet, all sheets should be produced;
- (3) documents, or parts of documents which the Chair accepts are sensitive or confidential in nature, or to which the sub judice convention applies, need not be provided. Members are reminded that where possible they should refrain from quoting from such documents in debate;
- (4) where excerpts only from a report are referred to, only such excerpts need be made available.

**ABSENCE OF MINISTER**

**Mr ANDREWS** (Premier) — I rise to inform the house that the Minister for Local Government, who is also the Minister for Aboriginal Affairs and Minister for Industrial Relations, will be absent from question time today and that the Minister for Environment, Climate Change and Water will answer in her place.

**QUESTIONS WITHOUT NOTICE and  
MINISTERS STATEMENTS**

**Government financial management**

**Mr GUY** (Leader of the Opposition) — My question is to the Treasurer. I refer to the Treasurer's promise made during the election campaign that Labor would not increase net debt, and I simply ask the Treasurer: will he keep that promise, yes or no?

**Mr PALLAS** (Treasurer) — I thank the Leader of the Opposition for his question. Let me be clear: unlike those opposite, we keep all our promises. As a government we remain committed of course to doing the things that those opposite failed to do. For four long years they put the Victorian economy to sleep.

Let us talk about the offering that we made to the Victorian people before the last election. In the Labor government's plan for jobs and growth, released — —

**Mr Guy** — On a point of order, Speaker, on a point of relevance, I did not ask about any election documents of the Labor Party that the Treasurer is now quoting from. I asked a simple question, yes or no: is the Treasurer going to keep his election commitment not to increase net debt?

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

**Mr PALLAS** — Labor's plan for jobs and growth, released in 2012 as part of our election commitments, stated that:

Debt ... has a role to play to ensure that the cost of projects is equitably shared over the life of major infrastructure works.  
The Victorian government must lead the public discussion —

the public debate —

about the scale of borrowings needed to support the most necessary infrastructure investments.

Let there be no doubt that our policies were clear and our position was clear, unlike those opposite, who I criticise with monotonous regularity for their failure to live up to their own principles. They are the ones who

are obsessed with debt. They are the ones who said that they are good economic managers. But what is their record? What they did was manage to double state debt in absolute terms from \$11 billion to \$21 — —

**The SPEAKER** — Order! The Treasurer will resume his seat.

**Mr Clark** — On a point of order, Speaker, the Treasurer is now debating the question. I ask you to bring him back to answering a very direct question about his own intentions in relation to debt.

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

**Mr PALLAS** — I was asked whether we would keep our election commitments, and we will keep all of them — all of them, Speaker — unlike those opposite, who see that their relationship with the Victorian people is something that is entirely expendable. They do not know the meaning of honour or commitment.

**Mr Clark** — On a point of order, Speaker, the Treasurer is defying your ruling, and I ask you to bring him back to answering the question.

**The SPEAKER** — Order! There is no point of order, but the Treasurer will continue to answer the question.

**Mr PALLAS** — We made it clear to the Victorian people before the last election that a mature debate about debt was necessary for the future of this economy.

*Honourable members interjecting.*

**The SPEAKER** — Order! The Treasurer is equally entitled to be heard in silence. The Treasurer will continue to answer the question.

**Mr PALLAS** — Asked and answered. But there are still unanswered questions from those opposite, because just recently Standard & Poor's have made it clear that Victoria has a very well-managed, very strong economy. We are not afraid of having a debate, but we ask for a mature debate, and those opposite fail to meet the entrance criteria.

*Honourable members interjecting.*

*Supplementary question*

**Mr GUY** (Leader of the Opposition) — By way of supplementary question — and let me just quote the Treasurer's words, as he said, 'Let there be no doubt' — given the Treasurer's plans to increase debt,

how will he make Victorian families pay for Labor's extra increase on higher debt: by cutting vital services or taking more from the pockets of Victorian families through higher taxes?

**Mr PALLAS** (Treasurer) — By neither approach. Those opposite confused responsible economic management by putting the economy to sleep. We intend on making economy-growing investment that will grow the economy.

**Mr Pesutto** interjected.

**The SPEAKER** — Order! I warn the member for Hawthorn.

**Mr PALLAS** — We will not try to demonstrate our economic prowess by confusing Victoria with Greece, because let me tell the member for Malvern that nobody is hopelessly devoted to him! Who supports this debate? Just about every property organisation — —

**Mr Guy** — On a point of order, Speaker, again on the issue of relevance, the supplementary question was very clear. If the Treasurer is talking about extra debt, how will the interest on that debt be paid: by more taxes or fewer services? That is the question.

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

**Mr PALLAS** — We will do neither, but let me be very clear: it is our intention not to replicate what those opposite did, which was to cut recurrent expenditure growth from over 3 per cent to 2.5 per cent.

#### **Ministers statements: nurse-to-patient ratios**

**Mr ANDREWS** (Premier) — I am pleased to rise to update the house on this government delivering in full on its commitment to write into law once and for all and forever the nurse-to-patient ratios that are critical to the best patient care. Let the record reflect that those opposite do not support our nurses and midwives —

**Mr Pesutto** interjected.

**The SPEAKER** — Order! I warned the member for Hawthorn earlier.

**Mr ANDREWS** — and the ratios that save lives and guarantee the best possible care. It is not surprising given that all they did was cut hospital funding, attack our nurses and midwives — —

**Mr Clark** — On a point of order, Speaker, the Premier is debating the issue. He is not complying with sessional order 7 in providing the house with

information about new government initiatives, projects and achievements.

**Mr Pesutto** interjected.

**Questions and statements interrupted.**

### **SUSPENSION OF MEMBER**

#### **Member for Hawthorn**

**The SPEAKER** — Order! Under standing order 124, the member for Hawthorn withdraw from the chamber for half an hour.

**Honourable member for Hawthorn withdrew from chamber.**

### **QUESTIONS WITHOUT NOTICE and MINISTERS STATEMENTS**

#### **Ministers statements: nurse-to-patient ratios**

**Questions and statements resumed.**

**Mr ANDREWS** (Premier) — We made commitments to our nurses and midwives that we would write into law Labor's nurse and midwife-to-patient ratios instituted in an Australian first back in 2000. The Minister for Health and others have worked diligently to deliver on that commitment in full. Later this week — in fact later today, I think — we will introduce legislation to make sure that our nurses and midwives never again have to be in that terrible position of bargaining for themselves or their patients, having to make that choice between quality and the best possible care and pursuing important wage fairness and outcomes through the enterprise bargaining system.

Unlike those opposite, who never did anything other than attack our nurses and midwives, and who have an appalling record when it comes to health care, this government keeps its promises — —

**Mr Clark** — On a point of order, Speaker, the Premier has returned to debating the subject. I ask that you bring him back to compliance.

**Mr Eren** interjected.

**The SPEAKER** — Order! I warn the Minister for Tourism and Major Events. The Premier will come back to making a ministers statement.

**Mr ANDREWS** — We are true to the commitments we make, and we will deliver them in full. Nurses and

midwives and their patients and their families know who is on their side.

### Government financial management

**Mr M. O'BRIEN** (Malvern) — My question is to the Treasurer. Given the Treasurer now plans to break the promise he made to Victorians by increasing Victoria's debt, why should Victorians believe him when he says that he will now not put at risk our prized AAA stable credit rating?

**Mr PALLAS** (Treasurer) — I thank the member for Malvern for his question. Clearly he is not only geographically challenged but is also historically challenged. Perhaps he has forgotten that we gave a very clear commitment to Victorians that we would have a debate about debt and a very clear commitment that we would keep the AAA rating. Might I make it clear: in saying that will keep the AAA rating, Standard & Poor's has only recently — as recently as Friday — made it clear that we have a very well managed economy and a very strong economy. I wonder under whose management that was. It was clearly ours because those opposite went to an election in 2010 saying they were going to reduce debt. What did they do? As a percentage of the economy, it went from 2.5 per cent to 6 per cent.

**Mr M. O'Brien** — On a point of order, Speaker, in relation to relevance, the Treasurer is not addressing the question that was asked about preserving the stable AAA credit rating, given that Standard & Poor's warned specifically about increased debt.

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

**Mr PALLAS** — It does become a little strange when you have to refer to the actual document. Here it is — Standard & Poor's has nothing but glowing praise for the way that the Victorian economy is being managed. It states:

... the state's very strong financial management and economy, and its exceptional liquidity.

It goes on to say:

The ratings also reflect Victoria's strong budgetary performance —

our budget —

and low contingent liabilities.

You could not get it more emphatically explained that those opposite went around increasing state debt and building absolutely nothing. They put the economy to

sleep, they increased debt, they reduced hope and they massively increased unemployment, yet they have the audacity to come into this place and try to give us a lecture about debt and economic management.

These are the wreckers of the Victorian economy. These are the people who got a full and frank character assessment from the Victorian people at the last election. That character assessment said, 'We don't need no shonky side deals. We certainly don't need a government that is afraid of the judgement of the people and hides material from them'. We are open, we are honest and we are frank with Victorians — and they have every right to expect that what they get from this government will be an honouring of all our commitments.

### Supplementary question

**Mr M. O'BRIEN** (Malvern) — Will the Treasurer now inform the house of what is the cost to Victoria in dollar terms per year in additional interest payments of a downgrade to Victoria's stable AAA credit rating?

**Ms Allan** — On a point of order, Speaker, the proposition that the member is putting forward in his question is hypothetical and therefore should be ruled out of order.

**Mr Clark** — On the point of order, Speaker, the member for Malvern's question was a direct, factual question to the Treasurer seeking information about what the cost to Victoria would be. One assumes that a Treasurer would obtain advice to this effect from his department. If he has not got that advice, he can say so. If he does not know, he can say so. If he wants to take it on notice, he can say so. The member for Malvern is seeking factual information which one would expect to be within the purview of a Treasurer of this state.

**Mr Pakula** — On the point of order, Speaker, I refer to *Rulings from the Chair*, chapter 22(3). It states:

Questions should not seek opinion, particularly a legal opinion, ask whether press statements are correct, seek a solution to a hypothetical proposition ...

The member for Malvern has raised a proposition without any foundation whatsoever and one which, moreover, the Treasurer has effectively specifically ruled out in his answer to the substantive question.

**Mr M. O'Brien** — On the point of order, Speaker, this is factual information that I am seeking through the question. When I was Treasurer, I certainly had this information available. This is basic factual information that the Treasurer should have access to. It is simply a factor of the state's debt and the interest rate spread on

different credit ratings. It is not hypothetical; it is simply asking for the dollar effect of that information, and that is always a purely factual question.

**The SPEAKER** — Order! I ask the Treasurer to respond.

**Mr PALLAS** (Treasurer) — I have been asked this question, and I will answer it again: we are not countenancing a reduction in our AAA credit rating. We gave a commitment to the Victorian people, and we will honour that commitment. But let me also be clear that there was a downgrade recently — a downgrade in the status of those opposite.

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members will allow the member for Malvern to be heard on a point of order.

**Mr M. O'Brien** — On a point of order, Speaker, the Treasurer is clearly debating the question. You ruled. A factual answer is required. The Treasurer is now debating the question. Just tell us: how much will be the cost of a credit downgrade?

**The SPEAKER** — Order! That was not an opportunity to repeat the question. The Treasurer will come back to answering the question.

**Mr PALLAS** — It was a ridiculous question to begin with. It failed to appreciate that nobody on this side of Parliament is countenancing a debt downgrade. It does not recognise that Standard & Poor's, and Moody's in their most recent updates are not countenancing a downgrade.

**Mr R. Smith** — On a point of order, Speaker, perhaps the Treasurer in his last 16 seconds can tell us the last time any Labor government paid down a dollar of debt.

**The SPEAKER** — Order! That is not a point of order.

**Mr PALLAS** — We brought down debt consistently throughout the time that we were in government. We brought debt down to as low as 1 per cent of gross domestic product under the Bracks and Brumby governments. What did they do? They took it from 2.5 per cent to 6 per cent. Hopeless!

*Honourable members interjecting.*

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

### Ministers statements: nurse-to-patient ratios

**Ms HENNESSY** (Minister for Health) — I rise to inform the house of a new patient safety initiative of the Andrews Labor government, and that is the introduction of nurse-to-patient ratios. I was very concerned to hear comments made over the weekend about this important commitment. Despite not even having seen the bill, a commentator claimed the government's commitment had nothing to do with patient safety, patient procedures or patient health. This commentator seemed to be taking advice from old Marshall Baillieu on this one. We remember when he gave nurses the bird before he had even considered what was being proposed. This commentator is wrong.

**Mr Clark** — On a point of order, Speaker, the minister is debating the issue. She is not entitled to engage in a long narrative to the house about what a particular commentator may or may not have said. The purpose of ministers statements is to inform the house, to advise the house, about new government initiatives, projects and achievements, and so far we have not been provided with any information about such an initiative.

**Ms Allan** — On the point of order, Speaker, the minister was indeed complying with sessional order 7 and providing new information to the house about both a new initiative and a significant threat to that initiative, which is information that this house has not heard before. I encourage you to allow the Minister for Health to continue to provide that information.

**The SPEAKER** — Order! I ask the minister to come back to making a ministers statement and to provide information in relation to government initiatives, projects and achievements.

**Ms HENNESSY** — This is a bill that is all about patient safety. There is strong evidence that demonstrates a link between the care that patients get, the number of nurses that are able to provide them with attention and their clinical outcomes. The commentators dissing this bill are completely and utterly wrong. I urge the Liberal Party as it considers the bill to perhaps take advice from past practice, because it was former Minister Davis —

*Honourable members interjecting.*

**Mr Clark** — On a point of order, Speaker, the minister is departing from the purpose and intention of ministers statements, which is to inform the house about new government initiatives, projects and achievements. She is proceeding to debate a bill that she is foreshadowing. She will have plenty of

opportunity for debate and to advocate for it when the bill is before the house. She should confine her statement to informing the house about this new initiative.

**Ms Allan** — On the point of order, Speaker, the minister is indeed complying with sessional order 7 and should be allowed to continue her answer, because in talking about the new initiative she is entitled to talk about her hope that this new initiative will become law. That is information that this house has not heard about before, and it is entirely appropriate that the minister put on the record the context in which the bill may be considered in the future before the house.

**The SPEAKER** — Order! The minister will provide that information to the house now. The minister has 42 seconds to do so.

**Ms HENNESSY** — In support of making this important legislative change to support patient safety, I also refer the house to the practice of the previous government and in fact what former Minister Davis said in respect of the nurses enterprise agreement in 2012. In fact it was in —

**Mr Clark** — On a point of order, Speaker, the minister is defying your ruling. In the remaining 20 seconds I ask you to bring her back to complying with the sessional orders.

**The SPEAKER** — Order! The minister will continue and will conclude making a ministers statement in accordance with sessional orders.

**Ms HENNESSY** — Ultimately it is about choices: whether or not you support our health system and healthcare workers or whether you do not, whether you invest in a health system or whether you cut a billion dollars out of it and whether you decide that you care about clinical outcomes or whether you do not. This government does, and I urge the opposition to support the initiative.

### Government financial management

**Mr M. O'BRIEN** (Malvern) — My question is to the Treasurer. Given the Treasurer promised to introduce no new taxes, and has; given he promised not to reduce the surplus, and has; and given the Treasurer promised not to increase new debt, and now will, are there any other promises he is planning to break?

**Mr PALLAS** (Treasurer) — Victorians can have every confidence that what members of this government say, we mean and we go about doing. We gave Victorians a very clear commitment that there

would be a new approach. We promised prudent financial management, and we are delivering it. We are delivering it in the context of the endorsement of the ratings agencies. We are also building a people-powered economy. Those opposite never invested in education and never invested in skills, but we are about doing it, and that grows an economy. When you grow an economy, you grow the robust capacity of that economy to manage the circumstances that confront it.

We have said that we need a sensible conversation with Victorians on the basis of our commitment before the last election to have a sensible discussion about debt, and we need it. We can do it within the headline parameters of the AAA rating, absolutely, because we know how high you can push debt to gross state product in order to keep your AAA rating, because the member for Malvern taught us exactly that. He had managed to push it up to 6 per cent.

There is only one party that brings debt down, and that is on this side of the chamber. There is only one party that secured the double-rated AAA credit rating, and that is on this side of the chamber. Those opposite know nothing about investing for growth or investing for people. When the member for Malvern asks me how Victorians can trust us, it is because we are building the economy that they can be proud of.

Interestingly, the latest *State of the States* analysis says:

Victoria has the fastest annual economic growth in the nation ...

We are now the second-fastest performing economy in the nation.

Again, today the ANZ Stateometer puts Victoria as the second best performing state in the nation, a long way better than where it was when we were chugging along in fourth and fifth place in the national economy. That is the sort of gift that those opposite gave. Victorians can be assured that what we say, we mean, but they can also be assured that we intend building an economy that can give them opportunities for the future.

### Supplementary question

**Mr M. O'BRIEN** (Malvern) — Given that in less than nine months the Treasurer has slashed the surplus by 46 per cent, slashed the infrastructure budget by 24 per cent, seen 12 000 full-time jobs lost in greater Melbourne alone and now proposes to go on a debt binge to pay for his unfunded promises, why should Victorians believe a thing he says?

**Mr PALLAS** (Treasurer) — I thank the member for Malvern for his question.

*Honourable members interjecting.*

**The SPEAKER** — Order! The opposition asked the question; the opposition will allow the Treasurer to respond in silence.

**Mr PALLAS** — Somewhere out there there is a tree dutifully producing oxygen, and I think the member for Malvern owes it an apology.

We are creating jobs — 55 600 new jobs in this economy since we came to government. That is what we have done, despite the efforts of those opposite to talk down the economy. We remain committed to responsible management of the economy, including, might I say, a responsible management of the economy that has seen our recurrent expenditure increase from 2.5 per cent projected growth to 3 per cent. The question that has to be asked is: what schools and what hospitals were going to suffer the brunt of the economic management of those opposite?

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

### Ministers statements: Bio21

**Mr WYNNE** (Minister for Planning) — I am pleased to inform the house of a new planning approval which supports the Andrews Labor government's commitment to health, innovation and investment. I have approved a \$140 million development to expand Bio21, Victoria's world-class molecular science and biotechnology research centre at the University of Melbourne in Flemington Road.

Bio21, as we all know, is an internationally renowned facility specialising in medical, agricultural and environmental biotechnology. It is one of the largest biotech research centres in the country, with about 560 research scientists, students and staff. This stage of Bio21, which I have approved, will allow for another 140 scientists and students in a four-storey, state-of-the-art facility. We are making sure that Melbourne remains a world leader in medical research. Labor has supported Bio21 since its genesis. A \$50 million kickstart provided by the Bracks Labor government included the land on which the facility was built.

Labor governments have built the Parkville employment cluster — a billion-dollar boulevard offering some of the best health and research facilities in the country. It includes the magnificent Royal

Children's Hospital — a Labor project; a complete rebuild of the Royal Women's Hospital — a Labor project; and the world-leading comprehensive cancer centre — a Labor project. This is what Labor governments do. We made clear promises to encourage research, boost health services and drive education, and that is what we are getting on with.

### Special religious instruction

**Mr WAKELING** (Ferntree Gully) — My question is to the Minister for Education. Given the minister's party made explicit commitments prior to last year's election not to change the delivery of voluntary religious instruction in schools, I ask: what consultation did he undertake with principals, school communities and ACCESS ministries before he broke this promise?

**Mr MERLINO** (Minister for Education) — I thank the member for Ferntree Gully for his question. Can I say at the outset that the member is wrong. There is nothing that we have done in regard to special religious instruction that is contrary to what we said prior to the election. This is the right thing to do. We cannot have the situation in the education state where you have 20 per cent of students undertaking special religious instruction and 80 per cent of students doing nothing. During curriculum time it is a precious opportunity to deliver for each and every student.

*Honourable members interjecting.*

**The SPEAKER** — Order! The Deputy Premier is entitled to be heard in silence.

**Mr MERLINO** — Curriculum time is a precious opportunity for teaching and learning for every student provided by teachers. The change we have introduced allows for special religious instruction as an extracurricular activity before school, after school or during lunchtime, and that is as it should be.

**Mr Wakeling** — On a point of order, Speaker, the minister is clearly debating the question. The question was very clear: who did he consult with before making the decision to break his election commitments?

**Mr Pakula** — On the point of order, Speaker, the member for Ferntree Gully asked a question about consultation in the context of election commitments. The minister made it very clear at the start of his answer that in fact nothing that the government has done is in contradiction of any election commitments, so the question is totally without foundation.

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

**Mr MERLINO** — I have met with all the key players, during both our time in opposition and in this period of government. This is an issue of some public debate and the views of the players are well known, but I return to my first point that this is the right thing to do. I understand that not everyone is happy about this, but curriculum time should be for teaching and learning. Special religious instruction can still be provided — it is covered under the act — but as an extracurricular activity. That is the right decision, and I stand by it.

*Supplementary question*

**Mr WAKELING** (Ferntree Gully) — My supplementary question is: given the minister's lack of honesty with his local Country Fire Authority (CFA), with his colleagues, Adem Somyurek, and now in his own response regarding ACCESS ministries — —

**The SPEAKER** — Order! The member will come back to a supplementary question. The member understands the rules.

**Mr WAKELING** — Given the minister's lack of honesty with his local CFA, his colleagues, Adem Somyurek — —

**The SPEAKER** — Order! The member will ask the supplementary question.

**Mr WAKELING** — My supplementary question is: given the minister's last response, how can anyone believe a word he says?

*Honourable members interjecting.*

**Mr MERLINO** (Minister for Education) — I thank the member for his question, but he is not that good on his feet. Mate, you should not take James Campbell's comments to heart. It's all right — —

*Honourable members interjecting.*

**Mr Hodgett** — On a point of order, Speaker, the member for Ferntree Gully asked a question about the Deputy Premier's honesty, and I ask you to bring him back to answering that question.

**The SPEAKER** — Order! The minister to continue, through the Chair.

**Mr MERLINO** — Through the Chair, Speaker, as I said before, I have spoken to all of the key players in this public debate, both in opposition and in government. I understand that there are some people who are not happy, but this is the right thing to do for all our children. Curriculum time is for teaching and learning, provided by professional teachers.

**The SPEAKER** — Order! I welcome back the member for Hawthorn, and I am hoping not to have to warn him again.

**Ministers statements: WorkSafe**

**Mr SCOTT** (Minister for Finance) — I am pleased to update the house on the launch of the WorkSafe Safety Values advertising campaign. The campaign will run statewide on multiple media platforms until 19 September to re-engage the community in a conversation about workplace safety. This is a key priority for the Andrews Labor government. It is a priority welcomed by the Victorian community after four years of government by those opposite, because the thing they did in government — the one big thing they came up with — was to change the public name of the organisation to the Victorian WorkCover Authority. Their one big achievement was to literally take the 'safe' out of WorkSafe.

While those opposite gutted morale at WorkSafe, I am proud that one of the first things the Andrews Labor government did was to put safety straight back into WorkSafe. This campaign is another step in restoring pride in workplace safety in this state. It aims to promote an environment where safety is openly discussed, promoted and celebrated. And what a celebration of workplace safety it is, with today marking the 30th birthday of the Victorian WorkSafe scheme, which has now supported over 1.25 million Victorians.

I remind the house that if it had been left to those opposite, the proud WorkSafe name would be gone. The Andrews Labor government has brought it back. We have brought the WorkSafe name back to effectively deliver — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The minister is making an important statement to the house. The Chair is interested, and I am sure the media and the public, as I have repeatedly said, are interested in this statement being made by the minister. The minister will be heard in silence by all members.

**Mr SCOTT** — We have brought WorkSafe back to effectively deliver on initiatives like the Safety Values campaign. As the campaign tells us, I will be out engaging in this safety conversation with both workers and employers. I will be talking about how proud I am in this year, the 30th birthday of WorkSafe, because at the end of the day safety matters.

### China-Australia free trade agreement

**Mr WALSH** (Murray Plains) — My question is to the Premier. Noting that the Premier's federal Labor colleagues and the trade union movement do not support the free trade agreement with China, which is set to bring jobs, business and more opportunity to Victorian farmers, I ask: does the government back greater opportunity for Victorian jobs and industry, or does it back the trade union movement's xenophobic position on this important trade agreement?

**Mr ANDREWS** (Premier) — I would have thought every member of this place would support a stronger relationship and partnership with China, and I would have thought this is one of those areas where we need not have any argument about just how closely our strong economic fortunes are linked to a better partnership with China. The free trade agreement is something that I support and our government supports, particularly for, can I say, those industries — those export markets — that have been a staple, if you like, of our trading relationship and our economic development over such a long period of time, particularly in agribusiness, the food and fibre sector, but also in those new and emerging opportunities, with unprecedented access in terms of the services sector.

The Leader of The Nationals can be absolutely certain that this government supports a free trade agreement with China and all the economic opportunity that will flow from it. I am very pleased to be able to remind the honourable member that I will be travelling to China in just a few weeks time — my first official trip overseas. I will be delighted to be in both Jiangsu Province and Beijing but also in the burgeoning west of China to tell a story of the best food, the best major events, the best wine and the best agribusiness sector, together with strong and growing markets in pharmaceuticals and medical technology, accountancy, funds management and other professional services.

I can go on, because as a proud Victorian with a clear policy agenda and a determination to keep each and every one of the promises Labor made, there are many reasons to travel to China and many reasons to support a stronger partnership between our economy and our state and the Chinese economy, Chinese provinces, the national government and indeed every community with which we trade. The Chinese free trade agreement is good news for Victorian jobs, and I support it.

#### *Supplementary question*

**Mr WALSH** (Murray Plains) — I note that the Premier disagrees with his federal colleagues, and I ask:

when the Premier visits China this month, will any Trades Hall or union representatives who do not support the historic free trade agreement be part of the Victorian delegation?

**Mr ANDREWS** (Premier) — The answer is no. I think that question basically belittles the efforts this government and indeed all governments over a long period of time have made to grow not just transactional and trade relationships with China but relationships based on trust and relationships that are mature and adult — unlike the infantile question asked by the Leader of The Nationals.

The real key here is in the preamble to the question, where the Leader of The Nationals expressed some surprise that a Victorian politician could disagree with his federal colleagues. Yes, and would we not be in a stronger position if those opposite stood up and found fault with Mr Abbott and his cutbacks and his closures? It is a case of Liberals first and Victorians second, and we all know it.

### Ministers statements: firefighter post-traumatic stress support program

**Ms GARRETT** (Minister for Emergency Services) — I rise today with important news for our firefighters. We know the emotional toll faced by our emergency services workers can be brutal and misunderstood and can have terrible consequences for them and their families if its negative impacts are not detected and treated as early as possible. That is why the Andrews Labor government, which cares about those who serve the community, has fast-tracked plans to develop a post-traumatic stress disorder (PTSD) support service for our firefighters.

This program was due to start in the next financial year, but given its critical importance we have decided to bring it forward to a starting date in the next few weeks so we can deliver help to those who look after us. Of course PTSD care for firefighters is not something the previous government considered; it was too busy spending money in courts fighting firefighters. It was too busy cutting \$66 million from the fire services.

**Mr Clark** — On a point of order, Speaker, the minister got off to a good start in complying with the sessional orders, but she has now moved to debating the question. I ask you to bring her back to compliance.

**The SPEAKER** — Order! The minister will come back to making her ministers statement.

**Ms GARRETT** — I understand why those opposite cannot handle the truth of what they did in the four

years in which they were in office, and I come back to the statement. We are introducing this program for PTSD in no small part because of \$66 million worth of cuts to our fire services, in no small part because those opposite failed to introduce emergency medical response and in no small part because they failed to introduce presumptive legislation.

**Mr Clark** — On the point of order, Speaker, the minister has returned to debating the question. I ask you to bring her back to providing information to the house about a new government initiative, achievement or project.

**The SPEAKER** — Order! The minister will come back to making a ministers statement.

**Ms GARRETT** — This outstanding pilot program will be delivered by specialists at Post Trauma Victoria, based at the Austin Health's Heidelberg repatriation hospital. I would like to thank the member for Ivanhoe and the former shadow Minister for Emergency Services, who is now the Minister for Police, for their work in introducing this program. This program will help to identify post-traumatic stress in firefighters and enable early access to help increase recovery. It will be a two-year trial. After that trial we will make a real difference to those people who put their lives on the line every single day for us. When they suffer the emotional consequences of that, as a community we need to be there to hold them and help them through.

## CONSTITUENCY QUESTIONS

### Croydon electorate

**Mr HODGETT** (Croydon) — (Question 476) My constituency question today with regard to the recently gazetted grand final parade public holiday is on behalf of the Croydon Main Street Traders Association and is directed to the Premier. On 2 June I wrote to the Premier's office on behalf of the traders association and requested that he reconsider his decision. To date he has not responded. Instead he has chosen not to listen and has proceeded to declare it a public holiday. The Croydon Main Street Traders Association is very concerned about the detrimental economic impact the grand final parade public holiday will have on many small family businesses that make up the Croydon Main Street precinct and that contribute greatly to the local community. They already face many financial and business challenges, having to pay rates, rents and wages from one month to another. Another public holiday is a burden they cannot afford to bear. Small business is the backbone of the Victorian economy, and I respectfully ask, on behalf of the Croydon Main Street

Traders Association, that the future of this public holiday be given some serious thought and reversed.

### Buninyong electorate

**Mr HOWARD** (Buninyong) — (Question 477) My constituency question is to the Minister for Aboriginal Affairs. It relates to registered Aboriginal parties, which play an important role in protecting, managing and promoting Aboriginal cultural heritage while also providing self-determination and employment opportunities. The Wathaurung Aboriginal Corporation is the registered Aboriginal party in my electorate. The corporation performs significant cultural heritage management work, including providing expert cultural heritage management advice on cultural heritage management plans in its region. It entered into a recognition and settlement agreement with the Victorian government in 2013 which extended its cultural heritage responsibilities. The Victorian Aboriginal Heritage Council also plays an important role in protecting Aboriginal cultural heritage. I call on the minister to inform the house of any interactions she has had with the Wathaurung Aboriginal Corporation and the Victorian Aboriginal Heritage Council in my electorate.

### Ovens Valley electorate

**Mr McCURDY** (Ovens Valley) — (Question 478) My constituency question is to the Minister for Public Transport. The north-east rail corridor continues to be the poor cousin to every other rail line in regional Victoria. After five years of rail track concerns we are nearing the end of this rehabilitation of the line. Now it is time for the Victorian government to step up and reassure the residents of Wangaratta, Myrtleford, Bright, Benalla and Wodonga and many other communities that are serviced by this line and commit to modern rolling stock. The outdated train sets continue to fail mechanically and leave passengers to catch buses, as was the case yesterday due to a locomotive fault. The rolling stock has speed limit restrictions of around 115 kilometres an hour, so even in 12 months time when the track is operating close to its full potential we will be held back by outdated carriages and locomotives. Will the minister commit to new carriages and locomotives to ensure a more reliable and timely service throughout the north-east of Victoria? Yesterday another service was cancelled, and it is high time north-eastern Victoria was given similar services to Ballarat, Bendigo and Geelong.

### Eltham electorate

**Ms WARD** (Eltham) — (Question 479) My constituency question is to the hardworking Minister for Local Government. My constituents love their local libraries, and like many Victorians, constituents in the Eltham electorate were devastated when the Liberal government made an absolutely devastating \$5.7 million cut to library funding. As we all know, a good library needs investment and support, and my libraries at Greensborough and Eltham, as part of the Yarra Plenty Regional Library, are among some of Victoria's best. They offer great Book Week events, fantastic local public art space, local classes for young people including animation, host knitting groups, information programs for seniors and author events, including an upcoming one featuring the Minister for Police and Minister for Corrections's dad, Bill Noonan. In the words of the Nillumbik mayor and deputy chair of the libraries committee, Cr Helen Coleman:

... our libraries are the most loved and used local service provided by local government, with free access to all. Libraries are more than just about borrowing books; and are providing opportunities that bring the community together.

As members would expect, my local community was very pleased to hear of the record library investment in the Andrews Labor government's first budget. Some of those opposite have tried to pretend that the 2015–16 budget was not a good one for libraries. Can the minister update the house on why they are wrong and why we have invested substantially in this budget?

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

### Gembrook electorate

**Mr BATTIN** (Gembrook) — (Question 480) My constituency question is to the Minister for Public Transport. The accessibility of efficient public transport, in conjunction with the protection of commuters' wellbeing, is a priority in the Gembrook electorate. In recent months I have been contacted by many constituents with serious concerns regarding these two very important areas. Gembrook is situated in a growth corridor and requires continued investment to ensure that we can provide the services a growing population requires. However, the question they keep asking is, 'Why on earth has this stopped?'

My question to the minister is: can she explain why the government does not believe that protective services officers are warranted at Cardinia railway station — a station that services a growth corridor — during the Homesafe trial? Is the program's budget blowout a

central factor? This, in conjunction with the minister's comments in the *Pakenham Gazette* on 17 August where she said that nearby Pakenham station would provide a manned alternative for Cardinia commuters concerned about their safety, is disappointing. Is this the view of the Andrews government? It is disappointing that the minister believes that a 17 or 18-year-old person coming back from the city can get off the train at Pakenham and work their way back to Officer.

### St Albans electorate

**Ms SULEYMAN** (St Albans) — (Question 481) My constituency question is for the Minister for Public Transport. I ask the minister to review the route 418 bus in St Albans. This bus route was cut under the previous government. Elderly pensioners are struggling with the new route as they relied on the previous route for their day-to-day needs. I ask the Minister for Public Transport to review this bus service with a view to diverting it from Arthur Street, west into William Street and then north into Theodore Street and east into Power Street and back to the present Arthur Street bus stop, picking up residents and schoolchildren from this pocket of St Albans.

### Rowville electorate

**Mr WELLS** (Rowville) — (Question 482) The constituency matter I wish to raise is for the attention of the Minister for Roads and Road Safety and is on behalf of concerned residents of Rowville and Lysterfield. A number of constituents have recently raised with me the poor state of the road surface on Wellington Road, Rowville, particularly the section of road between the Wellington village shopping centre entrance at the intersection with Braeburn Parade and the Stud Road intersection, a distance of approximately 1.6 kilometres.

This section of Wellington Road, currently a duplicated carriageway with an 80-kilometre-per-hour speed limit, is a major thoroughfare for the many heavy trucks and trailers which daily service the Lysterfield quarries to the nearby east. Many of these trucks travel down Wellington Road to the entrance with EastLink, just west of the Stud Road intersection. Recent rains have seen sections of the top road surface break up, resulting in numerous large potholes, exacerbated by the constant weight of the heavy haulage trucks from the quarries. The action I seek is for an urgent VicRoads upgrade.

### Frankston electorate

**Mr EDBROOKE** (Frankston) — (Question 483)

My constituency question is to the Minister for Industrial Relations. In February a report by the Fair Work Ombudsman found that the former government's employment practices risked breaching the Fair Work Act 2009 and that some workers may not be receiving their correct entitlements if they are incorrectly classified as independent contractors rather than employees. We know the former government had a billion-dollar contracting bill at the same time as laying off thousands of public sector staff. What is the current government doing to stand up for the rights of the 2700 public sector workers in Frankston, and how does this differ from what the previous government did?

### Sandringham electorate

**Mr THOMPSON** (Sandringham) —

(Question 484) My constituency question is to the Minister for Education. The action I seek is a response in regard to the possibilities following the resumption of the Beaumaris campus of Sandringham College by the education department pending any redevelopment works to be undertaken. The school grounds are used extensively by a range of community group organisations and community service clubs, and I am keen to ensure that there is ongoing access to the principal areas during the course of any redevelopment works that may be about to take place. The boarding up of the school would not be in the wider interests of the community. There is a Beaumaris Rotary farmers market and also strong sporting access by Beaumaris Soccer Club. I seek the opportunity for the minister to clarify the proposed use and meet with local residents.

### Essendon electorate

**Mr PEARSON** (Essendon) — (Question 485) My constituency question is to the Minister for Families and Children. The electorate of Essendon is well serviced by a number of early learning centres, and I would welcome the opportunity for the minister to visit my electorate and see facilities such as the new Hopetoun Children's Centre in Flemington. Can the minister advise me what the government is doing to support early childhood education in my electorate and what opportunities exist for my constituents to have their say in shaping the future of the education state?

## SERIOUS SEX OFFENDERS (DETENTION AND SUPERVISION) AND OTHER ACTS AMENDMENT BILL 2015

*Introduction and first reading*

**Mr NOONAN** (Minister for Corrections) introduced a bill for an act to amend the Serious Sex Offenders (Detention and Supervision) Act 2009 to provide new police powers in relation to offenders and to further provide for the management of offenders, and to generally improve the operation and enforcement of that act, to amend the Bail Act 1977 to require, in proceedings with respect to bail, certain accused persons to show cause why their detention in custody is not justified, to amend the Corrections Act 1986, the Sentencing Act 1991 and the Sex Offenders Registration Act 2004 and for other purposes.

Read first time.

## SAFE PATIENT CARE (NURSE TO PATIENT AND MIDWIFE TO PATIENT RATIOS) BILL 2015

*Introduction and first reading*

**Ms HENNESSY** (Minister for Health) introduced a bill for an act to specify requirements that the operators of certain publicly funded health facilities staff certain wards with a minimum number of nurses or midwives, to provide for the reporting of compliance with, and enforcement of, those requirements and for other purposes.

Read first time.

## CRIMINAL ORGANISATIONS CONTROL AMENDMENT (UNLAWFUL ASSOCIATIONS) BILL 2015

*Introduction and first reading*

**Mr PAKULA** (Attorney-General) introduced a bill for an act to amend the Criminal Organisations Control Act 2012 to prohibit individuals associating with individuals convicted of serious criminal offences for the purpose of preventing the commission of offences and to repeal the offence of consorting from the Summary Offences Act 1966 and for other purposes.

Read first time.

**ENERGY LEGISLATION AMENDMENT  
(CONSUMER PROTECTION) BILL 2015***Introduction and first reading*

**Ms D'AMBROSIO** (Minister for Energy and Resources) — I move:

That I have leave to bring in a bill for an act to amend the Electricity Industry Act 2000, the Essential Services Commission Act 2001 and the Gas Industry Act 2001 and for other purposes.

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

**Ms D'AMBROSIO** (Minister for Energy and Resources) — The bill will enhance enforcement powers of the energy sector regulator, the Essential Services Commission. It will also strengthen consumer protections for Victorian energy consumers.

**Motion agreed to.**

**Read first time.**

**PREVENTION OF CRUELTY TO ANIMALS  
AMENDMENT BILL 2015***Introduction and first reading*

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

That I have leave to bring in a bill for an act to amend the Prevention of Cruelty to Animals Act 1986 and for other purposes.

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

**Ms ALLAN** (Minister for Public Transport) — I am delighted to. The bill will amend the Prevention of Cruelty to Animals Act 1986 to strengthen enforceability and administration of the act and also see that the offences that are charged under this act continue to be in line with community expectations.

**Motion agreed to.**

**Read first time.**

**BUSINESS OF THE HOUSE****Notices of motion**

**The SPEAKER** — Order! Notices of motion 1 to 5 will be removed from the notice paper unless members

wishing their notice to remain advise the Clerk in writing before 6.00 p.m. today.

**PETITIONS**

**Following petition presented to house:**

**Sunbury municipality**

To the Legislative Assembly of Victoria:

The petition of the residents of the state of Victoria points out to the house:

the vastly different circumstances between the proposal presented to the residents of the city of Hume at the voluntary plebiscite held in 2013 on the question of whether Sunbury should leave Hume City Council and the proposed new Sunbury city council as it currently stands. The adverse consequences for local ratepayers, local services and council employees in the event of this separation are significant and have not been communicated to the residents.

The petitioners therefore request that the Legislative Assembly of Victoria:

remedy this situation by legislating to hold a compulsory referendum on whether Sunbury ought to separate from Hume and to provide all the information necessary for residents to make an informed decision before casting their vote.

**By Mr J. BULL (Sunbury) (6993 signatures).**

**Tabled.**

**Ordered that petition be considered next day on motion of Mr J. BULL (Sunbury).**

**VICTORIAN PUBLIC HEALTH AND  
WELLBEING PLAN 2015–2019**

**Ms HENNESSY (Minister for Health), by leave, presented plan.**

**SCRUTINY OF ACTS AND REGULATIONS  
COMMITTEE***Alert Digest No. 10*

**Ms BLANDTHORN (Pascoe Vale) presented Alert Digest No. 10 of 2015 on:**

**Crimes Amendment (Child Pornography and Other Matters) Bill 2015**

**Firearms Amendment (Trafficking and Other Measures) Bill 2015**

**Heavy Vehicles Legislation Amendment Bill 2015**

**National Electricity (Victoria) Amendment Bill 2015**

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

**together with appendices.**

**Tabled.**

**Ordered to be published.**

**DOCUMENTS**

**Tabled by Clerk:**

Independent Broad-based Anti-corruption Commission — Special report concerning police oversight — Ordered to be published

*Interpretation of Legislation Act 1984* — Notice under s 32(4)(a)(iii) in relation to Waste Management Policy (Siting, Design and Management of Landfills) 2004 (*Gazette G33, 20 August 2015*)

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

Casey — C166

Greater Geelong — C59, C274

Macedon Ranges — C106

Moreland — C149

Moyne — C57

Pyrenees — C40

Stonnington — C173

Wangaratta — C43

Wodonga — C118

Yarra — C149, C157, C163

Statutory Rules under the following Acts:

*Corrections Act 1986* — SRs 94, 95

*Greenhouse Gas Geological Sequestration Act 2008* — SR 96

*Mineral Resources (Sustainable Development) Act 1990* — SR 98

*Pipelines Act 2005* — SR 97

*Subordinate Legislation Act 1994:*

Documents under s 15 in relation to Statutory Rule 95

Documents under s 16B in relation to — *Building Act 1993* — Amendment to Determination that Specified Areas are Designated Bushfire Prone Areas

Victorian Electoral Commission:

Report on the Gippsland South District by-election held on 14 March 2015

Report to Parliament on the 2014 Victorian State election.

The following proclamation fixing an operative date was tabled by the Clerk in accordance with an order of the House dated 24 February 2015:

*Justice Legislation Amendment Act 2015* — Part 16 — 1 September 2015 (*Gazette S236, 25 August 2015*).

**INFRASTRUCTURE VICTORIA BILL 2015**

*Council's amendments*

**Returned from Council with message relating to amendments.**

**Ordered to be considered next day.**

**ROYAL ASSENT**

**Messages read advising royal assent to:**

**25 August**

**Adoption Amendment Bill 2015**

**Associations Incorporation Reform Amendment (Electronic Transactions) Bill 2015**

**Road Safety Amendment (Private Car Parks) Bill 2015**

**1 September**

**Planning and Environment Amendment (Infrastructure Contributions) Bill 2015.**

**APPROPRIATION MESSAGES**

**Message read recommending appropriation for Racing Amendment Bill 2015.**

**ECONOMIC, EDUCATION, JOBS AND SKILLS COMMITTEE**

**Membership**

**The SPEAKER** — Order! I have received the resignation of Mr Purcell, MLC, from the Economic, Education, Jobs and Skills Committee, effective from today.

**BUSINESS OF THE HOUSE****Program**

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

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 5.00 p.m. on Thursday, 3 September 2015:

Firearms Amendment (Trafficking and Other Measures) Bill 2015

Heavy Vehicles Legislation Amendment Bill 2015

National Electricity (Victoria) Amendment Bill 2015

Racing Amendment Bill 2015.

I will make a few brief comments on the program I have just put to the house. Members will note that there are four bills on the program for this week, plus the Infrastructure Victoria Bill 2015 that has been returned from the upper house with amendments which we will consider tomorrow. Given that we had lengthy and appropriate condolences this afternoon, this is a program that will keep the house well occupied over the course of the next few days as, I hope, we see these pieces of legislation pass successfully through the Parliament.

I will make a comment on some bills that have just been introduced without commenting on their content. Members will note that five bills were introduced today, and I am happy to flag to the opposition that another bill will be introduced tomorrow. We will be seeking that the second-reading debates on two of those bills, the bills amending the Serious Sex Offenders (Detention and Supervision) Act 2009 and the Criminal Organisations Control Act 2012, be adjourned for 13 days rather than the standard two weeks.

This is an issue that we have had to contemplate in the last couple of weeks of Parliament, as the government has been rather efficient at passing all of the legislation that it has proposed. In the case of every bill that we have put in the slot, we have racked it up and sent it off to the upper house. That remarkable efficiency, coinciding with the fact that there is a run of four sitting weeks which are each separated by only one week, has meant that if we do not make this very small and minor change to the standard adjournment period, we will not have legislation to discuss on the Tuesday of the next sitting week.

I am raising this issue in advance of it being contemplated by the house tomorrow. Indeed I have

raised it with the opposition prior to this government business program debate in the hope that the opposition will agree. I do not want to talk about the content of the two bills, but I think it is reasonably well understood, particularly by the manager of opposition business, that they are serious and important bills. The government is making the offer to provide briefing materials to assist all members of the house who need to be across the details of these important bills.

I hope the opposition supports this very small change, which will enable the house to run smoothly and will also allow the legislation on these important matters to move quickly — but not too quickly — to the upper house for its consideration. With those few comments, I commend the program to the house.

**Mr CLARK** (Box Hill) — The opposition does not oppose the government business program this week. However, contrary to the assertions by the Leader of the House, it is clear that the government is struggling with preparing and bringing to this house a legislative program and for some time has brought forward a paucity of legislation. Indeed even on the legislative program for this week at least one of the bills is almost entirely composed of measures that were drafted and introduced by the former government. Contrary to the government's claims of efficiency, the number of bills coming to this house is a reflection of the fact that many ministers in this government are struggling to get their legislation together.

One example is a matter that I have referred to previously — namely, the commitments in relation to new offences for matters related to the drug ice. The Premier made a great feature of this in the run-up to the election, but the legislation has still not arrived in this house. Time is passing, and the community is increasingly entitled to ask what exactly is going on. The government has had plenty of time to draft measures such as this, given that it presumably had given considerable thought to them prior to the election. One would have hoped that it had done that. Yet the legislation is not here, and the community is entitled to say that the urgency that was attached to these measures prior to the election is in stark contrast to the delays and non-appearance that we are seeing after the election.

The legislative program before the house this week is one that I think will be accommodated within the available time. For that reason, the opposition does not oppose the program. The Leader of the House referred in her remarks to the government's intention to propose an adjournment of only 13 days rather than 2 weeks for two bills which are being introduced and read a first time today. I appreciate that the Leader of the House

raised this with me earlier, and I have had an opportunity to confer with the shadow Attorney-General in relation to it. As the opposition said in relation to adjournments for less than 14 days when that topic was debated in relation to two bills last sitting week, we have always been prepared to consider abridging that time limit on a case-by-case basis where there is a good reason put forward for doing so.

We emphasised then, and I emphasise again today, that the reason a minimum 14-day adjournment period should be the norm and not be departed from lightly is that it provides time for the community, as well of course as opposition and other non-government members, to have an input on bills. There needs to be good cause for departing from it. The government of the day, whatever its political complexion, is not the font of all wisdom. Feedback from the community and indeed non-government members after they have had time to properly consider matters can often lead to issues arising and criticism of and sometimes improvement to legislation.

Without going into the detail of this legislation, the first of the two measures on which the government is proposing to adjourn debate for 13 days is in relation to bikie gangs and consorting. These are matters that it has become possible for Victoria to consider as a result of a High Court ruling late last year, which upheld the validity of corresponding New South Wales legislation. The second is a package of measures that the government has announced publicly in response to an absolutely horrific homicide, which has quite rightly appalled the community, and in relation to which both sides of the house are committed to seeking to strengthen the justice system. The opposition believes that both these matters are important matters of community safety, and therefore expedition of the bills is desirable to get them onto the statute book, with or without amendment. Therefore we do not oppose the 13-day adjournment for them.

**Mr PEARSON** (Essendon) — I am delighted to join the debate on the government business program. I welcome the comments from the manager of opposition business that the opposition will not be opposing the government business program. In light of the condolence motions that we have had today, clearly the house does not have as much time for government business as would normally be the case. However, there are four bills before the house for us to consider this week, and I think that is a good balance. There is a mixture of the standard, business-as-usual legislation that is required as well as a bill in relation to racing, which goes to the overall integrity of the racing

industry. There is a very good workload before the house.

I was interested in the comments made by the manager of opposition business about what seemed to be a paucity of legislation. I would have thought that you could argue that the efficiency of this house should not be measured by the number of bills that we pass. I think legislation should be used judiciously and sparingly and only where there is a need for state intervention or where there is market failure. I would not be using the number of bills before the house as a measure of a good, hardworking Parliament, or, for that matter, a good government. I think it is more about trying to make sure that we get the balance right between what is appropriate as an intervention and what can be dealt with via other measures.

As I indicated, the government business program puts four bills before the house. We will also need to consider the Legislative Council's amendments to the Infrastructure Victoria Bill 2015, which will give us an opportunity to work our way through that bill again. I welcome and appreciate the comments from the manager of opposition business in relation to allowing 13 days rather than the standard two weeks for adjournment of debate on bills. Clearly we want to make sure that we do not diverge too broadly from that. As the Leader of the House has said, there will be opportunities available to the opposition to be appropriately briefed in relation to the legislation that is likely to come up so that the shadow cabinet, the coalition party room and opposition members are in the best possible position to inform themselves about those particular items of business.

The government business program is a good, balanced workload. Due to condolence motions today we have had a fair amount of time to reflect upon the lives of Frank Wilkes and Frank Scully. That has delayed us somewhat, but I have every confidence that there will be plenty of time for the house to consider those bills in some detail over the coming days. The government is again demonstrating that it is getting on with the job of doing the things it said it has to do, as well as making sure that it responds to issues that arise from time to time that require a government response. We have a good, solid workload in front of us and I look forward to hearing the contributions from all sides of the house on the various pieces of legislation before us.

**Mr HIBBINS** (Pahran) — I rise to speak very briefly on the government business program. The Greens will not be opposing the government business program in this instance. We have not flagged with the government any amendments to or the need to go into

the consideration-in-detail stage on any of the four bills — the Firearms Amendment (Trafficking and Other Measures) Bill 2015, which addresses the significant issue of illicit guns in our community; the Heavy Vehicles Legislation Amendment Bill 2015; the Racing Amendment Bill 2015, which is in response to an audit report on Harness Racing Victoria; and the National Electricity (Victoria) Amendment Bill 2015.

Media reports indicate that we may potentially be addressing a private members bill originating in the upper house. One would hope that, if it comes from the upper house, that bill is given respectful consideration by its moving from first reading to second reading, unlike what previously occurred in this house with the Greens' Alcoa (Portland Aluminium Smelter) (Amendment) Act Amendment Bill 2015. It was very poor form to cut off that bill at the first reading and not allow it a second reading. One hopes that if a private members bill — or any other bill — originates in the upper house, it is given the debate that is appropriate.

I will not weigh in on the 13 days versus 14 days debate. We will judge that on a case-by-case basis. The condolence motions we had today were appropriate and I appreciated the many contributions made by members. As I said, the Greens will not be opposing the government business program in this instance.

**Mr McGuire** (Broadmeadows) — The government business program is vital and urgent and has critical bills relating to public safety. The Firearms Amendment (Trafficking and Other Measures) Bill 2015 seeks to address organised crime groups that are expanding from involvement with illegal drugs to the use of illegal firearms. This is particularly important in the northern and western suburbs, and the bill looks at how we can crack down on the illegal marketing of guns. The proposed legislation seeks to balance the appropriate use of firearms in groups such as sporting shooters and primary producers with how firearms are dealt with in the broader community in terms of safety and security. This bill, along with other legislation that has been introduced into the Parliament, contributes to the government's broader proposition of wanting to be tough not just on crime but also on the causes of crime.

The Heavy Vehicles Legislation Amendment Bill 2015 addresses a matter of public safety applying to the enforcement powers regarding fatigue management. We all know how critical road safety is. A second aspect of the bill looks at how light buses can be used for emergencies as required. That is another practical reform that has merit.

The Racing Amendment Bill 2015 is really a mechanics of government bill. It provides for the establishment of the Harness Racing Advisory Council. This complies with an audit of Harness Racing Victoria and its recommendation to assist in identifying suitable candidates for appointment to the Harness Racing Victoria board.

Again, that is about scrutiny, accountability and compliance. That has merit. Pursuing that, the National Electricity (Victoria) Amendment Bill 2015 strengthens oversight of the process for determining the advanced metering infrastructure charges for the Minister for Energy and Resources. We have a government business program that is getting on with what we need to get done in government.

I commend the response of the opposition through the manager of opposition business to some of the issues that need to be addressed, particularly those around law and order. The opposition will support the government business program — or it will not oppose the program — and rather than taking issue with the adjournment period, it has come back with a practical and common-sense response that is in the public interest. Therefore there will not be an argument over whether it should be 13 days or 14 days. This goes particularly to the issue of outlaw bkie gangs and the High Court's decision on that, and to the issue of a homicide that has caused a chill in the community. I think this is what the public really wants to see the Parliament doing — acting across the aisle in good faith and getting on with the business of governing in the public interest.

**Mr Katos** (South Barwon) — I rise to make a contribution to the government business program debate. As the member for Box Hill said, we will not be opposing the government business program this week. It is a light program when you consider that we are now in the 11th sitting week of the year — we are in September — and I would have thought that the government would have been drafting legislation by now.

With regard to the adjourning of debate on a bill for 13 days, the government has come to us with legislation that is appropriate to speed up progress on by a day, so I have no argument with that. However, members should cast their minds back to the debate around the Health Services Amendment (Health Innovation and Reform Council) Bill 2011 on 24 March 2011 when a relatively new government, still in the process of drafting a lot of legislation, brought in a bill and asked to adjourn it for 13 days. I remember that the member for Bendigo East, who is now Leader of the House, vociferously opposed

the 13-day adjournment. Perhaps she should take a look at that.

**Mr Pakula** — It is different.

**Mr KATOS** — The Attorney-General says that it is different. Yes, it is different, but this time around the government has come to us and said that it needs 13 days because it has important bills. We are happy to facilitate the passage of important public safety bills through the house. The other thing that has not been touched on is that the Heavy Vehicles Legislation Amendment Bill 2015 is the first bill the Minister for Roads and Road Safety has introduced in this Parliament. It has taken him only 31 sitting days to bring a bill to this house. We do not have any earth-shattering bills here, and a lot of the bills that have been introduced are actually bills of the previous government that have been effectively rebadged as the current government's own legislation.

I will touch on one more thing: the Labor Party made a commitment before the last election that a consideration-in-detail stage would be made standard practice in this house. So far only two bills out of 40-odd bills — the move on law and alpine grazing bill — have gone to a consideration-in-detail stage. I know there was a request put in by the member for Caulfield last week to go into a consideration-in-detail stage on a bill, but it was ignored. If that trend continues, I would certainly be of a mind to not support future government business programs. The government made a commitment to make a consideration-in-detail stage, in its own words, standard practice. With those words, the opposition will not be opposing — I nearly said 'supporting' — the government business program.

**Motion agreed to.**

## MEMBERS STATEMENTS

### Meals on Wheels

**Mr T. BULL** (Gippsland East) — I had the great pleasure of accompanying East Gippsland Shire Council mayor Peter Neal and CEO Gary Gaffney on a delivery run for Meals on Wheels as part of National Meals on Wheels Day last week. Meals on Wheels provides nutritious meals to seniors in towns throughout my electorate, including in Maffra, Heyfield, Stratford, Lakes Entrance, Bairnsdale and Paynesville, to name a few. It is a great service that helps our seniors to stay living happily and healthily at home. It could not be run without the fabulous volunteers, who are the heart and soul of our

communities, and I thank those who provide this service.

### Illegal deer hunting

**Mr T. BULL** — The problem of illegal deer hunting in our high country is not a new issue, but it has been growing in recent times. Residents around the towns of Dargo, Omeo, Benambra, Swifts Creek, Ensay, Buchan and Bonang have all reported instances to my office. The practice has a detrimental effect on high country residents, with illegal spotlighting, spotlighting from roadsides, property damage, weapons offences and stock theft being some of the many issues residents have had to live with. It is pleasing to see that the government is working with local residents to gather information about this activity, and as it has been doing this, a number of arrests have been made in these areas. I encourage our high country residents to remain vigilant, gather as much detail as possible about the activities of illegal hunters and continue reporting these to the relevant authorities so that this extremely dangerous practice stops taking place close to households.

### Bart Cummings

**Mr PAKULA** (Minister for Racing) — The first Melbourne Cup I remember listening to was the 1974 race, the first I remember making a selection in was the 1977 race and the first I had a dollar on was the 1979 race. They were won respectively by Think Big, Gold and Black and Hyperno. All of them were trained by J. B. Cummings. For a boy growing up in the 1970s and enchanted by the racetrack, there were five big names in racing: Roy Higgins, Harry White, Bill Collins, Tommy Smith and Bart Cummings, but Bart Cummings stood atop them all.

Bart Cummings stands alongside Don Bradman as one of the greatest names in Australian sport, with 268 Group 1 wins, including 12 Melbourne Cup wins, 5 Victoria Derby wins, 7 Caulfield Cup wins, 5 Cox Plate wins, 13 Australian Cup wins and 4 Golden Slipper wins. He truly won everything there was to win in racing, and he did it after fighting back from adversity. He told racing's story in a way that no other participant could.

His feat in training 12 Melbourne Cup winners will never be surpassed. Bart Cummings is already immortalised at Flemington, and I have no doubt that racegoers will truly make this year's Spring Racing Carnival a tribute to Bart Cummings. The greatest name in our sport has passed. Vale, Bart Cummings.

### Gippsland Fighting Ice

**Mr NORTHE** (Morwell) — Last Saturday evening along with Melina Bath, a member for Eastern Victoria Region in the Council, I was pleased to attend the Gippsland Fighting Ice charity gala fundraising event, which was coordinated by Gippsland Road Runners, a local women's running group, which not only inspires local women to improve their health and wellbeing but has also assisted in fundraising efforts for local community groups and organisations.

Saturday evening's event was held to raise money for Youth Support and Advocacy Services (YSAS) in Morwell. Tracey O'Brien and the Gippsland Road Runners committee did an outstanding job in raising approximately \$11 000 to assist YSAS with its resources. I also acknowledge Chris May and her team at YSAS for the amazing work they do in assisting highly vulnerable young people at high risk due to substance dependence and misuse issues, mental illness and social disconnection to take control of their health and wellbeing.

### Gippsland Business Awards

**Mr NORTHE** — I was pleased to attend the 2015 Bendigo Bank Gippsland Business Awards last Friday evening. I commend all businesses nominated for these highly esteemed awards. Congratulations must go to the Gippsland Business Awards committee for its ongoing efforts, and in particular I pass on my congratulations to Graeme Sennett, the committee's outgoing chairperson, on the magnificent job he has done over the years and on his commitment to recognising business excellence in Gippsland.

### Gippsland Galaxy

**Mr NORTHE** — It has been a stellar inaugural season for the Gippsland women's football team Gippsland Galaxy, which won its first premiership last weekend against Ajax in the division 5 east grand final. What a sensational effort by all the girls, their support staff and coach, Nikki Schroeter! Well done.

### Albert Park electorate schools

**Mr FOLEY** (Minister for Housing, Disability and Ageing) — As the whole of Victoria knows, the Andrews Labor government is committed to making Victoria the education state. The government delivered on this commitment in its first budget by delivering over \$4 billion worth of investment. That is why yesterday I was pleased to join with the Deputy Premier, the Minister for Education, at Ferrars Street in

the Fishermans Bend precinct to examine the plans for its new primary school. The former government committed to this school in 2012 but failed to deliver. Not one permanent classroom was added to the booming inner south schools under the Liberals.

Unlike that government, members of this government are delivering. We will deliver not only the Ferrars Street school, which the Liberals failed to deliver, but also our promised South Melbourne Park primary school. In addition the Labor government is delivering the Bay Street campus for Albert Park College, rebuilding Elwood College and delivering the work that is needed to make sure that there is a public secondary school in the Stonnington local government area.

If we want to make Victoria the education state, then we need to invest in schools, in families and in teachers. That is the lesson that those opposite failed to understand but the Andrews Labor government knows too well.

### St Kilda City Junior Football Club

**Mr FOLEY** — I take this opportunity to note that on Sunday the St Kilda City Junior Football Club under 15s were victorious in the division 1 premiership in the South Metro Junior Football League, beating long-term rivals East Sandringham by a good 13 goals.

### Public transport forum

**Mr HODGETT** (Croydon) — Last Tuesday I had the privilege to be back in Grovedale near Geelong to speak at and facilitate a public transport forum hosted by my parliamentary colleagues the member for South Barwon; Simon Ramsay, a member for Western Victoria Region in the Council; and my federal colleague Sarah Henderson. Over 100 people attended, which demonstrates the region's complete and utter disgust at the Andrews government's changes to local bus timetables and the failed opening of the new regional rail link. Residents are sick and tired of being pushed aside and not being listened to while the minister has a sudden moment of inspiration and makes changes that affect the lives of so many.

At the forum the microphone was handed over to the floor, where residents of all ages raised concerns, quoted examples of their experiences and clearly directed their anger and annoyance at the timetable changes. They called on us to take their message to the minister and the Andrews government to fix the mess they have created.

It was truly a worthwhile evening, where we heard firsthand just how significantly these changes have

impacted on the day-to-day lives of many. Examples include students no longer being able to get to school because of changes to bus connections, with parents having to take them to school every day; shopkeepers having to travel 3 hours each day just to get to and from their stores; and elderly people no longer being able to do their shopping or get to and from medical appointments, just to name a few.

The very simple message we were all able to take away from the forum was that people are frustrated, fed up and bewildered. They want their concerns heard, and they want intervention to have the quality of their public transport services restored through an urgent review of all bus and train timetables. The Premier and the minister will ignore this very clear message at their own peril.

### **Emmanuel College, Altona North**

**Mr NOONAN** (Minister for Police) — I rise to congratulate Emmanuel College, formerly St Paul's College, in Altona North, which is celebrating its 50th anniversary this year. The college has a short but proud history of educating our best and brightest. I have been privileged enough to see this firsthand at the many school awards nights that I have attended.

The area in Altona North where the college now stands was vastly different in the 1960s. It was very much an outer suburb of open fields and farmland. Following a period of postwar migration the area established itself as the culturally diverse and hardworking community it is today. Today the St Paul's campus stands proudly entrenched in its working suburb. The farms from the 1960s may have gone, but the strong working ethos remains. During that time the college has grown bigger and stronger while keeping its core values and principles constant. The college has done this by providing a learning and teaching program that is challenging, ever changing and suited to the needs of each student. Excellence is always celebrated, but students are also encouraged to participate and show respect for each other. These are the foundation values and skills that have helped thousands of students to go on and achieve many great things in life.

Well done to the teachers and staff who have worked hard to shape every student so that, in turn, those students can shape a better world around them, and well done to St Paul's campus of Emmanuel College on reaching a significant milestone.

### **Warrandyte electorate schools**

**Mr R. SMITH** (Warrandyte) — I rise to condemn the Minister for Education for his lack of attention to schools in the Warrandyte electorate. Under the Bracks and Brumby governments schools in my electorate were largely neglected, with few receiving any substantial funding for redevelopment or upgrades. This was addressed during the term of the coalition government, with four schools in my area receiving much-needed funding to the benefit of students and the broader school communities.

There were additional plans to provide funding for three more schools, at Donvale and Wonga Park primary schools and Warrandyte High School. The Andrews government seems committed to following the lead of its Labor predecessors by scrapping this funding and turning its back on the schools that need it most.

While recent maintenance funding to East Doncaster Secondary College and Park Orchards Primary School is welcomed, it is a drop in the ocean compared to what was planned by the coalition, and indeed what was required, to bring schools in my community to the standard expected by families whose children attend these local schools.

The minister's claims that Victoria will be the education state sound hollow to the students, families and teachers in my electorate who have been abandoned by this politically driven government. My school communities expect funding decisions to be made according to need, not according to the minister's list of Labor marginal seats.

### **Family violence**

**Mr J. BULL** (Sunbury) — Last Tuesday I joined the Minister for Women, who is also the Minister for the Prevention of Family Violence, in Sunbury for an extremely important local forum. The forum, which was very well attended, focused on the prevention of family violence. I thank the minister not only for attending on the night but also for her unmatched dedication and commitment to tackling what is the most serious law and order issue currently facing our state.

Present at the forum were representatives from Sunbury Community Health and Victoria Police as well as local teachers and residents who care deeply about the welfare of those affected by the trauma and devastation of violence in the home. Also present was a victim of family violence who shared with us her heart-rending story of abuse over many years. I commend the Premier

and the minister for their determination to see this problem addressed and protect those who need it the most.

### **Calder Freeway speed limits**

**Mr J. BULL** — Last Thursday I joined Ian Sutherland of the Calder Action Group to announce that a significant stretch of the Calder Freeway from Keilor to Taylors Lakes has been reinstated to a 100-kilometre-an-hour zone. The decision was made following a series of safety improvements along the freeway as well as a safety review by VicRoads in consultation with Brimbank City Council and Victoria Police. Since the speed limit was reduced from 100 kilometres an hour to 80 kilometres an hour in 2004, safety improvements have included the removal of centre median openings, the permanent closure of the Robertsons Road intersection and the construction of the Kings Road interchange. This decision has clearly been well received with over 3800 people liking it on Facebook, 380 shares and a massive 1000 comments. I would like to acknowledge the significant community campaign leading to this change.

### **Aichi Prefecture, Japan**

**Mr BATTIN** (Gembrook) — I rise today in celebration of the 35th anniversary of the sister-state relationship between Victoria and the Japanese prefecture of Aichi. This week a delegation from Aichi visited Victoria to celebrate with us and talk about the long-term investment in trade and the cultural and educational exchange we have with programs like the Japanese Exchange and Teaching program, run through the consulate general's office. During my past experiences as a member of the Parliamentary Friends of Japan Committee, which I still co-chair, I have had the pleasure of seeing this exchange firsthand.

I acknowledge Aichi's Vice-Governor Senta Morioka and the Aichi Prefectural Assembly delegation that visited during this celebration, and I extend my thanks to the Governor of Aichi Prefecture, Hideaki Ohmura. I also acknowledge Consul General Haneda. It was a great pleasure to be with the Speaker and the President at a dinner last week to celebrate the relationship we have established over that time. It is a cross-party relationship. Greens, Liberal and Labor representatives were among the delegation of members of Parliament who attended. They also had the pleasure of listening to the President's speech. I will not put his speech on the record; however, I can say it was nothing short of interesting. It was a pleasure to join the delegation from Japan and to celebrate the relationship we have today.

### **Equal Pay Day**

**Ms KILKENNY** (Carrum) — This Friday, 4 September, is Equal Pay Day. This represents the 65 extra days that women must work to earn the same as men. Equal Pay Day is a day for drawing attention to the gender wage gap that exists in most countries. The aim is to work towards reducing the damaging and substantial income gap between women and men. In Australia the national gender pay gap is more than 18 per cent, a 10-year high. This is unacceptable; things must change.

The gender pay gap occurs for many reasons. Sadly there is just plain discrimination and gender bias. Men dominate top-level jobs, and there is a culture of promoting men. Women often work part time and are viewed as less valuable employees. I worked with a male boss who told me that my female colleague was only half an employee because she was pregnant. No-one is immune to the gender pay gap, but if we work to reduce it, we will all reap the benefits. This will generate additional tax and gross domestic product and improve workplace morale. We also know that companies that have more women on their corporate boards consistently outperform companies with fewer women board members. No more excuses. Women deserve equal pay for equal work, the same as men.

### **Birthday felicitations**

**Ms KILKENNY** — Finally, today, 1 September, is my son Rafferty's birthday. He is in the gallery today. I wish him a very happy sixth birthday.

### **Kerrilyn Bassett**

**Ms SHEED** (Shepparton) — Congratulations to Kerrilyn Bassett, who won the award for Victorian trainee of the year last Friday night. Ms Bassett, a student at Goulburn Ovens Institute of TAFE at Shepparton, was awarded a \$10 000 fellowship at the Victorian Training Awards in Melbourne, which aim to showcase innovation and excellence in TAFE. She is studying a certificate IV in agriculture (dairy production). It is good to see that courses in agriculture are becoming popular again.

### **University of Melbourne Dookie campus**

**Ms SHEED** — Dookie Agricultural College commenced its operations in 1886, and many thousands of people proudly call themselves graduates of that institution. However, as the popularity of agriculture as a course dwindled the course was largely being taught in Melbourne. In 2013 there were only 47 students in

their final year of agriculture at the University of Melbourne, and only 6 of them were located at Dookie college. The millennium drought and a range of other negative perceptions led to a decline in enrolments in agricultural courses across the country.

The University of Melbourne has consulted widely with industry, employers and graduates. In 2016 it will launch a new agriculture degree course designed to equip students with general, technical and problem-solving skills to meet the high demand for graduates in agriculture. Next year the University of Melbourne will have 75 enrolments in its bachelor of agriculture course, a significant increase on recent years. Around 90 per cent of graduates gain full-time employment within four months of graduation. It is pleasing that the University of Melbourne will again utilise Dookie college for its degree course and that students will again become a part of the landscape of the college.

### **Bendigo protests**

**Ms EDWARDS** (Bendigo West) — Bendigo is made up of people from many different backgrounds, cultures and religions, and it has been since the gold rush era. For generations the people of the city have lived harmoniously with the great mix of people sharing, learning and working together to make the city a great and welcoming place. Sadly a very small number of people are not tolerant of this great diversity. They have preyed on other people's fear of difference and have chosen to create division and foster hatred in our community, mostly through misinformation. They have harnessed the hatred and intolerance of others who do not live in Bendigo and used them to promote their propaganda.

I want to make an important point. There were not thousands of Bendigo residents at the rallies in Bendigo on Saturday. There were a few hundred mostly non-residents who entered our city to create division and promote hatred. Sadly for our tourist operators and small businesses, the CBD was effectively shut down and trade was basically stopped. It is important to note and remember that on Sunday Bendigo returned to its usual peaceful, harmonious and busy self, and those who came to promote hatred, racism and intolerance had left, achieving nothing.

The Karen community held its annual hand-tying ceremony; sporting groups played on, with many soccer teams having players from many different cultures; families from many different backgrounds enjoyed our beautiful parks and gardens; and people flocked to our shops, eateries and tourist attractions. To

those who have tarnished our city's welcoming reputation, I say this —

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

### **Fire services review**

**Mr WELLS** (Rowville) — This statement condemns the Andrews Labor government, the Deputy Premier and the Minister for Emergency Services for their utter contempt in paying lip-service to the views of Victoria's dedicated volunteer firefighters as part of the current fire services review. I make this statement on behalf of the many angry and disheartened volunteer firefighters of Knox. They have every right to feel angry, particularly about the Deputy Premier's deceit in lending false hope to the volunteers by committing to make representations to the Premier and about his seeking the minister to have the timelines for the review extended until after the forthcoming 2015–16 fire season but then, when challenged in Parliament, backtracking by refusing to say he gave his support for such an extension.

The motives behind the fire services review are particularly of grave concern since the review can only be seen for what it really is: a trumped-up opportunity to produce a sham report which will provide a veneer of bureaucratic transparency and cynical political coverage to pay back Labor's union mates for their dishonesty and appalling behaviour in misleading Victorians during last November's state election.

The Andrews government's intentions are very clear — this review will result in unionisation by stealth of the Country Fire Authority, the deliberate and calculated strategic undermining of its very core and the downgrading of the importance of volunteers. All this is being done at the expense of volunteers, who are increasingly feeling that they are being treated with contempt and are no longer wanted by this state Labor government.

### **Polish Community Council of Victoria**

**Mr DIMOPOULOS** (Oakleigh) — I rise to speak about the President's Ball of the Polish Community Council of Victoria. Close to 200 people were in attendance at the event last Saturday, and I was very pleased to represent the Premier at what was a fantastic evening. I was also pleased to announce that the Premier had accepted the invitation by PolArt 2015 Melbourne to be its patron for what will be an incredible festival.

The evening included a range of activities, including some wonderful dancing and of course delicious food. A relief fund set up to honour the contribution of a Polish migrant to Victoria, Ewa Kloczko, was also launched. It is always amazing to witness how much community organisations contribute to the welfare and wellbeing of fellow citizens. Polish people have been coming to Australia since shortly after the First Fleet. They have made their home here, and they are very proudly Polish-Australians. Poland's loss is very much Australia's gain. It is vitally important that people who migrate to Australia bring their culture and traditions with them. They should never forget where they came from. The great thing about multiculturalism is that other cultures become our shared culture. We welcome it, and we embrace it. As an Australian of Greek heritage, I understand that only too well.

It is also important to have good neighbours. I am very fortunate that my office is in the same building as the Polish Community Council. I was warmly welcomed by its members earlier this year, where I met many of them from the warm and genuine Polish community and was also blessed with an amazing spread of food and sweet desserts. If you have not experienced the hospitality of Polish people, you are certainly missing out.

**An honourable member** interjected.

**Mr DIMOPOULOS** — A word of advice though — that is right — do not even think about eating beforehand. I did mention the Attorney-General in my speech. I congratulate and thank the Polish Community Council, in particular its president, Marian Pawlik, and the executive team, and all other Polish community groups for their work in Victoria.

### Legacy Week

**Mr BLACKWOOD** (Narracan) — I take this opportunity to remind the house that this week is Legacy Week and to raise awareness of the fantastic work that Legacy does for our veterans' families. Legacy Week is Legacy Australia's iconic fundraising campaign, which began in 1942. It is also known for its badge day and for the iconic badges that are offered as a token of appreciation for donations made by the public. The amazing work of Legacy is just as important today as it was in 1942, and its programs are supported and delivered by hundreds of dedicated volunteers, many of them from my electorate of Narracan.

Legacy Week is the annual national appeal to raise awareness and to raise funds for the families of our

incapacitated and deceased veterans. It is held in towns and cities big and small across Australia and is supported by young and old. The funds raised during Legacy Week help Legacy continue to assist approximately 90 000 widows and 1900 children and people with disabilities Australia-wide, providing essential services such as counselling, special housing, medical services, advocacy and social support. Funds raised will also help Legacy nurture children's education by contributing towards their school fees, books, uniforms and recreational activities to aid their self-development and confidence.

There are thousands of Australian Defence Force personnel currently deployed overseas, and Legacy stands ready to assist their families should the worst happen. This week is critically important for the ongoing work of Legacy, and I commend the appeal to all Victorians. All funds raised will help Legacy continue its essential role in the community. I also take this opportunity to thank Legacy's national partners, members of the defence force and the many volunteers, schools, services and businesses which continue to support this appeal every year.

### Ballarat arts events

**Mr HOWARD** (Buninyong) — It has been a bumper season for the arts in Ballarat with cultural activity well and truly thriving across the region. On Friday, 21 August, I joined Julian Burnside, QC, and others to launch the Ballarat International Foto Biennale at the Art Gallery of Ballarat. After being held first in Daylesford in 2005 the Foto Biennale transferred to Ballarat in 2009 and is now a major international arts event featuring a sensational range of photographic styles. The Foto Biennale, which this year runs for a month, features 238 events staged at more than 80 venues across Ballarat.

More recently I experienced a truly magnificent concert as part of Ballarat's Festival of Slow Music. Held at Ballarat Mechanics Institute, the event started with a presentation by composer Lisa Cheney on the Federation Handbells. Australian Chamber Orchestra's Satu Vänskä then mesmerised the audience with her violin and vocal performance, accompanied by Jim Moginie from Midnight Oil and Brian Ritchie from the Violent Femmes. Closing the night was a composition by Michael Kieran Harvey and Adam Simmons, with an orchestra made up of Ballarat's finest musicians performing the *Concerto for Piano and Toy Band*. The nine-day Festival of Slow Music captivated audiences with an eclectic mix of the finest local and international musicians. I commend everyone involved, including

Jeff Moorfoot and Adam Simmons, for bringing these great events to Ballarat.

### **Elliott Grayling and Shari Handy**

**Mr CRISP** (Mildura) — Congratulations to Elliott Grayling and Shari Handy for representing Mildura at the Victorian Training Awards. Special congratulations go to Elliott for winning the School-based Apprentice of the Year award. Mildura is a long way from Melbourne, but we can compete in the training sector, as is demonstrated by these two outstanding individuals.

### **Livestock transport**

**Mr CRISP** — North-western Victoria's livestock competitiveness has been improved by the approval of livestock road trains to Ouyen and Swan Hill. Well done to Russell Borchards of Borchtrans based at Yelta and the Livestock Transporters Association of Victoria for their insistence and persistence in maintaining Victorian saleyards in a competitive environment.

### **Mildura child death**

**Mr CRISP** — Mildura has recently been placed under the spotlight, but not for a reason we enjoy. Our community is shocked over the death of a child and is coming to grips the best way it can with the events of the last week. My condolences to the family and friends and to a community that is grieving.

### **Mildura church community day**

**Mr CRISP** — Mildura's churches are joining together on 10 October for a day where they will encourage people to love our city. This event is to encourage people to be positive in their conversations about the community and to consider what kindness means as a member of the community.

### **Country Fire Authority volunteer training facility**

**Mr CRISP** — I attended the pre-opening of the Country Fire Authority volunteer training centre, which will offer training to firefighters and can also be used by other services, such as police, for training. The location of this facility will save volunteers and other emergency professionals a great deal of time in enabling them to train locally. I urge the government to continue to invest in regional facilities and to fund the next stage of this facility.

### **Bec Olsen**

**Mr CRISP** — I thank Acting Inspector — and soon to be area local commander in Horsham — Bec Olsen for her work in Mildura.

### **Italian community**

**Ms SULEYMAN** (St Albans) — On Wednesday, 26 August, I was happy to attend the Australian Italian Lawyers Association in North Sunshine on behalf of Minister for Multicultural Affairs. I had the opportunity of meeting Italian senator, Dr Francesco Giacobbe, who spoke about issues facing Italians and Victorians. The Italian community has contributed so much in our community — from business, politics and sport, to the arts, design, food and fashion. Well done to Sebastian Agricola, local St Albans lawyer and president of the St Albans Traders Association, and the Australian Italian Lawyers Association for making the event a success.

### **University Park Primary School**

**Ms SULEYMAN** — On another matter, there was a lot of excitement when I was joined by the Minister for Education at University Park Primary School in St Albans on Friday, 21 August. I would like to commend the principal, Andrea Federico, the school's students and teachers and members of the school community on their warm welcome, as well as their portrait of the minister. We had the opportunity to see firsthand the fantastic programs the school has to offer, including its Love of Literacy program. Most importantly we had the opportunity to discuss the school's future plans for upgrading the facilities. I again extend my thanks to the school community.

### **St Edwards Anglican Church art show**

**Mr ANGUS** (Forest Hill) — I recently had the pleasure of attending the annual art show held at St Edwards Anglican Church in Blackburn South, which raises much-needed funds for the work done by various missions. Once again there were many outstanding pieces on display to view and purchase. This was the 35th annual art show at St Edwards and, unfortunately, the last. I wish to congratulate all the volunteers who have been involved in assisting with this event over many years, in particular Dorothy and Peter Cooper, who for a very long time have done a huge amount of work in organising this event. Well done to all involved.

### Whitehorse district scouts

**Mr ANGUS** — I recently had the great pleasure of attending the Scouts Australia Whitehorse district civic recognition of youth members in scouting and Whitehorse district reporting evening. It was a great opportunity to see many young people involved in scouting being awarded for their hard work and to hear of local activities over the last year. The recipients ranged from cubs and joeys right through to several venturers, who received their Queen's Scout award. I congratulate all the recipients as well as all the leaders who generously volunteer their time to this very beneficial organisation.

### Public transport strikes

**Mr ANGUS** — It has not taken long for the union masters to exercise control over the Victorian Labor government. Here we are, only nine months into its first term, and last week we saw the first tram strike in Melbourne since 1990. This strike inconvenienced tens of thousands of Victorians and left many stranded, including residents of my electorate of Forest Hill. With train strikes foreshadowed, I call on the Premier to show some leadership, take control and stand up to the unions to prevent any further public transport strikes.

### Election commitments

**Mr ANGUS** — The list of broken promises from this Labor government is growing quickly, especially in the financial area. Before the election, promises were made that taxes would not increase, surpluses would be maintained, infrastructure spending would not be cut and debt would not increase. All these promises have now been broken. In a non-financial area, promises were also made that special religious instruction would remain unchanged and, once again, this promise has been broken. With numerous broken promises, budget blowouts on a range of projects and industrial chaos, Victorians are now starting to wonder whether this government will keep any of its pre-election promises.

### Family violence

**Ms THOMSON** (Footscray) — Last Sunday I had the pleasure to launch the new Happy Families, Happy Communities manual at the Indian consulate, with the Indian Consul-General, Manika Jain. The manual is a guide for Indian community leaders and associations to assist families suffering from family violence. It is an easy-to-read, easy-to-use guide that also informs people about what services are available for visa-holders as well. It is a great book, which has taken two years to develop. It will be trialled in the western suburbs and

then a template of the manual will be available for other communities throughout Victoria.

I want to thank the Honourable Manika Jain for opening up the consulate to us and for being supportive of the development of the manual. I also want to thank Maureen Smith, the coordinator of the Western Family Violence Regional Integration Committee, and also the committee for its support in obtaining the funding to produce the manual. I also thank Jacinta Masters, who finalised the handbook for us, and Emma Breheny, who started the work by contacting every organisation that comes into contact with families who suffer from family violence and for making sure all the information was accurate. I also want to thank Lata Satyen, who as part of Jagriti, has worked tirelessly in ensuring that the manual is user friendly for the Indian community.

### Nurse-to-patient ratios

**Mr CARROLL** (Niddrie) — I rise to congratulate the Victorian Minister for Health, who today has fulfilled an election commitment and ensured an Australian first by introducing nurse-to-patient ratios. We are committed to implementing the best quality health system in Victoria and Australia. We are committed to providing better healthcare, reducing wait times and increasing services for all Victorians. The introduction of nurse-to-patient ratios in Victoria is an Australian first. The Minister for Health and the Premier should be congratulated, and the other side needs to get on board.

## RACING AMENDMENT BILL 2015

### *Second reading*

**Debate resumed from 19 August; motion of Mr DONNELLAN (Minister for Roads and Road Safety).**

**Government amendments circulated by Mr PAKULA (Minister for Racing) under standing orders.**

**Mr T. BULL** (Gippsland East) — I rise to make a contribution on the Racing Amendment Bill 2015 and state that with the addition of these amendments by the minister we will not be opposing this bill. The bill makes important reforms to the Racing Act 1958 after the Monteith report on the audit of Harness Racing Victoria. We acknowledge the efforts of Dale Monteith, and I will talk a little bit later on the amendments that have been submitted.

I thank the minister for circulating the amendments. They relate to an issue that was raised in the bill

briefing, and it is pleasing to see that the minister has taken that on board and brought forward these amendments today. As I will touch on later, they are very important.

Before I get onto this bill which relates primarily to the harness racing industry in Victoria, I wish to make a few other comments. It would be remiss if we had a racing bill come before Parliament this week — although the bill relates to harness racing, it is a Racing Amendment Bill — and did not acknowledge that we lost a national racing legend in the great man, Bart Cummings, just a few days ago. I am sure the Minister for Racing, who is at the table, and all members in the house will indulge me for just a short period of time and allow me to acknowledge this extraordinary man.

We awoke on Sunday morning to the news that the cups king had passed. Bart Cummings will be remembered most prominently of course, as has been well-documented in the media, for his 12 Melbourne Cups, but he also trained an incredible 266 group 1 winners and around 7000 winners all up. It is an absolutely staggering number. He trained 32 Derby winners, 24 Oaks winners, 7 Caulfield Cup winners, 5 Cox Plate winners if you do not mind, 13 Australian Cup winners, 11 Mackinnon Stakes winners, 8 Newmarket Handicap winners and 4 Golden Slipper winners. For those who do not follow racing, that is just an extraordinary and incredible effort. It is a record we will never ever, I am sure, see matched in relation to the training of thoroughbred horses in Australia, and all from a man who at the age of 16 received medical advice to stay away from horses. Luckily he never listened to that advice, and we were all beneficiaries of the great amount of joy he brought to the industry.

Bart was famous for his one-liners, and they are legendary. He was the Bradman of the racetrack, and in comparison you only have to look at Don Bradman's batting average of 99. I think the nearest in test cricket today is Sachin Tendulkar at around the 60 mark. In racing parlance, daylight is second. When you look at the Melbourne Cup, Bart Cummings won 12, and the next most successful Melbourne Cup winner sits on 5. Once again we have daylight running second.

I had the extraordinary pleasure of meeting Bart a couple of times. The most recent was at the Sale races when we sat down for a chat. He was the same in life that he was on television — relaxed, humble, polite, respectful and with a wealth of knowledge on all things racing. Probably the best way to describe him is as just a good bloke. Bart was racing, and this week we honour and remember the extraordinary contribution made to the Australian racing industry by the king.

I will now get on to the bill. The bill modernises governance arrangements for Harness Racing Victoria (HRV) by amending the board appointment provisions in the Racing Act 1958 to allow for the appointment of board members with skills beyond the current skill sets. As is the case in all other areas, as racing develops we need to progress with the times, and those who are controlling our peak bodies and agencies need different skill sets.

The second point of this bill is that it provides for the establishment of the Harness Racing Advisory Council, through which the board can receive advice from industry representatives with expertise in a broad range of harness racing matters. The amendment circulated today will tidy up that area and ensure that we have current industry representation on that advisory council. That is something that, as I said, was raised in the bill briefing and in some feedback we had from some of the clubs, so it is pleasing to see that that has been clarified and sorted out. Once again I thank the minister for putting forward that amendment.

The third major aspect of the bill allows for the appointment of an administrator should the need arise. I understand that this is a highly unlikely occurrence; either the board would have to resign en masse for a particular reason or the minister of the day, God forbid, would have to find that the board was not acting in the best interests of the industry and then take this drastic action. While I stand here and acknowledge the fact that this is a provision that hopefully — and I am sure probably — will never be realised, it is no doubt a necessity to have that option open for the minister of the day in the future, whoever that may be.

The bill also strengthens integrity assurance in the Victorian harness racing industry by adding Racing Analytical Services Ltd as a body to which the racing integrity commissioner can disclose integrity-related information. Obviously this is important for ongoing integrity within the industry. Racing Analytical Services is a body that basically has a testing mandate within the industry, and it is important that it is able to speak to our racing integrity personnel, should the need arise, on various issues. Unfortunately we have seen situations arise recently within the racing industry where testing has come to the forefront, and whilst those issues have been resolved, it certainly highlights the importance of having those people who are involved in those testing regimes deal with the industry.

In relation to the board appointments, whilst I have spoken about the change in the skill sets that are required and the recognition that we do have changing skill sets, the opposition would like to put on notice

here today that in the make-up of the board and also the advisory board, we on this side would like to see representation from country harness racing clubs, or non-metropolitan representation. The reason I say this is that country clubs continue to contribute 85 per cent of racing product to our harness racing industry in Victoria, and country harness racing clubs generate 75 per cent of our harness racing industry turnover. Given their importance, which is realised by these figures, it is quite a reasonable request that we in fact have representation from country harness racing clubs both on the advisory board and on the board. It is something that I am sure the minister will ensure happens, but to put it on the public record, that is something we would clearly like to see.

On the figures just quoted — the 85 per cent of racing product and 75 per cent of turnover — we know the premier venue in Melbourne is at Melton, and we know what a great facility it is, but the industry does not exist and will not survive without the extraordinary contribution from the other country racing harness clubs.

The industry is a great employer and economic contributor to this state, and it is therefore imperative that it have strong representation and governance measures and improved integrity. Harness racing contributes more than \$421 million annually to the Victorian economy and is responsible for generating \$226 million per annum of household income. When it comes to generating economic activity in Victoria the harness racing industry certainly kicks the tin. It also supports nearly 4000 jobs and has more than 25 000 active participants. In the five years that I have been in this chamber there has always been a lot of commentary around jobs and job creation. While it is important to create jobs, we must protect the industries that are our major employers in the state. The harness racing industry, with 4000 jobs and 25 000 active participants, is a key industry for Victoria and one we must protect.

Apart from its economic benefits, the industry also makes a significant contribution to the social fabric of Victoria, in particular to many towns in rural areas. In a lot of country towns the local race club, the local pub or the local primary school become the backbone, and quite apart from the economic benefit, we must not underestimate the social benefits of having successful clubs within our local communities.

The government made a commitment to commission a full audit of Harness Racing Victoria to identify improvements that could be implemented by HRV to ensure we have a strong harness racing industry in the

state. As I mentioned earlier, Dale Monteith, the former chief executive officer of the Victoria Racing Club and a respected racing administrator, has come up with 18 recommendations in his report, and we are pleased the government has committed to adopting those recommendations.

This legislation modernises the appointment process for the board to allow the minister flexibility to recommend a board appointment to the Governor in Council. However, it remains incumbent on the minister of the day, whoever that might be, to ensure that with this skill set there remains a strong knowledge of industry and a representation from the country harness racing sector and also from people within the sector more generally, which goes to the very heart of the amendments tabled today.

The bill also implements the recommendation that the size of the board should be flexible, with at least five but not more than seven members. This means that the minister will have a level of flexibility to complement the core skills of the board with expertise in specific disciplines that may be required at the time. As previously mentioned, the bill provides for the board to establish consultation procedures with a requirement that it establish the Harness Racing Advisory Council. What continually popped up as Mr Monteith met with various stakeholders in the industry was the seeming level of concern over a lack of communication between industry and stakeholders. To address this, the report recommends the establishment of the advisory council to provide the board with direct access to industry representatives and to obtain advice. Harness racing club representatives I have spoken to over the past fortnight have been quite supportive of having this advisory council provided we get the make-up right.

The advisory council is to be approved by the minister and will include at least two members of the Harness Racing Victoria board, one of whom will be appointed as its chair. It is very important that we have current industry representation. That has been resolved today, and we are very pleased about that. The bill allows for the minister to appoint an administrator of Harness Racing Victoria. I am sure that will not be required; nevertheless, that provision needs to be there.

Finally I want to make a comment about the matter of strengthening integrity. The act specifies a number of agencies that can carry out integrity-related duties. Access to reliable information is paramount, as is the capacity of a racing integrity officer to share information with appropriate agencies and obtain information from them. There is a list that a racing integrity officer can deal with, and to have that

expanded to include Racing Analytical Services Ltd as a body is something we support. No doubt in the future, depending on the wants and needs of the integrity arm of racing, this will be altered to ensure that we keep up to date with the best possible integrity measures and crosschecks in our racing industry.

Before I finish I want to make a couple of comments about what is not in the bill. The Monteith report includes 18 recommendations, and the bill implements some of the recommendations relating to government. However, there are other recommendations relating to government which are not in the bill and which do not require legislative change. They include the recommendation that an appointments panel be established to assist the minister to identify appropriate candidates for appointment to the board. This recommendation was not mentioned in the second-reading speech. Perhaps the most pertinent is Mr Monteith's recommendation 4, that the government give consideration to undertaking a review of remuneration levels for board members of racing statutory bodies.

I believe this topic is being explored at the current time, but given that those two recommendations were not referred to in the second-reading speech, it would be good to hear speakers on the government side give an update on where the adoption of the recommendations is. That would be very much appreciated. The harness racing industry is keen to get that information. With those comments I reiterate that the opposition will not be opposing the bill.

**Mr CARROLL** (Niddrie) — It is my pleasure to speak on the Racing Amendment Bill 2015 and to follow the member for Gippsland East. I welcome his support for the legislation.

Like the previous speaker and the Minister for Racing I would like to pay my respects to the legendary Bart Cummings. As do a lot of people in this place on Sunday mornings, I turn on the ABC at 9 o'clock to watch the political show *Insiders* with Barry Cassidy. I did that this week, but then I thought I would have a quick look at Channel 9. Ken Sutcliffe was interviewing Les Carlyon and all the people who knew and loved Bart. I could not take my eyes off the TV that morning, having woken up and heard about the death of Bart Cummings. I never got to meet the person, but obviously I grew up watching him. We all saw him win those 12 Melbourne Cup races. It is nice that all speakers on this legislation will pay their respects. As the Minister for Racing said, this Spring Racing Carnival will be in honour of Bart Cummings.

Before I get onto the bill I want to mention that Les Carlyon knew and loved Bart and wrote a lot about him. In an article in yesterday's *Herald Sun* he said:

No-one has ever been like him. He was that rarest thing, an original. The world changed and he didn't. Fame got to other people and he just shrugged it off as another impostor. He backed his instincts and ignored the coat-tuggers. He belonged to the golden age of racing that existed before the corporates turned it into a seven-day-a-week casino with a soul to match. Racing got smaller and Bart got bigger. The Melbourne Cup's ultimate hero turned out not to be a horse but a man.

That very much sums up the legendary man.

I now move on to the bill. This morning I had a read of the Dale Monteith *Report on the Audit of Harness Racing Victoria*, which was presented in April this year. I congratulate Mr Monteith on an outstanding report. I take on board what the shadow Minister for Racing, the member for Gippsland East, has put on the table today and some of the matters he raised in terms of appointments and the representation of country racing. It is an area that Mr Monteith covered in the report.

It is important to put on the record the work that went into this commitment from the Minister for Racing to look at Harness Racing Victoria. It was a good appointment, the work has been done, 18 recommendations have come through, and the government is getting on with it, through this legislation, to implement the recommendations. Mr Monteith met with more than 60 individuals and groups and received 35 written submissions. In his report he said:

... their openness and genuine interest in contributing to improving harness racing in Victoria —

was commendable. The report continues:

Whilst past decisions taken by HRV had some currency during the process, most were interested in looking to the future to create a vibrant and growing industry.

He said:

... there was an overwhelming message of a need for change in the Victorian industry.

That brings us to this important legislation, which in many respects has about five different main themes and components.

Firstly, the bill modernises the government's arrangements for Harness Racing Victoria by amending the board appointment provisions to allow for the appointment of board members with skills beyond the current requirements of business, marketing or industry

experience. If you look at some of the recommendations in the report you see that Mr Monteith is very much looking at attracting the corporate expertise, but beyond that is realising that we are in the 21st century and the racing industry is competing with a whole range of other industries. The wagering dollar is hard to come by, and the sports area is a competitive market. We need the best possible board appointments and marketing and social enterprise to get the best skills to drive the industry and take it further.

Secondly, the bill provides for the establishment of a Harness Racing Advisory Council to get the collaboration right with industry. This will be a formal consultative forum through which the board can receive advice from industry representatives with expertise on a broad range of harness racing matters.

Thirdly, the bill amends the act to allow for the appointment of an administrator to manage the harness racing industry in circumstances where the board has failed to competently manage the industry or where it is otherwise in the public interest.

Fourthly, the bill strengthens integrity assurance in the Victorian racing industry by adding Racing Analytical Services Ltd as a body to which the racing integrity commissioner can disclose integrity-related information, and formalises within legislation the disclosure arrangements for a number of other bodies.

I have been on a steep learning curve as parliamentary secretary to the Attorney-General, who is also the Minister for Racing, and it was nice to recently attend with the shadow minister the Scobie Breasley Medal presentation, which was a good function. While talking about ethics and integrity, it was a bit of a learning curve for me when on 9 August I went with the minister to Flemington to look at the new cobalt testing machine, which is very much an Australian first.

Basically the machine will ensure that our racing industry has the most advanced facilities to test for cobalt, a known performance-enhancer found recently being used in both thoroughbred and harness racing.

The current procedure to test for cobalt requires samples to be sent to laboratories in Perth, Sydney or Hong Kong for analysis. This new \$350 000 machine, substantially backed by the Andrews Labor government with support from the industry, will speed up the testing process, reduce the risk of contamination, and help provide the highest standards of integrity to our \$2 billion racing industry.

On the new cobalt machine Dayle Brown, Racing Victoria executive general manager, integrity services, said that ensuring Victorian thoroughbred racing is managed and conducted with the highest integrity is of paramount importance to Racing Victoria. He said”

We invest significant resources into our integrity services and a bolstered testing regime for prohibited substances will ensure a level playing field for our 70 000 participants.

The government is getting on with the job of ensuring that our racing industry and Harness Racing Victoria have the best equipment possible. Probably like many of your constituents, Acting Speaker, you and I grew up going to the Moonee Valley racecourse. The Monteith report talks about the shift from Moonee Valley to Melton and the resulting impact that has had on the industry. Basically we are taking on a new facility and having to build up the industry and build up its support — the trainers, the stock, everyone involved — and some of the challenges that that has presented. I have met with representatives from Harness Racing Victoria, and they have a great vision for the Melton precinct. It is not just a harness racing precinct; it is very much an entertainment precinct. I know that it is an area the member for Melton very much supports as an important local generator of employment and an important local social hub for his community.

Following on from the member for Gippsland East, I say that the government wants to make sure that the benefits are spread far and wide — from Melton to all areas of the state where harness racing occurs. I have been to clubs at Hanging Rock and at other venues around the state. I know there is a massive opportunity for Cranbourne. We can really see harness racing going forward. It is a competitive market, but if we engage in competition and with the entertainment markets — we are not just about ensuring that racing codes are competing against each other but are realising that in the 21st century different sports are competing against each other — we can ensure that harness racing goes forward and thrives.

The Andrews Labor government has made a strong commitment. We have commissioned a full audit of Harness Racing Victoria, we have noted the improvements that are required and we are very committed to getting on the front foot with integrity and with governance to ensure that not only does the minister have confidence but also the Victorian community has confidence that we are going forward and that the Harness Racing Victoria board is the most up-to-date, readily and speedily available board we can have. Commissioning the report we are speaking about today was an election commitment that has been fulfilled.

The government and the minister have heard loud and clear some of the issues the industry is confronting. We have listened; we are acting. We are now giving the minister power to appoint an administrator in the event that the board is unwilling or unable to continue. If the board were to resign, we would be ready to seek any assistance that would be required. We want to make sure that Victorian racing has the best opportunity to thrive and compete, not only as entertainment but also with wagering.

This legislation introduced by the Minister for Racing is a crucial first step. Bringing Racing Analytical Services Ltd into the fold with the racing integrity commissioner is another critical step. The bill will implement the recommendations of the Monteith report on harness racing. Labor is proud to be here today fulfilling this election commitment. I look forward to working with the minister and the racing industry to ensure that every one of these 18 recommendations is fulfilled.

**Ms McLEISH (Eildon)** — It is with pleasure that I rise to speak on the Racing Amendment Bill 2015. This bill has a focus on the harness racing industry with the aim to strengthen it so the industry can thrive. I think most members in the chamber and in the Parliament would agree that the racing industry is very important to Victoria, and everything we can do to strengthen it and make it thrive is worthwhile. I note that the Minister for Racing circulated some amendments, which are based on the amendments put forward by the opposition, and I am pleased to see that he has adopted those amendments, which I will talk about a little later.

Harness racing contributes about \$421 million to the Victorian economy every year and supports about 4000 full-time jobs, mostly in regional areas. If you look at where many of the harness racing tracks are, you see that they are in smaller towns such as Yarra Glen, which I represent, Kilmore, which I represented as the then member for Seymour, Maryborough, St Arnaud, Swan Hill, Charlton, Stawell and Wedderburn. They are also in larger regional centres such as Ballarat, Geelong, Bendigo and Shepparton, not to mention the premier track at Melton.

The bill amends the Racing Act 1958 and is related to three particular areas, one of which is governance arrangements for Harness Racing Victoria (HRV). It also specifies bodies to which the racing integrity commissioner may disclose integrity-related information. Additionally, as is often the case with bills of this nature, there are other minor and technical amendments.

I want to put a bit of context around the bill. The Minister for Racing commissioned an audit of HRV, and this audit was conducted by Dale Monteith, who has decades of experience in the racing industry. He is well known for his roles at the Victoria Racing Club and the Victorian Amateur Turf Club, which is now known as the Melbourne Racing Club. I acknowledge his efforts because I know there are certain challenges associated with reports and inquiries such as those he has undertaken. Mr Monteith's report was delivered in April, and I am pleased that the government is accepting and moving to adopt all of the recommendations that have been made. I note that not all of the recommendations have to be bundled up in this bill because they can be implemented through other means.

The report on the audit examined HRV's governance of the industry, its dealings and arrangements with the government and its dealings with other racing codes including greyhound racing, interstate harness racing, industry stakeholders and the participants in Victoria. Because the audit examined all of those areas, the recommendations are diverse. The recommendations are about putting Harness Racing Victoria in a better position to fulfil its obligations under the act and ensuring a growing and viable industry in Victoria. As I have said, this industry is extremely important to Victoria, particularly regional Victoria.

I want to touch now on the governance arrangements. This bill establishes new governance arrangements for the board of HRV. It modernises the board. When such changes are made it is, of course, challenging to the organisation and the board members who are already in place. I certainly acknowledge that. It has been recommended that the board be made up of no fewer than five and no more than seven people. That allows a degree of flexibility. I did a lot of work in this area in the roles I undertook before becoming a member of Parliament, and I always have some concerns when a board is made up of only five people. I would have thought possibly between seven and nine people would have been more appropriate, but five is certainly something I can live with.

It is important that members of the board have the skills necessary to grow the industry and assist Harness Racing Victoria to effectively compete in a challenging market. It will be great for everybody if the industry grows. The market is challenging in terms of wagering and competition with other areas. Having a board that is cognisant of those challenges is important. I know this might mean that there are new board members. I would certainly like to see country members included. As the shadow Minister for Racing outlined, country clubs

contribute 85 per cent of racing product and 70 per cent of wagering turnover. I think this is particularly important and certainly reasonable.

Also within the governance arrangements are provisions for the Harness Racing Advisory Council to be established. This is where the amendments circulated today by the minister come into effect. They add a provision for up to two persons who have experience or interest in the Victorian harness racing industry to be appointed to the board, and I think it is important that we maintain that mix of experience in the industry and not just appoint people based on their business experience and particular skills. We need to have both elements. It is very easy for skilled business-type board members to forget about the actual workings on the ground. When you appoint people who are involved in the industry, they can keep bringing it back to how it is going to translate and be implemented on the ground.

As I have said, this bill provides for the establishment of the Harness Racing Advisory Council. This is a formal consultative forum through which the board can receive advice from industry representatives and access expertise on a broad range of harness racing matters. It is so important that the board has this option to seek advice, consult and make decisions. It will resonate with the base and improve the industry. As with the board of HRV, I would like to see country members included here as well.

I will touch on the racing integrity commissioner because that role is further supported here, and the bill specifies bodies to which the commissioner may disclose integrity-related information. It inserts a new paragraph listing a number of bodies. As members would expect, many of these bodies are other racing codes. They include thoroughbred codes and racing and greyhound codes in different states, and they also include the Australian Pesticides and Veterinary Medicines Authority and the Gaming and Wagering Commission of Western Australia. The range is quite broad and includes the Australian Border Force. I think this is quite good because a lot of the issues that come up with regard to integrity in racing are across all codes and may be across all states. Having these disclosures is particularly important.

I mentioned earlier the importance of harness racing in Victoria and in country regions. The Yarra Valley Racing club is in my electorate and hosts big harness events on Melbourne Cup Day. It has suffered since it was washed out in 2010, losing a Melbourne Cup Day. The club was seeing crowds of about 10 000, and those crowds have dropped to about 5000. The club has not

been able to recover the momentum it had. To make matters worse, it lost thoroughbred racing for a period as well. A \$2.6 million package that was half-funded by the Baillieu government allowed the reconstruction of the Yarra Valley racecourse after the extensive flood damage that really knocked the club around for quite some time.

I worked with the racing club quite closely at the time, and I know that Roly Wilson, who was then chairman, came from the harness racing industry. It was important that Yarra Valley Racing be able to succeed again in both thoroughbred and harness racing. I know the current chair, Barry Coulthard, and the vice-chair, David Long, who is also from the harness racing industry, do a great job. The staff at the club have really been through the wringer over the last four years. Brett Shambrook, the CEO, has done a great job. He has been supported by Toby McKinnon in operations, Jason Taylor in marketing, Deb Sinclair in events coordination and Kelly Aldred in administration. Kelly always has a happy, smiling face on race days and every other time you go into the offices.

The track and grounds are looked after by Mark Glenn, who is assisted by Shaun Dean. Matt Clark did a lot of the heavy lifting for the previous work at the club. Megan Morris works part time in finance. These guys do a great job. For the cup day harness event 150 additional people are employed, and the club utilises local businesses, small and large, including Ritchies IGA, where Mark Mussared is the manager; Yarra Glen Quality Meats, with Rod in charge; Beth Williams and Simon Walkenhorst at Hargreaves Hill; and Debbie Hague at the Yarra Glen Bakehouse, which was robbed at gunpoint recently. There are also larger suppliers like Leanne De Bortoli and Steve Webber at De Bortoli Wines, which does a great job supporting harness — —

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

**Ms KNIGHT (Wendouree)** — I am very pleased to rise to speak on the Racing Amendment Bill 2015. This bill proposes a number of changes to the Racing Act 1958. This bill is important because it goes directly to the governance and integrity of an industry that employs thousands of Victorians. It also provides great entertainment for tens of thousands of people across Victoria. I have very fond memories of going to the trots with my dad. He would take the four of us kids to the trots, and we would get 50 cents each to bet. We would all sit there with a crocheted blanket over our knees, and Mum would get to stay at home and have a rest. It was a great time, and we got to know all the

drivers. In those days you could go down and pat the horses as well.

Harness racing has a long history in Ballarat. The Ballarat and Creswick Trotting Club held its first race meeting in 1861, and today the Ballarat and District Trotting Club operates at the very same site, which is now known as Bray Raceway. At this point I want to mention my partner, Mark, whose dad, Frank O'Brien, was a highly regarded and well-respected race caller. During the 1970s and 1980s Frank O'Brien would make the trip down to Ballarat on a Friday night and call the races at Bray Raceway.

Harness racing clubs provide not only great entertainment through the trots and the races but also great facilities which are put to use by communities across Victoria. In my own community the Flying Horse, a facility operated by the Ballarat and District Trotting Club, employs dozens of people and hosts many local events. For the last few years I have had the great pleasure of attending Phoenix P-12 Community College's valedictory dinner there. It is a great venue. My daughter Lucy's graduation formal was held there many years — too many years — ago. It provides a great facility for local communities and schools to have their functions at.

The harness racing industry has a real importance to Victoria, and that importance is so much greater outside metropolitan Melbourne. As the minister noted in the second-reading speech for the bill, the industry contributes more than \$421 million annually to the Victorian economy. The report of the audit of Harness Racing Victoria by Dale Monteith provides additional detail. Around two-thirds of the economic impact of harness racing is in non-metropolitan Victoria, so it is economically important to regions across our state.

This bill has four main purposes: to modernise the governance of Harness Racing Victoria, to establish a Harness Racing Advisory Council, to give the minister the ability to recommend an administrator take control of Harness Racing Victoria, and to add Racing Analytical Services Ltd to the list of bodies to which the racing integrity commissioner can disclose integrity-related information. The bill also makes a number of minor amendments to the Racing Act 1958.

I will take a little time to discuss how this bill has come to be before the house. Before the 2014 Victorian election the Labor opposition committed to:

... commissioning a full audit of Harness Racing Victoria to examine governance, board expertise, debts and liabilities, infrastructure, income streams, administrative duplication and

integrity services, including out-of-competition investigative arrangements, and attraction and retention of stewards.

As is typical of the Andrews Labor government, the Minister for Racing got to work immediately to deliver on our commitment. On 7 January the minister announced that Dale Monteith, a person with years of experience in the racing industry, including 12 years as CEO of the Victoria Racing Club, would conduct the audit. The minister's announcement noted not only Mr Monteith's extensive industry experience but also that he had recently undertaken reviews of the racing industries in Tasmania and the Northern Territory.

Following the completion of Mr Monteith's audit of Harness Racing Victoria, the government accepted all of his recommendations. As the report is a catalyst for the changes proposed in this bill, I will be making reference to it.

In any organisation the make-up of the board and the skills and experience held by board members are important to that organisation's success. I am sure members of this chamber will agree with that statement as a result of their experience on boards. They would also agree that in today's environment the skills required by boards are much broader than has previously been the case. It is clear from the audit conducted by Mr Monteith that the current board of Harness Racing Victoria has experience or expertise deficiencies in the legal, marketing, media — including new media — and technology areas, which prevents it from robustly testing the advice it receives.

Clause 6 of this bill removes a limitation currently placed on the appointment of the board of Harness Racing Victoria and provides for a board of between five and seven members. Appropriately, the recommendation of the minister for the appointment of board members would be made:

... if, in the Minister's opinion, the individual has the necessary skills, experience and knowledge to assist the Board to carry out its functions.

This change to the Racing Act 1958 will allow the Minister for Racing to make appointments to the board of Harness Racing Victoria that meet the needs of that organisation. It is important that the board has a wide range of skills, and that is enabled by this portion of the bill.

However, as individuals with skills, experience and knowledge not currently found on the board come to be appointed, it is critical that links with the industry as a whole are not lost. Implementing another of the recommendations from the audit conducted by Mr Monteith, this bill provides for the establishment of

a Harness Racing Advisory Council. This will make sure that there is proper communication and engagement between the industry and the board and executive of Harness Racing Victoria. This is critically important. Through the Harness Racing Advisory Council the board will have direct access to industry representatives, who will provide advice to the board on racing-related matters.

The board of Harness Racing Victoria will make appointments to the Harness Racing Advisory Council. The advisory council will incorporate two members of the board, one of whom will chair the advisory council. This provides a strong link between the advisory council and the board of Harness Racing Victoria.

It is important that governance arrangements of bodies as important as Harness Racing Victoria are robust. This includes having structures in place that can maintain the governance of an organisation in rare circumstances, such as if the entire board resigns or is found to have failed to effectively manage the industry. In such cases it is unlikely that there would be a line of new board members in waiting, appropriately skilled, already identified as appropriate for membership of the Harness Racing Victoria board and ready to be appointed.

Clause 7 of this bill provides for the appointment on the advice of the Minister for Racing of an administrator by the Governor in Council. This could occur if the minister forms a view that 'the Board has failed to efficiently or competently manage the harness racing industry or if it is otherwise in the public interest to do so'. Upon the appointment of a new board, the administrator would cease to fill that role.

As harness racing is part of the competitive wagering industry, the integrity of the code is important, as it is in all codes. The racing integrity commissioner has requested the ability to disclose integrity-related information to Racing Analytical Services Ltd, which obviously provides drug testing services to the racing industry.

Clause 4 of the bill inserts into the Racing Act 1958 a list of organisations to which the racing integrity commissioner can disclose integrity-related information. This list includes a number of federal and state regulatory and industry bodies, including Racing Analytical Services Ltd. Importantly, bringing together in one place the list of bodies to which the racing integrity commissioner can disclose integrity information also improves transparency.

This bill says a lot about the Andrews government. It says the Andrews government keeps its election promises: Labor promised an audit of Harness Racing Victoria and, just a month after the Andrews government was sworn in, the audit was announced. It says the Andrews government will listen to independent expert advice: the government has accepted all recommendations made in the *Report on the Audit of Harness Racing Victoria* by Mr Monteith. It says the Andrews government believes industries in a modern Victoria require modern governance with skills-based boards and a strong voice for industry participants. I support this bill and commend it to the house.

**Mr HIBBINS** (Pahran) — I rise to speak in the debate on the Racing Amendment Bill 2015. I will preface my comments, as other members have, by honouring Bart Cummings, who passed away recently. He had 12 Melbourne Cup wins and was a Member of the Order of Australia and the Australian Racing Hall of Fame. Every sport needs a hero, a champion, a person who essentially embodies that sport, and Bart Cummings was that person for thoroughbred racing.

Turning to the details of the bill, it amends the Racing Act 1958 in relation to the governance arrangements for Harness Racing Victoria by making changes to the composition of the board of that body and setting up an advisory body. It also specifies bodies to which the racing integrity commissioner may disclose integrity-related information, such as racing bodies around the country and the Australian Border Force. The bill also makes other minor and technical amendments, such as changing the address of the GPO in the act.

When doing research regarding this bill I was interested to see that there was some resistance to the original audit. I think the term 'bewilderment' was used by those in the industry, but down the track some very serious reports and very serious allegations of corruption and the involvement of organised crime were made regarding the integrity of harness racing. I give the government a big tick for the audit and for recognising that there was a need for review. I guess that goes to show that even if in the industry people are saying it is A-OK, that is not necessarily the case.

The audit was a high-level review of Harness Racing Victoria and more generally of key components of the harness racing industry in Victoria. It concentrated on sustaining the industry and improving governance and integrity. This bill implements recommendations 1 and 5 of 8 recommendations in relation to the board and the advisory body. There are 18 recommendations in total

as to what the board should be doing to improve governance and integrity. They are provided for in the bill, and presumably they will be overseen by the minister. They are all actions the government should consider.

Recommendation 9 of the report states:

That the government consider the removal of integrity as a function of HRV and the establishment of a separate integrity body for Victorian harness racing.

I understand the government has made a commitment to implement all recommendations arising from this review. I certainly hope that it implements recommendation 9, because separating the regulation from the promotion of a sport is certainly something the Greens support. This issue was given attention earlier this year with the greyhound live baiting scandal. The issue of separating the integrity functions from the other parts of the sport seemed to be lost on the government when it gave Greyhound Racing Victoria an extra \$3 million to self-regulate after GRV's absolutely appalling failure to do so.

When the government was questioned on the issue, it seemed as if it was all okay. Then a report entitled *Investigation into Animal Welfare and Cruelty in the Victorian Greyhound Industry*, by Dr Charles Milne, the chief veterinary officer, was released. The report states:

Greyhound Racing Victoria (GRV) has an important role in promoting the economic interests —

and I think these words are applicable to all racing codes —

of greyhound racing but is also responsible for protecting the welfare of animals in the racing industry. At times judgements have to be made in estimating the risks of an animal welfare problem and the rigour with which enforcement measures are developed and applied. This can lead to conflicts between the concerns for the welfare of greyhounds and the short-term economic needs of some or all parts of the industry.

There are many decisions that the regulatory body must make that collectively have an impact on how animal welfare is regulated. These decisions include whether to proceed with prosecutions, allocation of resources within the organisation, the creation of a supportive culture and management and policy decisions that may impact animal welfare.

The review has concluded that GRV has tended towards a conservative approach to regulating for animal welfare, and that a stronger regulatory approach would be achieved by the separation of the functions of protecting animal welfare and the promotion of the business of greyhound racing in the future.

The fact that animal welfare is a serious integrity issue for the industry is also clear in the *Report on the Audit of Harness Racing Victoria*.

At that time this scandal came to light we called for the sacking of the GRV board, as had happened interstate. It was only sometime later that the board resigned. Clearly there is a need in all racing codes for the splitting of the regulatory function — that integrity function — from the promotional and operational functions of racing bodies.

You could not expect the Greens to let this bill go past without discussing the issue of animal welfare. We believe there is a disappointing lack of focus on animal welfare in the report and the subsequent bill. The legislation is specific about the make-up of the board and the advisory body, and I see amendments and comments have been made in that regard, but one would have thought it would be wise to legislate to have an expert in animal welfare on the advisory body.

**Mr Pearson** interjected.

**Mr HIBBINS** — Unfortunately I do not have to fill time to ensure that I do not go into consideration in detail on my bill, so there is a bit of a difference there.

What we would like to see is a member with animal welfare expertise on that advisory body to ensure that the industry is adequately caring for and is centred around the horse. In terms of the consultation, animal welfare is discussed briefly in a couple of sections of the review. There is an understanding within the industry that a greater focus on animal welfare is required, not just in harness racing but across all racing codes. Vigilance on this matter cannot be understated. We saw in Harness Racing Victoria's response to the original audit that there was a belief that everything was fine, but one simply had to scratch the surface to see that it clearly was not.

I will conclude my remarks — which I know will disappoint the member for Essendon — and in doing so say that there needs to be a stronger focus on animal welfare in harness racing and the racing industry. We do not think this bill or the report it is based on meets that need — certainly it would be appropriate for an animal welfare expert to be part of the advisory body. We also strongly support the establishment of that separate body for integrity in harness racing, as is required across all racing codes. I reiterate the Greens' longstanding position that what we need in Victoria is an independent body to oversee animal welfare in this state. With those remarks, the Greens will not be opposing this bill.

**Ms WARD** (Eltham) — Like others in the house, I would like to begin my speech today by recognising the tremendous work Bart Cummings contributed to the horseracing industry and to our community as a whole. The amount of money, time and energy he contributed to and generated for the horseracing industry should not be underestimated.

Horseracing, thanks to the Melbourne Cup, is a sport much loved by Victorians. Major towns throughout our state all have their own racetracks and individual cup days. Racing is something we take incredibly seriously in this state. Horseracing offers a great opportunity for people to get together and have a lot of fun. It also offers the best opportunity for an odd wager. I have to admit that I am one who looks at the form guide, does not really understand it, then goes for a name or looks to see what the silks are — and of course I look for a red and black silk. Sometimes it works, and sometimes it does not, but it is still fun — I do not take it too seriously. Racing has given my in-laws a lot of fun and joy, with my mother-in-law, Brenda, participating in horseracing syndicates and my father-in-law, Herbie, being a keen Saturday afternoon punter. He bets a couple of bob each way on a number of races. His betting is a lot more skilful than mine; he does have a scientific method.

Creating legislation that evolves with the racing industry and with expectations and practices is very important, and this bill responds to that need. Our great state and this great city are iconically associated with the Melbourne Cup, a race that has been going for nearly 155 years. Victoria's Melbourne Cup Carnival added \$195 million to the state's economy in tourism revenue in 2014, an increase of nearly 10 per cent on 2013 figures. More than 46 000 interstate tourists and 7700 visitors from overseas came to Melbourne for the 2014 carnival. Tourists from 43 different countries visited the city for the carnival, and there was a 133 per cent increase in visitors from Asia. Horseracing generates incredible excitement, money and community feeling for our state.

Racegoers spent an estimated \$31 million on fashion and retail, \$28.4 million on accommodation and \$20.9 million on hospitality. The money spent on fashion, when broken down, is absolutely extraordinary. We bought 62 000 hats and fascinators last year for the horseracing carnival, along with 60 000 pairs of shoes, 50 000 dresses, 30 000 items of jewellery, 27 000 ties, 21 000 handbags, 18 000 suits, 17 000 items of undies, 14 000 shirts, 11 000 pairs of sunglasses and 13 000 pairs of socks and pantyhose. That is pretty extraordinary; these are amazing numbers. As you can see, racing is very important to

our state's economy and to our social calendar. It is a time when we get together, have barbecues, go to the races, dress up and have a lot of fun with each other and enjoy each other's company.

Many families in my electorate use this weekend to go to the races or away on a holiday or camping. Many local schools are closed on the Monday before Cup Day. Having that long weekend is a tremendous boost to our economy and our wellbeing. Social cohesion cannot be underestimated. The amount of time people have to spend with each other to enjoy each other's company, tell stories, share a drink, relax and socialise is very important, and it is an economic measure because it results in better productivity. Happier people work better. Happier people work smarter.

This is what is happening with the AFL Grand Final weekend. Our grand final is just as important as many events on our horseracing calendar, such as the Melbourne Cup, the Caulfield Cup and the Cox Plate. Indeed for some people in our community it is more important. Just like the Melbourne Cup, our whole state stops for the grand final regardless of who people barrack for. In fact during the game I reckon we can see tumbleweeds going down the main streets of all of our communities as everybody — —

**Ms McLeish** — On a point of order, Acting Speaker, the member on her feet has strayed well and truly from the bill. It is about harness racing. We have not got to harness racing, and now we are on the grand final. I ask you to bring the member back to the bill.

**The ACTING SPEAKER (Mr McGuire)** — Order! I ask the member to address the bill.

**Ms WARD** — I am referring to the bill, because I am speaking about the importance of social cohesion and community and the importance that events such as harness racing and the horseracing calendar offer to our community. I am using another event to indicate how important these events are to our community and to our economy. I am very grateful that the member is listening so intently to my speech, and I am glad that I am making such an impact on her. If she continues to listen, she will understand the absolute relevance of what I am saying.

Like harness racing and horseracing, the potential of the grand final should not be forgotten. These event benefit communities because people are able to spend time together, as my in-laws do with their annual Melbourne Cup Day barbecue. These events also benefit the community by increasing our tourism, with more people coming from country Victoria. Those people

will be able to come to Melbourne to watch the grand final parade and see the city come alive with the colours of participating footy teams, which sadly this year will not include my own club — and your club, Acting Speaker — Essendon. Getting people together to celebrate brings our community together, and harness racing, horseracing in general and public holidays in general all do this, including the grand final public holiday.

As I said earlier, Victorians spend a lot of money dressing themselves up to attend races, including harness racing events. Imagine how much money could be spent getting into our team colours to go to the parade, to barbecues, to parties, to pubs, to cafes or to any of the many celebrations that are held over the grand final weekend. Imagine how much money will be spent by those terrible Anti-Football League people, who will be so bored that they will have nothing better to do than go shopping, go to the movies or even go to the zoo.

Like the Spring Racing Carnival, the AFL Grand Final is more than an event; it is a footy festival. To use the words of two great men of Australian sport, Rampaging Roy Slavin and H. G. Nelson, who are also active participants in the racing calendar, we should all be celebrating the festival of the boot. We like to celebrate our footy just as we love to celebrate our horseracing. Even people who never watch a horserace during the year, never look at the form guide or never place a bet participate in Melbourne Cup Day, and pretty much every Victorian does. The grand final is exactly the same. We all get caught up in the festival of the boot, and we all love to celebrate our footy, even when our club has had a dismal season.

Footy is more than a game. It can consume us, it can break our hearts and it can bring us to tremendous highs. The excitement we experience as our horse comes in is almost as good as the euphoria we feel when our team wins a grand final. This is exactly what we see when we watch a race. It is exciting, it gets our blood going, it gets our hearts thumping and it gives us things to talk about. Whether it is harness racing, racing in general or the footy, we have things to talk about, that bring us together and that make us as a community. The great thing is that this legislation will improve the governance of this sport, and I commend the bill to the house.

**Mr PEARSON** (Essendon) — I am delighted to join the debate on the Racing Amendment Bill 2015. Like other members who have spoken on the bill, I acknowledge the great role that Bart Cummings played in the racing industry.

The Racing Amendment Bill 2015 makes several necessary reforms to the Racing Act 1958, including the implementation of key government recommendations from the *Report on the Audit of Harness Racing Victoria*. Firstly, I place on the record that I love the trots; I absolutely reckon the trots are fantastic. For me, it all started watching *The Penthouse Club* in 1978, when they used to broadcast the trots from the showgrounds. To me, the showgrounds were the Circus Maximus of the 1970s. It was absolutely fantastic. As I got older I started going to Moonee Valley. I remember that I took my now wife there in the early 1990s. That event was somewhat like destiny. I remember that a pacer named Lenin was racing, and I put some money on Lenin.

**Mr Wynne** — How did you go on Sunday at the big races?

**Mr PEARSON** — I did well on Saturday. Indeed I did well on Saturday; just don't tell the missus!

I had a dip at this pacer called Lenin, and I thought Lenin had finished well back in the midfield and proceeded to tear up my paper ticket.

**Mr Wynne** — And?

**Mr PEARSON** — Lenin finished third. I realised I had this torn-up ticket, and my now wife had a roll of sticky tape in her handbag. I accessed the sticky tape, put the ticket back together and collected some winnings. I looked at my now wife and thought, 'She's a keeper'.

**Mr Katos** — I draw your attention to the state of the house.

**Quorum formed.**

**Mr PEARSON** — I remember that shortly thereafter my uncle had some pacers. My wife and I were going to fly out the next day to Sydney for a weekend away, and my uncle had this horse running called Hilarion Silk, which came in at 50 to 1. Unfortunately I was an impoverished student at the time.

**Mr Wynne** — What did you make on that?

**Mr PEARSON** — I made about \$50. It was not bad. It was very handy for the trip to Sydney.

On a more serious note, when I was 21 my mother had a very serious cerebral haemorrhage, so I had to drop out of university for six months and support her while she was going through intensive care, high-care nursing

and rehabilitation, and support my dad while he ran the family business. I deferred university for six months because of my responsibilities. I would spend the morning in the hospital and the afternoon working with my dad in the business. I would then go home and cook dinner for my family, but the one thing that I loved doing at that time, and which kept me sane, was going with a mate and my girlfriend, who is now my wife, around the corner to the Burvale Hotel a couple of nights a week to sink jugs and punt on the trots.

In the 21st century people would say, 'The member for Essendon was clearly self-medicating', and I was, but I say that I had a wonderful time sinking jugs of draught at the Burvale and punting on the trots. Honestly, what more could you want? It was a wonderful experience. Talking more broadly about the harness racing industry — —

**Mr Wynne** — The Burvale?

**Mr PEARSON** — Yes, Minister, the Burvale. I love the Burvale. If we had hereditary honours in this place, I would like to be the Duke of the Burvale.

I return to this great industry. This industry contributes \$421 million to the Victorian economy each year and is responsible for generating \$226 million of household income. As others have said, this industry supports nearly 4000 jobs, which is fantastic, and has more than 25 000 active participants. It is also important to recognise the fact that this bill will modernise the government's arrangements for Harness Racing Victoria by amending the board appointment provisions to allow for the appointment of board members with skills beyond the current requirements of business, marketing and industry experience.

This is a really important initiative, and I want to talk about it for a moment. I was the chair of Kindergarten Parents Victoria, which became the Early Learning Association. We had staggered board appointments where people would serve for one or two years. We had forced retirements, which is a good thing for any board. I remember at one point we had an issue where we needed to get a finance person on board, we did not have someone with legal training and we were looking at doing branding, so we needed to get someone with marketing experience.

It was around the time we were heading into the 2010 election. Given my political pedigree, I thought there was an inherent weakness in having me as the chair of the board, so I needed to get someone who had very good Liberal Party contacts and experience to broaden the board out so it was seen as a bipartisan body. I had

the flexibility in the constitution to go out and get the best and brightest as I saw fit to broaden the experience on the board, which is a really important thing. It is important to note that I needed that level of flexibility. If I were chair of the organisation now, I might take a different view, and I might need different skill sets, so it is important to empower boards to have some carriage and control over the sorts of people they need and the skills that are required for the board so there is that level of flexibility.

The bill also provides for the establishment of the Harness Racing Advisory Council, which will be a formal consultative forum with a board that can receive advice from industry representatives with expertise in a broad range of issues. That is really important from a governance point of view. We have to be careful to ensure that these boards do not become almost like self-appointed fiefdoms where they basically self-select and become disconnected from their stakeholders and the constituents they represent. Formalising those arrangements and compelling a board to consult — it is a very good board, so this should not be a real issue anyhow — is sometimes important. We need to have an eye for the future and we need to recognise that circumstances can change from time to time, and therefore we need to cover off every prospect and every permutation and combination. Again, that is important.

The bill amends the act to allow for the appointment of an administrator to manage the harness racing industry in circumstances where the board has failed to competently manage the industry or where it is otherwise in the public interest. Again, having those checks and balances — having those reserve powers — is important because it enables the government to make sure that people do the right thing, that they behave appropriately at all times and that they recognise that if they misbehave, or there are those problems, they face those penalties. That is really important as well.

Another issue relates to the great contribution this industry makes in regional and rural areas. I recently caught up with representatives of Racing Victoria, and they talked about how important it is to have country racetracks that are economically viable and well utilised making a great contribution to this state. The bill emphasises the fact that we have a really important economic driver in these regional centres and regional cities and the importance of being able to drive that economic growth and activity.

The bill also deals with the wagering and entertainment markets and the role that Harness Racing Victoria plays in those markets. Again, it is making sure the industry can change with the times and embrace new technology

and trends. Once upon a time you had to go to a Pub TAB or TAB to place a bet; that is no longer the case. As we change the legislation and look at the industry, we have to find ways to ensure that the industry can embrace those changes. I commend the bill to the house.

**Debate adjourned on motion of Ms SPENCE (Yuroke).**

**Debate adjourned until later this day.**

## NATIONAL ELECTRICITY (VICTORIA) AMENDMENT BILL 2015

*Second reading*

**Debate resumed from 19 August; motion of Ms D'AMBROSIO (Minister for Energy and Resources).**

**Mr SOUTHWICK** (Caulfield) — I rise today to speak on the National Electricity (Victoria) Amendment Bill 2015. The bill amends the National Electricity (Victoria) Act 2005 to grant rights to the Minister for Energy and Resources and consumer or user groups to intervene in appeals against decisions made by the Australian Energy Regulator (AER) under the advanced metering infrastructure order.

I say at the outset that the opposition will not be opposing the bill. The main reason for this is that we on this side of the house came to government in 2010 after a completely botched smart meter implementation project and we had to go about fixing yet another problem.

*Honourable members interjecting.*

**Mr SOUTHWICK** — Members of the government can carry on all they like about this, but ask anyone on the street what they think about the rollout of smart meters, myki, the law enforcement assistance program database, HealthSMART or the desalination plant, all of which had strong technology platforms and in many instances were good ideas at the time. But in order to properly execute a good idea for a technology project, you need to ensure that you have a great plan and strategy in place to implement it.

Over the next three years it will be interesting to see how many technology programs and projects this government will implement to improve and make more efficient the workings of government and government departments. I will take a bet that we will not see many at all. I think you will find that the Treasurer will be holding his chequebook pretty tightly. The Labor Party

has had a poor track record in the past and will certainly not be keen on implementing any new technology platforms, improvements or efficiencies into the future. As the shadow minister for innovation, I say that that is pretty disappointing. Looking into a crystal ball as to where things might be, I think you will find that Victoria has an opportunity to lead the way in some of these areas to ensure that we are utilising technology in the best manner.

We have got some fantastic developers and we have got some great expertise in the ICT arena. I went to the ICT awards last week with the former Minister for Technology, Gordon Rich-Phillips, a member for South Eastern Metropolitan Region in the other place, and the Minister for Small Business, Innovation and Trade. There were so many companies that one after another were getting up and showcasing their works, but unfortunately many of them are heading overseas. Many of them are not investing in Victoria, and the outlook is poor.

The big telecommunications companies are not talking up Victoria. They do not see any opportunity at all in Victoria when it comes to ICT projects, because Labor's reputation in the past has been poor and the current government has not talked to these companies or used their expertise. Microsoft, for example, has a great platform for the health industry. In the past it has worked with a lot of hospitals and currently it is working with a lot of educational facilities. Microsoft was certainly a company that could have been consulted in the HealthSMART rollout. Was it consulted in that rollout? No. Were any of the companies that might currently have a solution to market problems consulted as to what they could provide? The answer is no.

When myki was implemented in our public transport system did we look at some of the companies that already had a platform we could have utilised in Victoria? That is not to say that we would have used old technology, but we could have built from what had been utilised in the past and expanded on it. Was that done? No. We tried to create and build something ourselves. As anyone who has been involved in technology in the past would know, when those sorts of things fail the biggest issue is in the scoping. They fail because if you scope a project with a budget of \$100, build something for \$100 and then say, 'Well, actually we need 10 more things than what we first asked for but the budget is now \$90', you will have to start peeling things from around the seams and you will end up with a pretty unstable platform which does not have the potential bells and whistles that it could have had. If you do not know what you are actually looking for

when you are building a plan, unfortunately you will end up in a mess, which is what happened with smart meters.

The Auditor-General produced a report entitled *Towards a 'Smart Grid'*, which looked at some of the issues concerning smart meters. Under the heading 'Background' the Auditor-General said:

To achieve energy efficiency, and hence a corresponding reduction in carbon emissions, consumers and the electricity industry both need to work together to:

reduce energy demand and waste where appropriate and possible;

promote the efficient use of household appliances, and limit the inefficient use of appliances such as air conditioners and pool filters;

shift consumption patterns to maximise the efficient use of power generating assets and smooth out peak consumption periods, which cause spikes in the cost of electricity and create inefficiencies in the allocation of capital to new generation capacity.

The intent of the introduction of smart meters was absolutely admirable. It was to allow consumers to look at their energy use and ensure that they could plan when they do things and be a bit smarter in the way they utilise their energy. Unfortunately this report was put out in 2009. We are now in 2015 and these smart meters are still not able to provide the information to consumers that they need to make choices about their power usage. It is a huge failure that we had a system that fundamentally was flawed and that after its election in 2010 the coalition had to put in a whole lot of extra dough just to fix it and we are still no better off now. It is the same thing we saw with myki. It is the same thing we saw with HealthSMART, where representatives of the Alfred hospital have said, 'We are not going to worry about working with other hospitals. We are going to spend the next six years working just to get our own hospital right'.

It is sad that we are not showing leadership in this state. It is sad that the government is not showing leadership. We do not have a vision when it comes to ICT, when it comes to technology, when it comes to efficiencies or when it comes to working smarter. Under the heading 'Overall conclusions', in relation to the period when smart meters were first rolled out under the Labor government, the Auditor-General said:

The AMI project has not used the checks and balances that would ordinarily apply to a major investment directly funded by the state. This highlights a gap in the project's accountability framework.

There have been significant inadequacies in the advice and recommendations provided ...

It then goes on to talk about the inefficiencies. The project's governance failed. Under the heading 'Economic merits' the Auditor-General said:

The cost-benefit study behind the AMI decision was flawed and failed to offer a comprehensive view of the economic case for the project. There are significant unexplained discrepancies between the industry's economic estimates and the studies done in Victoria and at the national level. These discrepancies suggest a high degree of uncertainty about the economic case for the project.

The report goes on to say that the project was poorly implemented. So the Labor Party certainly did not get much of a shining light when the Auditor-General had a look at its implementation of the smart meter scheme.

After the Auditor-General's report in 2011, which said the scheme was plagued by poor planning, the coalition government followed up the recommendations and looked at what it could do in terms of fixing the rollout. We invested an additional \$19.8 million to fix some of the problems with the rollout following the Auditor-General's report. We introduced flexible pricing to help maximise the benefits of smart meters for consumers. The Auditor-General stated that \$19.8 million was needed to fix the problems with the Labor smart meter rollout. The previous government undercosted the smart meter rollout by \$415 million.

The Auditor-General also identified that the Labor government failed to communicate the rollout and the benefits of smart meters to consumers. This is a key point. I am sure that all members who were around at that time would recall that up until very recently the phone calls we would get from people saying they did not want these things and they did not understand why they had them. It was when the last piece of work was done by the coalition, which talked about what smart meters could possibly do in terms of choosing low power and efficiencies and how to read and understand your power usage and plan — all of those things — that people started to catch on. But again we were well and truly behind the eight ball.

When the Auditor-General releases the next report, which will be on the benefits of smart meters, it will be interesting to see what they have been since the last report was tabled. I am really looking forward to reading that report. I hope that things have changed, but I suggest that there will probably not be much good news to read in that report either, because unfortunately this has been a very difficult program to manage — —

**Mr Nardella** interjected.

**Mr SOUTHWICK** — The member for Melton can carry on all he likes, but I know that he would have had a number of phone calls from people in his electorate

who would have been very unhappy with the way this scheme was managed. The cost of Labor's rollout has been passed on to consumers — this is the key thing that the member for Melton fails to understand — with some households being slugged up to \$1000 extra on their energy bills over the past five years.

I find this quite interesting. Where else do you find a project that actually makes it easier for industry because you do not need people to go around and read meters? The whole technology platform on which smart meters are based means that you do not need foot soldiers going out there; you can find and manage those efficiencies without them. That is a saving that should go straight back to the industry. However, what has happened — and I am sure that the member for Melton would be concerned about this — was that the cost has been passed straight on to the consumer. So the consumer paid for it, and the distributors benefited from it.

If that was not enough — and this is what this bill is about today — when the rollout took place, using the money that was effectively raised from consumers, it was found that in many instances they fell short of the rollout, and because of poor planning, there was a whole lot of system failure. The rollout could cost about \$2.4 billion.

Victorian households will be forced to pay increased fees of up to \$200 on their electricity bills after the Australian Energy Regulator approved power company requests.

There have been a number of instances where the distributors — and that is what this bill talks about today — have fallen short of the dough to implement the system. They have had to go to the Australian Energy Regulator and say, 'We need more dough' —

**Mr Nardella** — Independent.

**Mr SOUTHWICK** — The member for Melton says 'independent'. But what is happening — I say to the member for Melton and others — is that ultimately, because of poor planning, the consumers in the electorate of Melton have had to cough up more money. What that means — and I am sure the member for Melton would be very concerned about this — is that the likes of Emma King from the Victorian Council of Social Services has said that these increases are devastating for householders. She goes on:

We know families are making choices about putting food on the table or being able to pay their energy bills ...

Now they are being hit with additional bills and charges, which make it harder.

This goes further. We have heard organisations and consumer groups like the Consumer Action Law Centre talk about the increasing number of disconnections over the last five years.

Annual disconnections over unpaid bills have more than doubled in five years. Last financial year, 34 448 residential customers were cut off.

...

Simply Energy noted it had also experienced a 'significant rise' in those applying to hardship programs or failing to pay bills because of rising prices.

The government can carry on all it likes, but when we have a situation where consumers are made to pay for something and they are not getting fair value, the product does not work and ultimately they are charged more money, then what that does is cause more hardship. We on this side of the house — the coalition — are concerned for those who are struggling to pay their bills, and we will be watching as those bills increase and ensuring that those people are represented, because they are not being represented by the member for Melton and others on the other side of the house.

We have many examples of this. We had a situation in March 2015 — again on the Labor Party's watch — where electricity smart meter fees sucked up \$1000 from householder budgets. Bills have increased from \$536 to \$792 in some households. Those using the Jemena network are facing bills of \$1018. People using AusNet Services, which covers regions across the eastern suburbs, the north-east and eastern Victoria, will be hit with \$783 bills. People using United Energy, which covers the east and south-eastern suburbs of Melbourne and the Mornington Peninsula zones, will be hit with \$690. Bills for those in the CitiPower CBD inner suburbs will reach \$654. Those covered by Powercor in the western suburbs, which I am sure the member for Melton will be interested in, will be hit with \$647. What is the member for Melton doing about it? What is the government doing about it? That is what I am asking.

Jemena's Rebecca Harrison has said that 323 000 people paid proportionately more than other networks that were able to spread their costs across more people. Last year the *Herald Sun* revealed that the full bill for the Labor-initiated smart meter program could exceed \$2.4 billion. These are not my words. The *Herald Sun* revealed that the full bill for the Labor-initiated — L-A-B-O-R, just for the member for Melton — smart meter program could exceed \$2.4 billion —

**Mr Nardella** — Why did you stop it? You had four years.

**Mr SOUTHWICK** — The member for Melton said: why did we stop it? That is a foolish comment, which just goes to show his absolute economic silliness. What the member for Melton would not do is to look at a budget or at what has been spent or at a project; instead he would just say, ‘Do you know what? We’ll just tear up the dough because it is not ours. We have not worked for a dollar, so we’ll just spend somebody else’s dollar’. That is a very arrogant comment from the member for Melton. He has no idea.

Let us look at AusNet’s smart meter rebate:

AusNet’s services are offering local customers a \$125 rebate after their smart meters failed to initiate. Totalling almost \$29 million in payments, the power provider was ordered to pay compensation to all those Victorian customers whose smart meters were not yet working.

In June 2015, again under the Labor Party’s watch, the *Mansfield Courier*, stated:

Letters were sent out across the state offering \$125 to consumers because their smart meters were failing to initiate.

Unfortunately many of those customers thought that this could not be real — it could not be real that they would actually be offered a cheque — and thought it was a scam. We have one person here who said she tossed the letters into the bin. She said:

I got the letter and thought it was definitely a scam. Why would they hand me a cheque for \$125? I have since asked for another letter and have been to the post office, where I did get my money.

Some 230 000 AusNet customers were issued a rebate letter with a barcode at the top, redeemable only at Australia Post. It was a \$125 rebate to 160 000 customers in March 2015 simply because the smart meters in this instance did not work. We have a power giant paying \$28.75 million in compensation to hundreds of thousands of customers with smart meters that are not functioning properly due to an unstable IT system. Sound familiar? HealthSMART, myki — I could go on. In all these instances Labor had no idea when it came to implementing technology. The 230 000 AusNet customers will each be paid \$125. The problem is not likely to be resolved until the end of the year, so the Victorian government will again be required to pay eligible customers a \$125 rebate.

There is another example. An article in the *Herald Sun* says:

A smart meter cost blowout threatens to add up to \$520 more to many power bills.

Electricity giant AusNet Services plans to ask for a forecast \$350 million extra from hundreds of thousands of customers ...

It overspent \$70 million last year and wants to pass on most of it. And it forecasts a further \$280 million blowout by the end of next year.

...

The Consumer Action Law Centre said that unreasonable cash grabs had to be resisted.

‘This company seems to have continual blowouts in expenditure and expects consumers to foot the bill’, spokesman Gerard Brody said.

We have all of these examples.

**Mr Richardson** interjected.

**Mr SOUTHWICK** — The member for Mordialloc says, ‘Why are we supporting it?’. You know why we are supporting it: because the legislation talks again about giving consumers the right to appeal all of these increases in prices we have been talking about, and this is something we think is important. It is important that consumers get the right to appeal and that consumers get the opportunity to have a fair voice, so the last thing we would do — —

**Mr Nardella** interjected.

**Mr SOUTHWICK** — The member for Melton can just keep on ranting and carrying on. The last thing we in this house would do is not give consumers a fair go. We believe consumers need a fair go when it comes to prices. That is why we are not opposing this bill.

The current situation is that distributors are able to seek these cost increases. The Australian Energy Regulator has been in place to approve those, but if a distributor is not happy with that increase, it is able to appeal to the Australian Competition Tribunal. In the current system the minister and consumer groups need to seek leave from the AER before they can take up that appeal.

The Consumer Action Law Centre does a great job advocating for consumers, and I have to say that, because I have had a lot to do with it and have had a lot of meetings with it since I have been in this role. I believe that at its heart it has a genuine interest in consumers. We had a forum in my electorate to talk about some of the consumer law risks to be wary of in terms of what people are trying to sell you and what your rights are. We had a ‘know your rights’ forum in my electorate and we had the Consumer Action Law Centre involved in that, so I am a big fan of what it does. I believe consumers need to get the best go of things.

I will give members another example. An ABC news article of 13 December 2014 headed ‘Victorian electricity users to pay increased charges for smart meter cost blowout’ says:

Three out of five of the state’s major energy distributors submitted requests to increase the fees as a result of budget overruns related to the rollout of smart meters.

That is three out of five that have submitted requests for increases. The technology was designed to give people more control over usage, but the Australian Energy Regulator approved a new charge of \$226 from power company Jemima, an increase of 17 per cent on the current fee.

**Mr Pearson** — Jemena.

**Mr SOUTHWICK** — Jemena; I thank the member for Essendon. The charge for AusNet customers increased to \$205, up 28 per cent, while United Energy’s fees increased by 9 per cent. It goes on. Rollout delays also occurred as a result of this.

What we have fundamentally is a program for smart meters, which is a good idea. Again I will say, and I have continued to say, that we should be using technology wherever we possibly can to give people the information needed to make wise energy decisions. That goes without saying. I would hope that eventually we get things right, but there is one thing about technology — it is always changing. It consistently changes.

We have a program that began in 2006. In 2015 we are still trying to get this thing working. What I fear is that by the time consumers actually get information they can use and by the time we have a system in place that actually tells consumers a little bit about what they can do, we will have surpassed the technology and be on to something else and all the money that has been spent will have been wasted and we will have missed the boat. What makes it even more concerning is that we have a government that, I am pretty confident to say, will run as far away as it possibly can from technology projects, because it has poorly implemented technology projects in the past. It poorly implements anything when it comes to technology, and I can assure members that we have a Treasurer over there who will be guarding the chequebook — —

**The DEPUTY SPEAKER** — Order! The time has come for me to interrupt the proceedings of the house. The honourable member will have the call when this matter is next before the house.

**Business interrupted under sessional orders.**

## ADJOURNMENT

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

That the house now adjourns.

### Road Trauma Support Services Victoria

**Mr R. SMITH** (Warrandyte) — My contribution to the adjournment debate is directed to the Minister for Roads and Road Safety. My request to the minister is that he meets with Road Trauma Support Services Victoria (RTSSV) to discuss the need for the services of this fantastic organisation to be offered in selected locations in regional Victoria. I know the minister is familiar with RTSSV and was a strong supporter of its Shine a Light on Road Safety campaign earlier this year, a campaign focused on raising awareness around road safety.

RTSSV not only runs this awareness campaign but provides specialist counselling to a wide range of people affected by road trauma — those involved directly, as well as family, friends and witnesses. No matter what a person’s involvement RTSSV does amazing work in assisting these people in coming to terms with their difficult experiences. In addition, RTSSV also runs education seminars in partnership with the Magistrates Court as a sentencing option to help drivers understand their responsibilities on the road. I attended one of these seminars as an observer and was astounded by the impact it made on those attending. All this amazing and valuable work is undertaken by a very small team and what they collectively achieve is testament to their commitment.

Successive governments have supported RTSSV through funding from the Transport Accident Commission, but what is lacking is a RTSSV presence in regional Victoria, where instances of motor vehicle trauma are extremely high. I urge the minister to look seriously at the work that is currently being done and to understand how beneficial it would be to have this service, which could be rolled out at only moderate expense, readily available across the state. The opposition stands ready to take a bipartisan approach to road safety broadly and to further government support for RTSSV in particular so more Victorians can be helped to deal with the devastating effects of road trauma.

### Geelong Region Innovation and Investment Fund

**Ms COUZENS** (Geelong) — As the member for Geelong I am proud that the Andrews Labor government has committed an additional \$7.5 million

to the Geelong Regional Innovation and Investment Fund. The government made a significant commitment to the people of Geelong in the budget and this has generated a confidence that we did not see under the previous government.

Given the federal government's refusal to invest more in the fund, the Victorian government will assume responsibility for it once existing funds are fully allocated. This matter is for the Minister for Industry. The action I seek is for the minister to provide more information on the Geelong Region Innovation and Investment Fund and how it will help the greater Geelong community well into the future.

### Mount Buffalo Chalet

**Mr McCURDY** (Ovens Valley) — I raise a matter for the Minister for Environment, Climate Change and Water. The action I seek is for the minister to accompany me on a tour of the Mount Buffalo Chalet. The minister is well aware that we have a meeting tomorrow with the action group. She knows that the Mount Buffalo Chalet is an iconic building in the north-east. It is iconic in the view not just of those who live in the north-east, in Myrtleford, Bright, Porepunkah and the surrounding regions, but in fact all of Victoria. People throughout Australia are well aware of Mount Buffalo.

Mount Buffalo Chalet was saved from the horrific fires that swept through the north-east a few years ago, and the previous government assured its ongoing future with insurance money and other contributions and commitments. We know the minister is working hard to ensure that this continues. The Mount Buffalo Chalet action group is extremely supportive and appreciative of the minister's efforts to meet with its members and work through this program. We are asking if the minister could find time in her diary to come to Myrtleford and to the Mount Buffalo National Park to inspect the building with us.

The Mount Buffalo Chalet is one of those buildings you fall in love with once you see it firsthand. It is located on the snow-capped mountains of the Mount Buffalo National Park. The conditions are harsh. It is a harsh environment in the snow, and the building is starting to deteriorate somewhat. As I said, the people in the Ovens Valley community — in Porepunkah, Bright and Myrtleford — are getting quite anxious and are looking for an assurance that the grand old lady that sits on top of Mount Buffalo will be restored soon. Every year that goes by the building slips backwards.

The time line for the project was that it was to begin in 2014 and be completed in 2016. We understand why that has not happened, but if the minister can come up to have a look at the Cresta ski resort, she will see there are opportunities there. We have a couple of investors who are looking to advance that. It will be one major project with the chalet and Cresta ski resort. Tourism creates one in five jobs in our region, and I hope the minister can find the time. I know she is a big supporter of all things outdoors, and if she could accompany me up there in the coming months, I would appreciate that. If she could join some of the members of the community as well, she would see the building firsthand and that would certainly help as we go through this decision-making process.

### Yan Yean Road duplication

**Ms GREEN** (Yan Yean) — I rise tonight to raise the important matter of the much-needed upgrade of Yan Yean Road. The action I seek is for the Minister for Roads and Road Safety to provide a progress report on the early works funded by the government in February and a timetable for community consultation.

The community was pleased that some early works were funded in February to kickstart this great project; \$95 million is the balance of the project. About a month ago I was pleased to host the CEO of VicRoads, John Merritt, who came to see firsthand the early morning peak. I would hazard a guess that very few such senior people in VicRoads would have bothered to come out to see this sort of thing. He spent about an hour and a half not just looking at the awful congestion and the safety hazards on Yan Yean Road — and sadly there have been two deaths in the last month — but he also saw the feeder roads and Bridge Inn Road and Plenty Road and particularly the traffic that comes down that road from Doreen.

Through the minister I would like to express my thanks to the VicRoads CEO, John Merritt, and the new regional director and the other officials who came to see that firsthand. I think they understood the imperative to push the \$95 million that was allocated by this government as far as possible. The initial allocation was to Kurrak Road, which is where the current declaration ends. Sadly over the last four years the declaration that was proposed by the previous Labor government in 2010 was held up by those opposite.

I advise Cr Meralyn Klein, who is a ward councillor in the Shire of Nillumbik, that I note her comments in the update that came from the council this week. She said she had been lobbying shadow ministers about Yan Yean Road. I would like to let the community know

that I have never had any lobbying from Cr Klein, and it is the Labor government that has funded this. I say to Cr Klein that if she wants anything done, she needs to speak to the Labor government, because those opposite spent exactly zero dollars on roads in the Yan Yean electorate and in particular on Yan Yean Road when they were in charge. They also cut bus services, which added to the congestion. I urge the minister to provide a community update.

### Forest industry task force

**Mr BLACKWOOD** (Narracan) — I raise a matter for the Minister for Environment, Climate Change and Water, and the action I seek is for a representative of a hunting association such as the Australian Deer Association or Field & Game to be invited to join the Great Forest National Park task force.

I have recently been informed that hunters and other recreational user groups will be excluded from the Great Forest National Park task force being set up by the Andrews government. Indications are that hunters and other recreational users are likely to be excluded from this process and instead will be consulted after a decision has been made. This is not acceptable given that hunters alone contribute over \$400 million to the state economy, with the Central Highlands being the largest traditional deer hunting area in the state. Recreational deer hunting is an extremely effective and low-cost management tool, assisting government to manage an ever-increasing problem with deer numbers. One would think that hunting organisations would be extremely relevant stakeholders in this process and be invited with other relevant stakeholders to sit at the table of the task force considering this proposal.

There is huge concern for the amenity of the almost 4000 licensed hunters currently permitted to legally and legitimately hunt sambar deer with the use of scent-trailing hounds, along with the thousands of other licensed game hunters who hunt throughout central Victoria with the aid of gundogs and companion dogs. National parks further restrict the areas available for legitimate forms of recreational hunting in an already restricted land tenure arrangement for those who use hounds or dogs for hunting in Victoria. It is insane to think that Parks Victoria has been engaging hunting organisations for highly organised, highly expensive and generally inefficient deer cull programs in other 'non-hunting' national parks and reserves because of the deer numbers reaching pest proportions. Yet now we are looking at a massive tract of land being converted to a national park, potentially creating another massive breeding nursery for deer and

restricting the forms of recreational deer hunting that will be allowed.

If this task force is to be effective, I believe hunters must have representation, along with other relevant stakeholders, to consider all of the potential impacts of this proposal. I call on the minister to review the membership of the task force with a view to including representation from a relevant hunting association such as the Australian Deer Association or Field & Game.

### Pascoe Vale electorate railway stations

**Ms BLANDTHORN** (Pascoe Vale) — I raise a matter for the attention of the Minister for Public Transport. The action I seek is that the minister visit the Pascoe Vale district and inspect the car parking facilities at Coburg, Batman and Merlynston train stations. I understand that the minister has committed \$20 million to upgrade commuter car parking facilities at train stations. Batman, Coburg and Merlynston stations would all benefit significantly from upgrades to their existing infrastructure. In recent years the areas surrounding Batman, Coburg and Merlynston stations have experienced rapid population growth. The expansion of car parking facilities and additional infrastructure at these stations has not been commensurate with this growth. Currently at Batman station there is no designated car park. In the absence of adequate car parking facilities, commuters have to try to park in poorly lit side streets that often are located a substantial distance from the station and are amongst industrial warehouses. This is difficult and it is dangerous. Everyone should feel safe walking from a train station to their car at any time of day or night.

The car parking facilities at Coburg and Merlynston stations also require significant redress. Common themes of concern have emerged regarding the state of car parking facilities at both of those stations. These concerns relate to unsealed car parks, where cars are often scratched and suffer significant damage to their undercarriage; poorly lit side streets in immediate proximity to the train stations, which again make the walk from the car to the station unsafe; and the forlorn state of the car parks of both stations and surrounding infrastructure. As the minister is aware, one way to reduce the congestion on the roads is to encourage more people to use public transport. To do this, a large emphasis must be placed on ensuring that car parking facilities at stations are safe and secure for vehicles and people alike.

### **Horace Petty housing estate kindergarten**

**Mr HIBBINS** (Prahran) — My adjournment matter is for the Minister for Housing, Disability and Ageing, and the action I seek is an urgent upgrade of the kindergarten located on the Horace Petty housing estate in the Prahran electorate. I recently visited the kindergarten, which provides fully funded or heavily subsidised places to over 40 families on the estate. The building does not appear to have been upgraded since it was built in the 1960s. When I visited the kindergarten it was clear the building is in urgent need of an upgrade to provide a safe and inviting space for children and their families on the estate. The building does not have adequate cooling, the bathroom and kitchen are in a state of disrepair, the outside roof leaks and the carpets are stained. The kindergarten's small office is cramped and in need of shelving and is without proper blinds and ventilation. This is only a summary of the many issues which extend much further and affect the day-to-day running of the kindergarten.

The kindergarten provides an invaluable service on the estate and a sense of community. It connects families, puts children and families in touch with necessary services and facilitates a sense of community that is vital to creating a vibrant and inclusive community on the estate. The importance of children attending a kindergarten in those formative years cannot be stressed enough, and particularly a kindergarten such as this one which provides respite and sanctuary to those in need. I urge the minister to provide funding to sufficiently upgrade the kindergarten and create a space where children in Prahran can flourish and can simply feel safe, supported and valued.

### **Bundoora development planning permit**

**Mr BROOKS** (Bundoora) — I wish to raise a matter for the attention of the Minister for Planning. The specific action that I seek is for him to call in an application to amend a planning permit at 1091 Plenty Road, Bundoora. This site was the subject of a previous planning application for a massive development right on the edge of the beautiful Bundoora Park in my electorate. The structure would have had 5 towers, some as high as 10 storeys, and 474 apartment buildings.

The application went to the local council in 2012 with over 600 objections from the local community, and the council refused that permit. The matter then went to the Victorian Civil and Administrative Tribunal (VCAT) in 2013, and unfortunately, despite that number of objections and the opposition of the local council and VicRoads, VCAT decided to grant an amended permit,

which obviously was very disappointing for all the people who live in the community. There is now an application on behalf of the developer to amend the permit by adding another 70 units to the development. This has obviously caused great concern, and my community is seeing this as rubbing salt into the wounds caused by the previous decision.

I ask the minister to see if there is any way that he can intervene in the matter. If he cannot call it in because it does not fit within the framework he has set for the calling in of applications, I ask if there is anything he could do to support the local residents because in 2012 and 2013 the community's pleas to the then Minister for Planning, the now Leader of the Opposition, went unheard.

### **Caulfield Racecourse Reserve**

**Mr SOUTHWICK** (Caulfield) — My adjournment matter is for the Minister for Environment, Climate Change and Water. The action I seek is that the minister undertake an urgent review of the trust of the Caulfield Racecourse Reserve and the Melbourne Racing Club. As we know, some 12 months ago there was an Auditor-General's report on the review of the mechanics of the trust of the Caulfield Racecourse Reserve. Unfortunately there has been little activity since that Auditor-General's report came out. The trust has hardly met and the Melbourne Racing Club has continued on, and it is my understanding that a lease is still not in place in terms of the mechanics of the facility.

This is really important for the future of what is the largest open space in my electorate. It is an under-utilised space where there should be more sporting activity, which I have called for on numerous occasions. The city of Glen Eira has the least amount of open space of any municipality. This is a great opportunity for the minister to work with me and others to ensure that we get a result. The Glen Eira council has been calling for some action for some time. I know that racing is fundamental to Caulfield and that we need to ensure there is a permanent site where racing has a home, but there is uncertainty with the lease and a lack of action, and this is a missed opportunity. The centre of the racecourse is hardly frequented or used by the people of Caulfield, and we really need some action.

I suggest that there be a complete review of the trust and that the minister look at working together with me as the local member to see what we can do to ensure that the findings of the Auditor-General's report are implemented, that there is transparency going forward, that ultimately the people of Caulfield get the best

possible facility and the best use of open space and that the future of racing is guaranteed.

### **Narre Warren South electorate sports clubs**

**Ms GRALEY** (Narre Warren South) — My adjournment matter is for the Minister for Sport and concerns sports clubs in my electorate. The action I seek is that the minister visit my electorate to see firsthand the many challenges facing our local sports clubs — clubs that I have had the great pleasure of working closely with over the past nine years as they have grown and helped shape our community.

The Berwick Springs Netball Club, which was established in 2009, is now the largest and fastest growing netball club in the city of Casey. The club currently shares its clubrooms with the Berwick Springs football and cricket clubs. Unfortunately these clubrooms do not have female-only change rooms or toilets, and there is only a single court for the netball club to use. This has forced its 55 junior and senior teams to train and play at local schools and other sporting grounds. That situation is simply unfair on the club and its fanatic players.

The Hampton Park Bowls Club faces a similar situation. Its two bowling greens were damaged by severe flooding in 2012, and while one green was replaced, the other was only repaired. These repairs have failed, and the club is now able to use only the one bowling green. The club has recently been promoted to divisions 1 and 3 and will need to increase its membership to remain in these divisions. With only the one green, this will be very hard to do.

Hampton Park is also home to football, netball and cricket clubs that share facilities at Robert Booth Reserve, facilities which are sadly quite old and in a state of disrepair. The clubrooms, canteen, change rooms and toilets, lighting and seating all require replacement or repair. The netball club has only one court to play and train on and would like to construct a second one to accommodate the significant growth it is experiencing.

Just last season the Hampton Park Cricket Club took on newly arrived Sri Lankan refugees as part of its E-grade synthetic team. The club generously covered the costs of the subscription fees, new cricket balls, equipment, post-match events and membership fees for the refugees. The players were also provided with the club's E-grade equipment kit at the beginning of the season, which is valued at between \$1200 and \$1500. This equipment must now be replaced, and the club is

seeking much-needed financial assistance to ensure that its players have the very best equipment.

These are all fantastic local sports clubs that give so much back to the local community. I hope the minister will join with me and take the opportunity to hear firsthand from the wonderful people who make up these clubs.

### **Responses**

**Ms D'AMBROSIO** (Minister for Industry) — I wish to acknowledge and thank the member for Geelong for her request for more information on the Geelong Region Innovation and Investment Fund. As she knows, the government went to the last election with a clear commitment to put \$7.5 million in additional funds into the Geelong fund because it knows there is a lot more work that needs to be done to assist Geelong to transition away from what is a very difficult situation with the decline of auto industry jobs — and that is of course on the back of the decline of Alcoa. I am pleased to say that our government will go it alone. We will take over the administration of the new component of the Geelong fund because unfortunately the federal government has refused to provide additional funds for what was a joint approach before this year. However, we will continue the fund and administer it in a way that will benefit the local community.

Before opening up the new funds the government will be reviewing the guidelines to ensure that the fund best meets the needs of the local communities in each region. I will also be consulting widely with those in the local community, including key stakeholders, business operators and of course workers. I look forward to hearing people's views about how we can ensure that the fund is well structured and as responsive as it needs to be to get the most out of jobs and investment in local areas. I understand that the member for Geelong will be hosting a stakeholder round table later in the month to hear the views of her local community, and I wish to acknowledge the terrific work she does in representing that community.

That stakeholder round table will be very helpful to the government in ensuring that we have the guidelines that drive money and investment in a way that grows jobs. That is what this government is all about — investing in jobs and investing in our future. We need to make sure that we keep doing that. We are very keen to ensure that this fund works as well as it can and as well as it should. I thank the member for her active support and assistance in developing the funding guidelines in a way that is responsive to her community.

**Ms NEVILLE** (Minister for Environment, Climate Change and Water) — The member for Ovens Valley raised the issue of the Mount Buffalo Chalet. I am looking forward to meeting with him and a local delegation tomorrow in relation to the chalet. The chalet has been closed since 2007 largely due to the high cost of maintenance and operation. It has been a long-running issue, and all efforts to get anyone interested in a 50-year lease to do up the chalet have been unsuccessful. Through a mix of insurance money and regional development money, the former government committed just over \$7 million in funding to do some works there. Unfortunately when it went out to tender it fell considerably short — millions of dollars short — of the actual cost of doing that maintenance. The original intention was to build a cafe in the chalet which would become part of the ability to offset some of the maintenance costs. However, even at the high rate that tender came in, it is not going to be possible to open a functioning cafe.

The former government was told in 2013 that that was not going to be enough money, so Parks Victoria has been in the process of negotiating the cost down. The lowest option, however, is still millions of dollars over budget. I will work closely with the member for Ovens Valley and also with the local community to see what we can do. I understand the major concerns and the commitment the parties have to the chalet, and I look forward to tomorrow's meeting.

The member for Narracan raised the issue of the industry task force. He called it the Great Forest National Park task force. That is not correct. It is not a national park task force; it is a forest industry task force, and it is about looking at the issue of what we do with the future of the forest industry, not just in native forests but also more broadly across Victoria. The right people are sitting around the table, including people from the Victorian Association of Forest Industries, and the workers and the environment groups are represented. If out of that came a decision to move out of native forest logging in any form and a proposal to establish a national park or any other park, whether it be state or otherwise, there would be a proper process that would engage the hunters, the shooters and the recreational groups. They need to be at the table, but we are way off that decision at the moment. It is about the future of the industry.

I thank the member for Caulfield for raising an issue about the Melbourne Racing Club and the trust arrangements that are in place for Caulfield Racecourse Reserve. He is correct in pointing out that the Auditor-General raised serious concerns in relation to the way the structure of that trust was established and

the potential for real conflicts of interest that exist. I have had representation from the member for Caulfield and the member for Bentleigh, who is a former trust member, about some of those issues.

We have appointed new board members in order to get the trust up and functioning again. The trust and the Melbourne Racing Club are currently doing strategic land use plans for the park. That of course does not address the main issue. We have looked at a range of options for what we could do regarding the governance arrangement, and legislative changes are required. As I have indicated to the member for Caulfield, I am keen to work with him as the local member and also with a representative from the opposition and people from outside on trying to get a long-term solution and a new governance arrangement for Caulfield.

Members raised a range of issues for a number of ministers, and I will pass those on to those ministers.

**The DEPUTY SPEAKER** — Order! The house is now adjourned.

**House adjourned 7.27 p.m.**

