

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Wednesday, 26 October 2011

(Extract from book 15)

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

By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AO, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

| | |
|--|-----------------------------------|
| Premier and Minister for the Arts | The Hon. E. N. Baillieu, MP |
| Deputy Premier, Minister for Police and Emergency Services, Minister for Bushfire Response, and Minister for Regional and Rural Development. | The Hon. P. J. Ryan, MP |
| Treasurer | The Hon. K. A. Wells, MP |
| Minister for Innovation, Services and Small Business, and Minister for Tourism and Major Events | The Hon. Louise Asher, MP |
| Attorney-General and Minister for Finance | The Hon. R. W. Clark, MP |
| Minister for Employment and Industrial Relations, and Minister for Manufacturing, Exports and Trade | The Hon. R. A. G. Dalla-Riva, MLC |
| Minister for Health and Minister for Ageing | The Hon. D. M. Davis, MLC |
| Minister for Sport and Recreation, and Minister for Veterans' Affairs | The Hon. H. F. Delahunty, MP |
| Minister for Education | The Hon. M. F. Dixon, MP |
| Minister for Planning | The Hon. M. J. Guy, MLC |
| Minister for Higher Education and Skills, and Minister responsible for the Teaching Profession | The Hon. P. R. Hall, MLC |
| Minister for Multicultural Affairs and Citizenship | The Hon. N. Kotsiras, MP |
| Minister for Housing, and Minister for Children and Early Childhood Development. | The Hon. W. A. Lovell, MLC |
| Minister for Corrections, Minister for Crime Prevention and Minister responsible for the establishment of an anti-corruption commission | The Hon. A. J. McIntosh, MP |
| Minister for Public Transport and Minister for Roads | The Hon. T. W. Mulder, MP |
| Minister for Ports, Minister for Major Projects, Minister for Regional Cities and Minister for Racing | The Hon. D. V. Napthine, MP |
| Minister for Gaming, Minister for Consumer Affairs, and Minister for Energy and Resources | The Hon. M. A. O'Brien, MP |
| Minister for Local Government and Minister for Aboriginal Affairs. | The Hon. E. J. Powell, MP |
| Assistant Treasurer, Minister for Technology and Minister responsible for the Aviation Industry | The Hon. G. K. Rich-Phillips, MLC |
| Minister for Environment and Climate Change, and Minister for Youth Affairs | The Hon. R. Smith, MP |
| Minister for Agriculture and Food Security, and Minister for Water. | The Hon. P. L. Walsh, MP |
| Minister for Mental Health, Minister for Women's Affairs and Minister for Community Services | The Hon. M. L. N. Wooldridge, MP |
| Cabinet Secretary | Mr D. J. Hodgett, MP |

Legislative Council committees

Privileges Committee — Ms Darveniza, Mr D. M. Davis, Mr P. R. Davis, Mr Hall, Ms Lovell, Ms Pennicuik and Mr Scheffer.

Procedures Committee — The President, Mr Dalla-Riva, Mr D. M. Davis, Mr Hall, Mr Lenders, Ms Pennicuik and Mr Viney

Legislative Council standing committees

Economy and Infrastructure Legislation Committee — Mr Barber, Ms Broad, Mrs Coote, #Ms Crozier, Mr Drum, Mr Finn, #Mr Ondarchie, Ms Pulford, Mr Ramsay and Mr Somyurek.

Economy and Infrastructure References Committee — Mr Barber, Ms Broad, Mrs Coote, #Ms Crozier, Mr Drum, Mr Finn, #Mr Ondarchie, Ms Pulford, Mr Ramsay and Mr Somyurek.

Environment and Planning Legislation Committee — Mr Elsbury, #Mr Finn, #Ms Hartland, Mrs Kronberg, Mr Ondarchie, Ms Pennicuik, #Mrs Petrovich, Mrs Peulich, Mr Scheffer, *Mr Tarlamis, Mr Tee and Ms Tierney.

Environment and Planning References Committee — Mr Elsbury, #Mr Finn, #Ms Hartland, Mrs Kronberg, Mr Ondarchie, Ms Pennicuik, #Mrs Petrovich, Mrs Peulich, Mr Scheffer, Mr Tee and Ms Tierney.

Legal and Social Issues Legislation Committee — Ms Crozier, Mr Elasmr, #Mr Elsbury, Ms Hartland, Ms Mikakos, Mr O'Brien, Mr O'Donohue, Mrs Petrovich, #Mr Ramsay and Mr Viney.

Legal and Social Issues References Committee — Ms Crozier, Mr Elasmr, #Mr Elsbury, Ms Hartland, Ms Mikakos, Mr O'Brien, Mr O'Donohue, Mrs Petrovich, #Mr Ramsay and Mr Viney.

* *Inquiry into Environment Protection Amendment (Beverage Container Deposit and Recovery Scheme) Bill 2011*

Participating member

Joint committees

Dispute Resolution Committee — (*Council*): Mr D. Davis, Mr Hall, Mr Lenders, Ms Lovell and Ms Pennicuik. (*Assembly*): Ms Allan, Mr Clark, Ms Hennessy, Mr Holding, Mr McIntosh, Dr Naphine and Mr Walsh.

Drugs and Crime Prevention Committee — (*Council*): Mr Leane, Mr Ramsay and Mr Scheffer. (*Assembly*): Mr Battin and Mr McCurdy.

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

Education and Training Committee — (*Council*): Mr Elasmr and Ms Tierney. (*Assembly*): Mr Crisp, Ms Miller and Mr Southwick.

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

Environment and Natural Resources Committee — (*Council*): Mr Koch. (*Assembly*): Mr Bull, Ms Duncan, Mr Pandazopoulos and Ms Wreford.

Family and Community Development Committee — (*Council*): Mrs Coote and Ms Crozier. (*Assembly*): Mrs Bauer, Ms Halfpenny, Mr McGuire and Mr Wakeling.

House Committee — (*Council*): The President (*ex officio*) Mr Drum, Mr Eideh, Mr Finn, Ms Hartland, and Mr P. Davis.. (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Ms Campbell, Mrs Fyffe, Ms Graley, Mr Wakeling and Mr Weller.

Law Reform Committee — (*Council*): Mrs Petrovich. (*Assembly*): Mr Carbines, Ms Garrett, Mr Newton-Brown and Mr Northe.

Outer Suburban/Interface Services and Development Committee — (*Council*): Mrs Kronberg and Mr Ondarchie. (*Assembly*): Ms Graley, Ms Hutchins and Ms McLeish.

Public Accounts and Estimates Committee — (*Council*): Mr P. Davis, Mr O'Brien and Mr Pakula. (*Assembly*): Mr Angus, Ms Hennessey, Mr Morris and Mr Scott.

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

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

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

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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

President: The Hon. B. N. ATKINSON

Deputy President: Mr M. VINEY

Acting Presidents: Ms Crozier, Mr Eideh, Mr Elasmr, Mr Finn, Mr O'Brien, Ms Pennicuik, Mr Ramsay, Mr Tarlamis

Leader of the Government:

The Hon. D. M. DAVIS

Deputy Leader of the Government:

The Hon. W. A. LOVELL

Leader of the Opposition:

Mr J. LENDERS

Deputy Leader of the Opposition:

Mr G. JENNINGS

Leader of The Nationals:

The Hon. P. R. HALL

Deputy Leader of The Nationals:

Mr D. DRUM

| Member | Region | Party | Member | Region | Party |
|--------------------------------------|----------------------------|--------|------------------------------------|----------------------------|--------|
| Atkinson, Hon. Bruce Norman | Eastern Metropolitan | LP | Leane, Mr Shaun Leo | Eastern Metropolitan | ALP |
| Barber, Mr Gregory John | Northern Metropolitan | Greens | Lenders, Mr John | Southern Metropolitan | ALP |
| Broad, Ms Candy Celeste | Northern Victoria | ALP | Lovell, Hon. Wendy Ann | Northern Victoria | LP |
| Coote, Mrs Andrea | Southern Metropolitan | LP | Mikakos, Ms Jenny | Northern Metropolitan | ALP |
| Crozier, Ms Georgina Mary | Southern Metropolitan | LP | O'Brien, Mr David Roland Joseph | Western Victoria | Nats |
| Dalla-Riva, Hon. Richard Alex Gordon | Eastern Metropolitan | LP | O'Donohue, Mr Edward John | Eastern Victoria | LP |
| Darveniza, Ms Kaye Mary | Northern Victoria | ALP | Ondarchie, Mr Craig Philip | Northern Metropolitan | LP |
| Davis, Hon. David McLean | Southern Metropolitan | LP | Pakula, Hon. Martin Philip | Western Metropolitan | ALP |
| Davis, Mr Philip Rivers | Eastern Victoria | LP | Pennicuik, Ms Susan Margaret | Southern Metropolitan | Greens |
| Drum, Mr Damian Kevin | Northern Victoria | Nats | Petrovich, Mrs Donna-Lee | Northern Victoria | LP |
| Eideh, Mr Khalil M. | Western Metropolitan | ALP | Peulich, Mrs Inga | South Eastern Metropolitan | LP |
| Elasmr, Mr Nazih | Northern Metropolitan | ALP | Pulford, Ms Jaala Lee | Western Victoria | ALP |
| Elsbury, Mr Andrew Warren | Western Metropolitan | LP | Ramsay, Mr Simon | Western Victoria | LP |
| Finn, Mr Bernard Thomas C. | Western Metropolitan | LP | Rich-Phillips, Hon. Gordon Kenneth | South Eastern Metropolitan | LP |
| Guy, Hon. Matthew Jason | Northern Metropolitan | LP | Scheffer, Mr Johan Emiel | Eastern Victoria | ALP |
| Hall, Hon. Peter Ronald | Eastern Victoria | Nats | Somyurek, Mr Adem | South Eastern Metropolitan | ALP |
| Hartland, Ms Colleen Mildred | Western Metropolitan | Greens | Tarlamis, Mr Lee Reginald | South Eastern Metropolitan | ALP |
| Jennings, Mr Gavin Wayne | South Eastern Metropolitan | ALP | Tee, Mr Brian Lennox | Eastern Metropolitan | ALP |
| Koch, Mr David Frank | Western Victoria | LP | Tierney, Ms Gayle Anne | Western Victoria | ALP |
| Kronberg, Mrs Janice Susan | Eastern Metropolitan | LP | Viney, Mr Matthew Shaw | Eastern Victoria | ALP |

CONTENTS

WEDNESDAY, 26 OCTOBER 2011

Bushfires: Dandenong Ranges 3961
Responses 3962

PETITIONS

Rail: Laburnum service..... 3921

DISTINGUISHED VISITORS 3921

PAPERS 3921

QUESTIONS WITHOUT NOTICE

Moonee Valley Racecourse: development..... 3921

Housing: affordability..... 3922

City of Ballarat: civic hall..... 3922, 3923

Royal Children's Hospital: opening..... 3923

Department of Human Services: director of housing 3923, 3924

Manufacturing: western suburbs..... 3924

Victorian certificate of applied learning: funding..... 3925

Children's Week..... 3925

Children: Take a Break program 3926

Biotechnology: government initiatives 3926

QUESTIONS ON NOTICE

Answers 3927

MEMBERS STATEMENTS

Occupy Melbourne protest..... 3927

Centre for sustainable water management: opening..... 3927

Cricket Victoria: Parliament House visit 3928

Torquay: secondary college..... 3928

National Bandanna Day 3928

Parliament: information technology..... 3928

Insurance: fire services levy..... 3929

Agricultural shows: Sunbury and Maldon 3929

University of the Third Age: Darebin 3929

St Mary's House of Welcome..... 3929

fOrT youth centre, Geelong 3930

Jayco Herald Sun Tour 3930

Ocean Grove soccer club: lighting 3930

Country Fire Authority: Belmont brigade..... 3930

Committee for Bellarine: symposium 3930

Western suburbs: hospitals..... 3930

Australian Year of the Farmer..... 3930

Williamstown Masonic Centre..... 3931

Movember..... 3931

Small business: government support 3931

Gippsland Carers Association: funding 3931

Mornington: Tidy Towns awards 3932

PRIVILEGES COMMITTEE

Reference 3932

PRODUCTION OF DOCUMENTS 3944

YOUTH: GOVERNMENT FUNDING 3952

ADJOURNMENT

Wine industry: smoke taint..... 3958

Victorian Women's Honour Roll: nominations..... 3958

Snobs Creek discovery centre: future 3959

Alpine National Park: cattle grazing..... 3959

Youth: mentoring programs..... 3960

City of Brimbank: elections..... 3960

Rail: Epping service..... 3961

Wednesday, 26 October 2011

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 7.04 p.m. and read the prayer.

PETITIONS

Following petition presented to house:

Rail: Laburnum service

To the Legislative Council of Victoria:

The petition of certain citizens of the state of Victoria draws the attention of the Legislative Council to implications of the new train timetable on the Belgrave and Lilydale lines that has dramatically reduced the services at Laburnum station with fewer services to the city from 7.30–9.00 a.m. as more trains run express through the station. This is causing inconvenience to commuters.

The petitions therefore request the reintroduction of express services that stop at Laburnum station.

By Mr LEANE (Eastern Metropolitan)
(7 signatures).

Laid on table.

DISTINGUISHED VISITORS

The PRESIDENT — Order! I take this opportunity to acknowledge the presence in the gallery of one of our former comrades Mr Peter Kavanagh, who served with distinction in the last Parliament as a Democratic Labor Party representative. I welcome Mr Kavanagh. I trust he will find question time — —

Mrs Coote — Hasn't changed!

The PRESIDENT — Order! It is a little better.

PAPERS

Laid on table by Clerk:

Auditor-General's Reports on —

Procurement Practices in the Health Sector, October 2011.

TAFE Governance, October 2011.

Commissioner for Environmental Sustainability — Minister's report of receipt of 2010–11 report.

Melbourne Convention and Exhibition Trust — Report, 2010–11.

National Parks Act 1975 — Report on the working of the Act, 2010–11.

Professional Standards Council — Report, 2010–11.

Public Prosecutions Office — Report, 2010–11.

Royal Botanic Gardens Board — Report, 2010–11.

Statutory Rule under the following Act of Parliament:

Transport (Compliance and Miscellaneous) Act 1983 — No. 114.

Trust for Nature (Victoria) — Report, 2010–11.

VicFleet Pty Ltd — Minister's report of receipt of 2010–11 report.

QUESTIONS WITHOUT NOTICE

Moonee Valley Racecourse: development

Mr EIDEH (Western Metropolitan) — My question is to the Minister for Planning. The Moonee Valley Racing Club is proposing to build four 20-storey towers to house a minimum of 6000 people on its site. Can the minister provide details of who will cover the costs associated with the increased burden on public infrastructure?

Hon. M. J. GUY (Minister for Planning) — Mr Eideh is correct; it is a proposition from the Moonee Valley Racing Club, and it is a proposition that will be managed by the local council. It is one that will follow a course set by that council including an application to it, and it is one that I do not have any association with.

Supplementary question

Mr EIDEH (Western Metropolitan) — My supplementary question is: what is the government's long-term plan for population growth for suburbs in close proximity to Melbourne's CBD like Moonee Valley?

The PRESIDENT — Order! Would Mr Eideh be able to rephrase the supplementary question? I am concerned that it is very wide, and I think it strays quite significantly from the parameters of his original question to the minister. I will give the member a chance to reword it to some extent.

Mr EIDEH — I want to ask the minister about planning proposals. We have population growth, and I want to know if there are any plans for suburbs close to the CBD like Moonee Valley to accommodate this sort of infrastructure.

Hon. M. J. GUY (Minister for Planning) — Again, I thank Mr Eideh for his question and for his interest in the issue around the Moonee Valley Racecourse proposal. I note some comments from the former Minister for Planning and now member for Essendon in the other place around high-density proposals for that area. I am very sure he does not have the credibility to be making claims around who may or may not be the responsible authority for that site.

In relation to Mr Eideh's substantive question, I say again that this will be a matter that will be determined by the Moonee Valley City Council. In relation to the supplementary question, I say that this government has a very clear agenda for activities area development around defining those activities areas and around giving councils and the state government a good working relationship to ensure that we protect existing streetscapes outside defined activities areas, which is why we have proposed and are working on our code assessment regime and on reforming our residential zone regime.

Housing: affordability

Mr FINN (Western Metropolitan) — My question is directed to the Minister for Planning, and I ask: can the minister inform the house how the Baillieu government is acting to tackle Melbourne's housing supply shortages and combat housing unaffordability?

Hon. M. J. GUY (Minister for Planning) — I thank my colleague and good friend Mr Finn for that question about housing affordability. It should be noted that Mr Finn, Mr Elsbury and I were recently at a launch for the Allura development in Truganina South, which is in Western Metropolitan Region. The precinct structure plan is part of this government's plans to bring forward growth in our outer urban areas.

Honourable members interjecting.

Hon. M. J. GUY — It was one of those launches that did not actually have cucumber sandwiches. It was a good launch, but there were no cucumber sandwiches. Speaking of cucumber sandwiches, I was amazed to see how many members of the Socialist Left were at Government House today. Just in passing, President, I have learnt never get between a socialist and a cucumber sandwich!

The development which I launched is a fantastic boost for affordability in Melbourne's west, and I pay tribute to the good work done by the Wyndham City Council and of course Stockland for bringing forward this development in a precinct structure plan which I had

approved at the start of the year. The development has 1100 lots, will bring forward around 3450 new residents and is part of the government's plan to bring 50 000 lots through the precinct structure plan process to tackle issues of affordability and demand and supply right at the root cause.

The precinct structure plan in the Truganina South area provides tens of millions of dollars for local road upgrades. As the two members for Western Metropolitan Region who joined me that day, Mr Finn and Mr Elsbury, would be aware, it is of great importance to people from the western suburbs and of course to the mayor, John Menegazzo, who is doing as much as he can as the local mayor to ensure that we are bringing forward both land supply for people who want to move to Melbourne's fast-growing western suburbs and the infrastructure that is so necessary to make these developments work.

In the precinct structure plan that I approved, with the Allura development being a part of the Truganina South precinct structure plan, new schools are proposed, there are open space requirements and, as I said, tens of millions of dollars for road infrastructure, which is very important.

This development will provide 2500 jobs, at a time when Victoria's economy needs those jobs in Melbourne's outer west. It is important to have sustained job growth, and this government takes that job growth seriously. It will generate 800 continuing jobs in Melbourne's outer suburbs where there should be jobs, decentralised and located in places where people work and which are close to people's homes.

I pay tribute to Stockland and the work it has done; my colleagues, Mr Finn and Mr Elsbury, for their continuing focus on bringing affordability and infrastructure to Melbourne's western suburbs; the work of the Wyndham City Council; and of course my own department and the Growth Areas Authority for focusing on 50 000 lots to ensure that supply issues are dealt with, Melbourne's fast-growing population can be managed and managed well, we can make sure that population and housing affordability targets are reached and that young people and new communities have a place to live in what is Australia's greatest city.

City of Ballarat: civic hall

Mr BARBER (Northern Metropolitan) — My question is for the Minister for Planning. On 114 occasions this year the minister has intervened into local government planning schemes. Will the minister be intervening to save the Ballarat civic hall?

Hon. M. J. GUY (Minister for Planning) — I thank Mr Barber for his question. He might have asked me when we were at Government House this afternoon. I just say in relation to this matter that it is one for the City of Ballarat, and I expect it to resolve it.

Supplementary question

Mr BARBER (Northern Metropolitan) — It is not quite all over to the City of Ballarat, is it? A question and answer sheet, which the City of Ballarat has on its website, points to the necessary involvement of the minister in further planning amendments to allow for the commercial aspects of the development, for the Minister for Local Government and perhaps the Treasurer to be involved in the borrowing and entrepreneurial aspects and for the Minister for Environment and Climate Change, Ryan Smith, to be involved in land regarding subdivision. Mr Guy's colleague Mr Ramsay is out there saying a lot of words about this development, but nobody is quite sure what they mean. When is it that the government and Mr Guy, from his perspective and his role in the development, will tell the people of Ballarat whether the government does or does not support this development?

Hon. M. J. GUY (Minister for Planning) — I thank Mr Barber for his question. I say again very clearly in case Mr Barber has any misunderstandings: it is for Ballarat City Council to resolve where it wants to put its civic offices.

Mr Barber interjected.

Hon. M. J. GUY — Listen to me; you asked me a question. Where Ballarat City Council wants to locate its civic offices is up to Ballarat City Council. It is not up to the state government to determine where the council wants to locate its civic offices; it is up to the council. If Ballarat City Council chooses to demolish a city hall, it can issue a demolition permit for that. It does not need to be issued by me, by the Assistant Treasurer, by the Treasurer, by a member for Western Victoria Region or by the environment minister. It is a matter for Ballarat City Council, and that is what the government has said in relation to the city hall, which Mr Barber asked me about in the substantive question. My answer is as it stands from the substantive question.

Royal Children's Hospital: opening

Mrs PEULICH (South Eastern Metropolitan) — My question is directed to the Minister for Health, who is also the Minister for Ageing. Can the minister inform the house of recent events at the Royal Children's Hospital?

Hon. D. M. DAVIS (Minister for Health) — I thank the member for her question and indicate that, as most members in the house would be aware, Her Majesty the Queen toured the new Royal Children's Hospital today and unveiled a plaque announcing the opening. This in a sense completed a cycle, because she opened the current children's hospital in 1963. Most Victorians thought that was a very good step. The \$1 billion Royal Children's Hospital has a proud 140-year history.

Mr Lenders — What did Dame Elisabeth Monash think of that?

Hon. D. M. DAVIS — Dame Elisabeth Murdoch thought it was a very good outing, and the Murdoch Childrens Research Institute is a significant contributor to the children's hospital. Most Victorians — and you might think most people — would be very proud to see this hospital opened, and I think that was the overwhelming view of Victorians today. I know the young Victorians who are having treatment at the hospital and who met the Queen and Prince Philip also very much enjoyed that, and certainly that was the feedback from a number of them. To see the faces of a number of those younger people as they met the Queen was quite extraordinary.

The hospital has many firsts — not only the sculptures, the aquarium and the meerkat enclosure but also, very importantly, the way in which the facility was constructed. The involvement of the private sector was important and has delivered this project on time and on budget. It is a great outcome, and all Victorians will be proud today. Frankly, this is an activity that has gone over three governments, and it is something that I think — —

Mr Lenders — Three!

Hon. D. M. DAVIS — Three, indeed — Bracks, Brumby and Baillieu. I think all Victorians are proud of the bipartisan approach that has been adopted at the Royal Children's Hospital.

Department of Human Services: director of housing

Ms BROAD (Northern Victoria) — My question is to the Minister for Housing. I refer to the minister's previous answers regarding the director of housing, Margaret Crawford, who is appointed by statute, and to the minister's members statement on 11 October, and I ask: is the minister telling the house unequivocally that neither she nor any member of her ministerial staff played any direct role or any indirect role in Ms Crawford vacating the role of director of housing?

Hon. W. A. LOVELL (Minister for Housing) — I can give my guaranteed word that I did not play any role in Margaret Crawford being on secondment at the ministry of transport, nor in her current appointment in her role at the Department of Human Services. There has been no interference from me or my staff.

Supplementary question

Ms BROAD (Northern Victoria) — I thank the minister for her answer and her assurance on her own behalf and on behalf of her staff, and I ask: will the decision on who fills the position as director of housing on an ongoing basis need to be approved by the minister, or will it be a matter for the secretary of the minister's department without any reference to the minister?

Hon. W. A. LOVELL (Minister for Housing) — I have outlined the — —

Honourable members interjecting.

Hon. W. A. LOVELL — Ms Broad is obviously not interested in an answer. I earlier outlined in the house the process for the appointment of the director of housing, and that is the process under which a director of housing is appointed.

Manufacturing: western suburbs

Mr ELSBURY (Western Metropolitan) — My question this evening is to the Minister for Manufacturing, Exports and Trade, the Honourable Richard Dalla-Riva. I ask: can the minister update the house on any recent exciting developments in manufacturing in Melbourne's west?

Honourable members interjecting.

The PRESIDENT — Order! It would be best if the minister did not interrupt himself.

Hon. R. A. DALLA-RIVA (Minister for Manufacturing, Exports and Trade) — President, I was just responding to their interjections, but I accept that this — —

Honourable members interjecting.

Hon. R. A. DALLA-RIVA — The member asked a question on an important issue, because unlike those opposite we do not ignore Melbourne's west or take it for granted. We know there has been a long history with Brimbank and others.

Mr Elsbury had the privilege of joining me at Extrusions Australia in Truganina to open an \$11.5 million manufacturing plant.

Hon. M. P. Pakula interjected.

Hon. R. A. DALLA-RIVA — At least I fully disclosed, unlike Mr Pakula, who has a trust. We do not know what is in the trust, so Mr Pakula should not tell us what he has not got when we do not know what he have got. If he wants to be fair dinkum, he should disclose what he has got in his trust, and then we will know.

Anyway, I was very pleased to be joined by Mr Elsbury, who is a member for Western Metropolitan Region, where we have member after member after member — oh, we do not have one local member there, we have the member for Black Rock, who might occasionally travel over the West Gate Bridge to Truganina. It was fantastic to have Mr Elsbury join me at the opening of this facility for the design and manufacture of aluminium extrusion profiles for commercial and residential window and door fabricators. This is a state-of-the-art manufacturing facility.

An honourable member interjected.

Hon. R. A. DALLA-RIVA — They did not have any cucumber sandwiches. I did not see any of the Socialist Left there either. It was fantastic, as I said. I remind members in the chamber that as the premier manufacturing state in Australia we need to be ahead of the pack in terms of streamlining manufacturing processes and boosting our productivity improvements.

There was good news, and Mr Elsbury was there with me. Not only did we open a new manufacturing facility in Melbourne's west but there were 50 new jobs generated. Those opposite always want to talk down jobs. Those opposite always want to talk down the manufacturing sector. We are about promoting manufacturing and promoting jobs growth. I take my hat off to those at the Sunshine Victorian government business office for working with the firm.

On top of those 50 jobs at Truganina, in that same week I opened MicroHeat Technologies for the automotive industry and announced another 50 new jobs. This advanced manufacturing facility will also provide an additional \$30 million a year in revenue in the export market, in the automotive sector that those opposite continually talk down. This is a new facility working with the automotive sector, developing outcomes and able to export into China, the USA, Europe and Japan. It is great news that follows on from our Hella

announcement, our Parmalat announcement and Nexteer's global electric power steering system announcement.

We are not going to rest and let manufacturing in this state collapse like those opposite did for 11 long, dark years. They allowed manufacturing to collapse, and we are not going to do that. We are out promoting and supporting the manufacturing sector, and I am pleased that Mr Elsbury, who at least resides in that electorate, was able to join me in sharing that joyous news.

Victorian certificate of applied learning: funding

Mr LEANE (Eastern Metropolitan) — My question is to the Minister for Higher Education and Skills, Peter Hall. Can the minister confirm that the government's rationale for cutting VCAL (Victorian certificate of applied learning) funding for coordinators is that this funding was only necessary to establish VCAL programs in secondary schools?

Hon. P. R. HALL (Minister for Higher Education and Skills) — The member is right when he says that the coordination payment was first introduced to assist schools with the implementation of VCAL. That is correct. The Minister for Education, Mr Dixon, has full responsibility for VCAL, which is a senior secondary education program, and further details would need to be asked of the responsible minister.

Supplementary question

Mr LEANE (Eastern Metropolitan) — I take into account the minister's confirming the case at the start of his response. Taking into account that not all secondary schools are participating in a VCAL program as we speak, will a school that has not yet established the VCAL program be eligible for VCAL coordinator funding if it decides to initiate a VCAL program next year?

Hon. P. R. HALL (Minister for Higher Education and Skills) — I can inform the member that Minister Dixon has made a statement to the effect that if a school wishes to implement a VCAL program for the first time, there will be a level of assistance provided to the school for that purpose.

Children's Week

Mr DRUM (Northern Victoria) — My question without notice is to the Minister for Children and Early Childhood Development, who is also the Minister for Housing, Ms Wendy Lovell. I ask: can the minister

inform the house on what the Baillieu government is doing to recognise the importance of children?

Honourable members interjecting.

The PRESIDENT — Order! That is a question that absolutely qualifies as a Dorothy Dixier because it is so broad. The framing of the question is not really suitable to be put to a minister. On this occasion I will allow it and invite the minister to respond, but when questions are framed they really need to be written so that ministers and the house can actually appreciate what the question is about. That is a very broad question.

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — I thank the member for his question. It is timely that the member has asked this question about the importance of children in this state because today, 26 October, is the day when we celebrate Universal Children's Day in Victoria. In fact this whole week is designated as Children's Week in Victoria.

Last Sunday I had the pleasure of officially launching Children's Week at a family fun day at the Melbourne Zoo that was attended by many thousands of Victorian children and their parents. During the week over 300 events will be held statewide. These include things like picnics in the park, and one of those was held in my home town of Shepparton. They also include concerts, art and craft events and other festivities.

This year we had one very special event on Universal Children's Day, and the Minister for Health, David Davis, has already spoken about that — the opening of our new Victorian Royal Children's Hospital by Queen Elizabeth II. I know parents around Victoria hope they never have to use that facility, but I am sure that they are comforted to know they have a world-class children's hospital at their disposal. They are also comforted to know that some of the best medical experts in Australia and the world are at that hospital, as are some of the best researchers.

Children's Week gives us all a chance to engage, interact and play with children and also to enjoy the curiosity and delight that children bring to our everyday experiences. As Minister for Children and Early Childhood Development, Children's Week has a special significance to me as it provides further impetus for the work we are doing to improve the services we offer to our youngest citizens. The Baillieu government is committed to providing the highest quality learning and development opportunities so that Victorian children can fulfil their full potential.

Children: Take a Break program

Ms MIKAKOS (Northern Metropolitan) — My question is to the Minister for Children and Early Childhood Development, and I hope she is listening. On 27 May last year the minister’s colleague Mrs Petrovich spoke passionately in support of the Take a Break program. She stated in Parliament:

My gravest fear is that it —

the then state government —

will scrap its component of the funding, leaving this great community service high and dry.

She went on to call on the Brumby government to act ‘to ensure this valuable service is not scrapped’, which of course it was not. I ask the minister why she will not listen to Mrs Petrovich now that she is in a position to do so and act to save occasional child care in this state?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — I note that the former Brumby government did scrap its commitment to the Take a Break program, because it funded it for 12 months and 12 months only. It did that by drawing forward all the funding that was available for Take a Break in the 2011–12 budget, and it made it very clear at the time that the funding was for one year only. Not only did the Brumby government withdraw its commitment to Take a Break but the federal government also withdrew its commitment to Take a Break. The program was axed by a Labor federal government and a Labor state government.

Supplementary question

Ms MIKAKOS (Northern Metropolitan) — I ask the minister if, since her appointment as minister, Mrs Petrovich has contacted her either in person or in writing to express concern about the loss of occasional child-care providers in her electorate?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — Mrs Petrovich and I represent the same electorate. We speak constantly about issues in our electorate, but I do not share them with the Labor Party.

Biotechnology: government initiatives

Ms CROZIER (Southern Metropolitan) — My question is to the Minister for Technology, Mr Gordon Rich-Phillips. I ask: will the minister outline any new initiatives to support the Victorian biotechnology sector?

Hon. G. K. RICH-PHILLIPS (Minister for Technology) — I thank Ms Crozier for her question and for her interest in biotechnology in Victoria. As the house has heard me say previously, the Victorian government regards biotechnology as one of the key drivers of productivity in the Victorian economy. We have seen over the last 15 years a lot of investment by governments in the biotechnology sector in terms of research, which is now paying dividends. We see great opportunities for biotechnology, small technologies and ICT in this state, both as industry sectors in their own right and, importantly, also as enablers in the broader economy.

Currently biotechnology in Victoria is a major contributor to our economy. It employs more than 10 000 people, it turns over more than \$10 billion a year and last year it was responsible for more than \$1.5 billion in goods exports, and more than 40 listed biotechnology companies are based here in Victoria.

Biotechnology is an important sector for the Victorian economy, and the Victorian government is keen to give it a further boost. Last week I was delighted to announce the new \$55 million Victoria’s Technology Plan for the Future — Biotechnology. The new biotechnology plan is aimed at doing two things. The first objective of the plan is to develop capability within the biotechnology sector. Within the sphere of developing capability the plan focuses on further developing our research and development capability, which has already had extensive investment over the last 15 years; it also focuses on developing a skilled and innovative workforce; and, thirdly, on promoting investment in the biotechnology sector.

The second element of the plan is focused on biotechnology-enabled innovation, which is to drive productivity in the broader Victorian economy. This element of the plan is focused on demand-driven product development. The house heard me speak in the last sitting week about the new Health Market Validation program the government has launched. This is an element of driving product development in the biotechnology sector.

The plan will also focus on linking industry to capability in terms of further product development and, finally, on developing further competitiveness in the Victorian economy through the use of biotechnology. The plan has been very well received by the Victorian biotechnology sector since its release last week. The Victorian government looks forward to working with the biotechnology sector in Victoria to grow it to further strength in the Victorian economy.

QUESTIONS ON NOTICE

Answers

Hon. D. M. DAVIS (Minister for Health) — I have answers to the following questions on notice: 1268, 1381, 1399, 1405–8, 1421, 1434, 1506, 1609, 1611, 1787, 1887, 1888, 1890, 1963, 2003, 2022, 2090, 2138, 2149, 2206 and 7704–99.

Ms PENNICUIK (Southern Metropolitan) — I will avail myself of the opportunity on a Wednesday after question time to remind the Leader of the Government that there are still quite a number of outstanding questions. For example, I point out that we are up to more than 8000 questions on notice, and I am still waiting for answers to my questions 139 and 140 to the Minister for Police and Emergency Services; questions 167, 170, 172, 173 and 175, which are all from March this year; questions 688, 692, 704 and 705, which are to do with the FReeZA program and the funding for musical equipment grants, and which I am particularly interested in the answers to; questions 710, 711, 714, 848, 849, 850, 851 and 852; and question 4455 from 31 August. All are still outstanding.

Hon. D. M. DAVIS (Minister for Health) — I will follow those up for the member.

Ms HARTLAND (Western Metropolitan) — I also have questions outstanding: 235 from 23 March for the Minister for Public Transport and 599 from 6 April for the Minister for Public Transport.

Mr Barber — He is slower than a Werribee line train.

Ms HARTLAND — Absolutely, Mr Barber — and 793 from 14 June for the Minister for Public Transport. Obviously he has a great deal of difficulty answering questions.

Hon. D. M. DAVIS (Minister for Health) — I will also follow up those questions.

Mr BARBER (Northern Metropolitan) — Question 161 for the Minister for Employment and Industrial Relations concerns police operations at Broadmeadows train station. On four occasions I have asked the minister about this question and on four occasions he has undertaken to do something about it. Can the minister tell me what, if anything, he actually has done about it?

Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations) — I have

followed up on those four occasions, and I will continue to follow up, as the member has requested.

MEMBERS STATEMENTS

Occupy Melbourne protest

Ms HARTLAND (Western Metropolitan) — On Friday I decided to go to the CBD to witness how the police were dealing with the Occupy Melbourne protesters, as I was concerned by the reports I had received from my colleague Ms Pennicuik, who had been watching from the edge of City Square that morning. I arrived at Lonsdale Street at about 4.30 p.m. I had literally just arrived and was on the footpath 150 metres from the protest when I was approached by a police officer in riot gear without a name tag. He did not speak to me or direct me to move. A few seconds after I saw him, he started to push me into another group of people, yelling, ‘Move, move, move’. This was witnessed by a number of members of the media.

I stayed on the footpath, watching the behaviour of the police. I saw young people being dragged out of the rally and thrown into police vans. I have stood on picket lines in community and union protests for 35 years, but I have never witnessed such an overreaction to a small, peaceful rally as I did on Friday. I have worked with a number of police in the western suburbs over the last 10 years on a range of issues and I have seen some fantastic community policing. I wish those skills had been used instead of riot force last week.

Centre for sustainable water management: opening

Mr TARLAMIS (South Eastern Metropolitan) — Earlier this month I attended the official opening of the centre for sustainable water management at Chisholm Institute of TAFE in Cranbourne, which was opened by the federal member for Holt, Anthony Byrne. The federal government contributed \$8.2 million to this \$10 million project which provides Chisholm with the capability to deliver training across the sustainable water management cycle, including water catchment and distribution, the storage and treatment of both water and wastewater, environmental uses of water via the institute’s controlled environment horticulture facility and the returning of water to the natural environment through the on-site wetlands.

The multipurpose facility includes a pioneering water treatment plant, a water-quality testing laboratory, an industry research and development area, recycling

programs and a controlled environment horticulture facility. The facility is the first of its kind in the region, and the size of the environment horticulture training centre is unparalleled in Australia. As a major provider of education and training in the south-eastern suburbs of Melbourne, this facility extends and enhances Chisholm Institute's capabilities to deliver water industry training specific to the industry's needs, ensuring students are job ready and have the qualifications and training relevant to enter the workforce.

This builds on Labor's track record of investment in education to deliver meaningful pathways for students and long-term employment in jobs and industries of the future. I congratulate Chisholm Institute's chief executive, Maria Peters, and her team on their vision, dedication and commitment to this project, and I wish them well with future endeavours.

Cricket Victoria: Parliament House visit

Mr ONDARCHIE (Northern Metropolitan) — Yesterday I had the pleasure, on behalf of all members of Parliament, to welcome Cricket Victoria to Parliament House. We hosted Australian contracted player, John Hastings; VicSpirit superstar, Emma Inglis; the chairman of Cricket Victoria, Geoff Tamblyn; chief executive, Tony Dodemaide; general manager, John Watkin; and Cricket Victoria staff Darren Anderson, Chris Harris, Rohan Obst and Annie Hateley. They came to Parliament House to celebrate and launch this year's in2CRICKET program, formerly known as the Milo Cricket program. This is a program for boys and girls to get out and exercise and to enjoy our great Australian national game.

The cricketers provided MPs with a chance to connect with their local communities and constituents by finding out where their local in2CRICKET program is held so that they can go out and meet their constituents and they can encourage young Australians from different cultures to join in our great game of cricket. The reception included a celebration of All-Abilities Cricket whereby Victorians and Australians can celebrate the great game of cricket and participate, irrespective of their physical or intellectual abilities. It also provided an opportunity to learn about Harmony in Cricket, which involves bringing different cultures together to enjoy our great game.

I would encourage members from all sides of politics to go and connect with their local communities, celebrate our great game of cricket and encourage boys and girls from all over Victoria to participate and to get outside and exercise.

Torquay: secondary college

Ms TIERNEY (Western Victoria) — It has come to my attention that the Baillieu government's promise for a new, fully operational, stand-alone secondary school in Torquay by the first day of term one in 2013 is now in tatters. With a site for the school yet to be purchased, it is now near impossible for Torquay families to send their children to a new secondary school on day one, term one, 2013, as promised by the member for South Barwon in the Assembly, Andrew Katos.

In this time of uncertainty for Torquay families the lack of communication from Andrew Katos's office as well as from the Minister for Education's office demonstrates an uncaring attitude towards Torquay parents and students, who are growing increasingly worried about where they will be completing their secondary school years. Torquay families have every right to be furious with Andrew Katos and the Baillieu government, which refused to provide a guarantee that local students will be able to start at a stand-alone secondary school in 2013. Parents want certainty for their children's education, and they deserve to be informed about all options so that they can plan as a family as they go about their daily lives. I ask this government: is that too much to ask?

National Bandanna Day

Ms TIERNEY — Friday is an important day: it is CanTeen's National Bandanna Day, and I urge everyone to wear a bandanna on Friday in support of children with cancer.

Parliament: information technology

Mrs COOTE (Southern Metropolitan) — I wish to put on the record my praise for John Lovell of the IT team of Parliament. Last week the phone system at my Port Melbourne electorate office was updated with Parliament's new system, leading to an improvement in voice quality and the ability to make internal video calls. This upgrade is part of a larger upgrade of all the IT systems in our electorate offices across the state.

Cisco Australia and the Parliament of Victoria have developed this system cooperatively, and this type of technology is a world first. The benefits to all of us include an improvement in telephone voice quality in electorate offices to allow members to conduct digital-quality radio interviews, an improvement in the system performance without the need to perform costly upgrades to the network and a reduction in the cost of electorate office IT infrastructure by improving centralised resources.

Parliament is at the forefront of technical innovation in Australia and the world. Cisco, an international company, sent its representatives out here to see the work that we have been doing in this Parliament because it is a such an innovative program, and we in our electorate offices are the first to see it. In many instances we take the people with whom we work for granted. In this case it is incumbent on all of us as members of Parliament to recognise the work that John Lovell and his team have done on our behalf.

Insurance: fire services levy

Ms BROAD (Northern Victoria) — I have been advised in person and in writing by the Swan Hill Rural City Council that it is extremely concerned about local government being forced to accept responsibility for the raising, collection and administration of the Victorian fire services levy. Council has expressed serious and major concerns about the levy design, in particular the collection method that may be chosen to implement the proposed property-based levy.

In short, council firmly believes that local government should not be given the obligation or responsibility for the collection of what it believes to be a state-based levy. Council further believes that the State Revenue Office is best placed to administer and collect the proposed levy. On behalf of council, I request that the views expressed in the submission, which includes a great amount of detail, are given due regard by the Baillieu-Ryan government in determining responsibility for collecting a property-based fire services levy.

Agricultural shows: Sunbury and Maldon

Mrs PETROVICH (Northern Victoria) — Today I would like to highlight the significance and importance of the institution which is the agricultural show. These shows enable people to showcase their livestock, arts and crafts and a variety of horse and pony events from a cultural and social perspective. It is an opportunity to get together, rib each other about the day's competition and maintain links that should not be lost. From a gastronomic point of view, thank goodness for the Country Women's Association — not that there are any holds barred on the amount of fairy floss a five-year-old can eat, and the mystery of the deep-fried hot dog or the deep-fried Mars Bar is something that one should experience at least once, or maybe only once, in a lifetime!

I recently attended the Sunbury and Maldon agricultural shows, which are testament to these values. The Maldon agricultural show was held last Sunday, and it showcased the cultural and rural activity of which we

can all be proud. I was privileged to present the senior and junior horsemanship challenge awards. I was also lucky enough to be included in a traditional horsemanship performance by Wayne Hinchcliffe, who started his working life as apprentice to the great Tommy Woodcock. We were entertained by Mady, who sang from her horse, Purcell, about the challenges of maintaining a country lifestyle into the future. Purcell kissed me for a sugar cube, and then I was included in the whip cracking exhibition. Congratulations to Bill McKnight and his band of volunteers who work tirelessly each year to ensure that this event goes ahead.

As a gentle reminder to all who enjoy these events but do not quite know how they happen, I would encourage you to join people like Bill and volunteer on these committees. Your assistance will ensure that these great events continue, and I know you will get more out of it than you put in.

University of the Third Age: Darebin

Ms MIKAKOS (Northern Metropolitan) — On 16 October I attended the Darebin University of the Third Age 20th anniversary celebrations. U3A provides a way for senior Victorians to participate in a range of courses taught by volunteers. It provides intellectual engagement through physical and social interactions, with courses ranging from history classes, needlecraft, Sudoku, dancing and book discussions to tai chi. I congratulate the president of Darebin U3A, Audrey Grace, and the members of the volunteer committee for the time and effort they have put into such a worthwhile organisation. I also acknowledge the contribution past committee members have made over the last 20 years.

St Mary's House of Welcome

Ms MIKAKOS — On 17 October I had the great pleasure of attending, with many parliamentarians, the serving of breakfast to many of my constituents at St Mary's House of Welcome as part of Anti-Poverty Week. This event is one which I regularly attend, because I believe it is extremely important to highlight the desperate plight of many of our fellow Australians. It was humbling to work alongside the many other community members who regularly volunteer their time to prepare and serve meals to those in need. It is a shame that a particular minister only turned up to have her photo taken. I commend this centre and its volunteers for their selfless work in providing support for the homeless and disadvantaged.

fOrT youth centre, Geelong

Ms MIKAKOS — On 20 October I had the opportunity to visit the recently opened fOrT youth centre in Geelong. The centre, which takes its name from ‘fun Opportunities recreation Transcend’, is an important drop-in centre for young people who can try new activities, develop their skills and socialise in a friendly environment with other like-minded youths. The support of resident youth workers and professional workshop instructors for these young people is integral to the success of this centre. Well done to all involved and to the City of Greater Geelong in particular.

Jayco Herald Sun Tour

Mr O'BRIEN (Western Victoria) — On Friday, 14 October, I had the honour of representing the Minister for Sport and Recreation at Drysdale to present the white jersey to the best under-23 rider at the Jayco Herald Sun cycling tour. The sight of the race and a bunch sprint finish at 80 kilometres per hour was something to behold. I congratulate Nathan Haas on his victory, not only as the best under-23 rider but also as winner of the overall tour.

Ocean Grove soccer club: lighting

Mr O'BRIEN — On the same day, and again on behalf of the Minister for Sport and Recreation, I was also able to announce \$100 000 in funding for the Ocean Grove soccer club to have lighting installed at the Shell Road Reserve. The funding was welcomed by the club, which will be better able to attract new members and conduct more regular evening training sessions.

Country Fire Authority: Belmont brigade

Mr O'BRIEN — I also had the honour of attending the Belmont fire brigade's centenary dinner last Saturday night. It was a wonderful evening with many worthy award recipients, including the unstoppable Jack Curtis, who won an award for 65 years of active service and the National Medal, First Clasp. I thank first lieutenant, Adrian Flynn, and operations officer, Graham Lay, for hosting the evening, and I wish the brigade all the best, particularly with the launch of its book *South of the River*.

Committee for Bellarine: symposium

Mr O'BRIEN — I would also like to mention the work of the Committee for Bellarine, which is hosting a symposium this Friday to discuss issues and opportunities for the region. The committee has adopted a model initiated by the committees for

Melbourne and Geelong to ensure that there is strong advocacy for the region's needs. With increasing housing development in Leopold and Drysdale in particular, the committee wishes to see infrastructure development plans that will assist these growing townships.

Western suburbs: hospitals

Mr EIDEH (Western Metropolitan) — The government's plan to re-announce Labor's project to commit \$3 million for a new operating theatre for the Williamstown Hospital will provide only some light relief for the hospital, which is used by many of my constituents. My electorate includes some of the fastest growing suburbs in Australia and some of the most disadvantaged in Victoria, which is why I found the Premier's failure to deliver much-needed extra beds to the residents of my electorate so personally disappointing. This is yet another example of how this government does not fully support the health needs of the people in the west. Once again it appears that they have been forgotten by the Premier and the Minister for Health. Where are the 100 new beds that were promised? Williamstown Hospital has not received one.

The Labor Party values health care, which is why when it was in government it committed to building a new children's hospital and upgraded the Sunshine Hospital for residents in the west. These, amongst many other commitments, are testament to the importance it places on the health and wellbeing of all Victorians. However, these commitments will be overshadowed when these world-class hospitals are opened by the current government that once opposed them. The government does not share this view regarding the importance of health care for Victorians. If it did, it would not be cutting \$500 million from the health sector.

I urge the government to include Williamstown Hospital in the group of state hospitals that will receive much-needed extra beds.

Australian Year of the Farmer

Mr KOCH (Western Victoria) — Next year, 2012, has been declared the Australian Year of the Farmer to recognise the very important contribution made by our farmers and those living in rural communities.

Coinciding with the recent launch, it was revealed that nearly a quarter of people living in major cities never visit rural Victoria and that most city dwellers visit rural areas less than once a year. Despite Australia's rich farming heritage and iconic rural landscapes, those living in the city spend less than four days a year in the

country; however, most want to visit country Victoria more often.

The Australian Year of the Farmer 2012 campaign aims to encourage people to spend more time in the country and to grow ties between the city and rural communities. This celebration of Australian farming will also communicate, particularly to those living in major cities, the importance of farming in our everyday lives and to the Australian economy. The Year of the Farmer will highlight what our farmers do best — that is, feeding the nation, leading the world in farming techniques and innovation and sustaining vital agribusinesses that underpin our economy.

For the first time ever there will be a nation-wide emphasis on connecting rural and urban communities. I congratulate all those involved with this great initiative and encourage everyone to join in next year in recognising the major contribution rural Australia makes to our everyday lives.

Williamstown Masonic Centre

Mr ELSBURY (Western Metropolitan) — Since I have been elected I have been pleased to have been able to get involved in many cultural events throughout the western suburbs. Last Saturday I joined councillors from the City of Hobsons Bay, community leaders and the most worshipful grand master of the United Grand Lodge of Victoria, Vaughan Werner, at the reconsecration of the Masonic lodge at the Williamstown Masonic Centre. It was something I have not witnessed before. The dedication that was put into the ceremony was something to behold. I hold great respect for the charity, inclusiveness, fellowship and values that this longstanding society promotes.

Movember

Mr ELSBURY — On another matter, over the next few weeks some of my colleagues may notice a slight change in my appearance. Movember is coming, and I have decided to involve myself with that great men's health awareness and fundraising program. I will be in stark contrast to Mr Leane, who in the past decided to shave off his hair; I will instead be growing hair on my top lip. As we all know, this initiative will assist other initiatives in relation to depression and prostate cancer. Considering that last year I unfortunately lost my father to prostate cancer, this is a cause that is very close to my heart. I ask members to give me all their support and not as much ribbing as they would normally give.

Small business: government support

Ms CROZIER (Southern Metropolitan) — Recently I attended the Ausbuy 20th year celebrations on behalf of the Minister for Innovation, Services and Small Business, Louise Asher.

Ausbuy has a proud history of supporting Australian-owned businesses and has a membership that spans a range of industry sectors. The members of Ausbuy represent businesses of all sizes that operate throughout all regions of Australia, including Victoria. Many of those companies supply consumers as well as business-to-business goods and services which are sourced and made in Australia.

Last week I attended the Governor of Victoria Export Awards with the Honourable Richard Dalla-Riva, Minister for Manufacturing, Exports and Trade. The minister spoke of the many achievements of those companies that were represented at the awards night, which showcased the innovation, efficiency and productive initiatives of many of those organisations. The Governor of Victoria Export Awards and the Ausbuy 20th anniversary were both opportunities to celebrate the tenacity and skills of Australian companies and the many contributions they have made.

The Gillard government's carbon tax legislation will place a real cost and burden on many of these business. Many of the small businesses I have spoken with in Southern Metropolitan Region, which is my electorate, are extremely concerned about the costs of a carbon tax. They know they will bear the brunt of rising costs as a direct effect of the carbon tax. Disturbingly, and as a consequence, many businesses will be forced to review their operations.

Unlike the federal government, I am pleased that the Baillieu government is committed to supporting businesses that create an environment which rewards those who are prepared to make difficult decisions, work hard, invest and create employment opportunities and not impose unnecessary costs or burdens on their operations.

Gippsland Carers Association: funding

Mr O'DONOHUE (Eastern Victoria) — I welcome last week's announcement by Mary Wooldridge, the Minister for Community Services, regarding Gippsland Carers Association receiving \$100 000 worth of funding — —

Honourable members interjecting.

The PRESIDENT — Order! There is too much background noise. Stop the clock. I will allow the Mr O'Donohue to go a bit over. I cannot hear him because of the background noise.

Mr O'DONOHUE — I thank the President for his intervention. I was saying that I welcome the announcement by Minister Wooldridge that was made last week about funding for the Gippsland Carers Association. Minister Wooldridge announced that carers would receive \$100 000 funding from the Victorian government over the next four years. This commitment from the coalition will greatly assist this volunteer-run group that is made up of family carers and supporters of people with a disability, mental illness or aged fragility in Gippsland and the Latrobe Valley.

I have been fortunate to have had dealings with the Gippsland Carers Association for a number of years. Its members are tireless advocates for those who have a disability. I pay credit in particular to Jean Tops for the longstanding leadership that she has provided to both this organisation and the broader carers community.

Gippsland Carers Association has relied on the private donations of generous community members and the support of unpaid volunteers. This funding is a significant boost for the group and will assist it by relieving the financial pressures associated with administration costs so that members can spend more time on their important roles as carers as well as continuing their important advocacy.

Mornington: Tidy Towns awards

Mr O'DONOHUE — On a second matter, I would like to congratulate the Mornington community on winning the Tidy Town of the Year award for 2011. It is a great credit to that community and those who have contributed to this outstanding result.

PRIVILEGES COMMITTEE

Reference

Hon. M. P. PAKULA (Western Metropolitan) — I move:

That this house —

(1) notes —

- (a) the code of conduct for members in part 1, section 3, of the Members of Parliament (Register of Interests) Act 1978;

- (b) Leader of the Government Mr David Davis's most recent declaration, as required under this act, stating that 'as a parliamentary member of the Liberal Party, I received campaign assistance, political and legal support from the Victorian division of the Liberal Party of Australia, its members and supporters'; and
- (c) the Leader of the Government's answer to a question without notice given in this house on 12 October 2011.
- (2) requires the Privileges Committee to conduct an inquiry into the Members of Parliament (Register of Interests) Act 1978 to —
- (a) establish —
- (i) whether or not it is sufficient for members of Parliament to now simply declare a substantial interest or a donation or gift to them in excess of \$500 from supporters of their political party, without indicating who (or what organisation) made the donation or gift;
- (ii) the effect of such a change on the value and relevance of the register of members interests;
- (iii) whether such a change would affect public confidence in the Parliament of Victoria;
- (iv) what effect such a change would have on the requirement in the act contained in section 3(e) for members who are ministers; and
- (b) make recommendations on any aspect of the act that should be strengthened or changed to —
- (i) ensure that members of Parliament are clear as to what is expected of them in making declarations; and
- (ii) maintain public confidence in the integrity of the register of interests and, more broadly, public confidence in the Parliament of Victoria.

This is an important and serious motion. The opposition, at least, will treat it seriously. This is not — and this may come as a surprise to members of the government — a motion designed to allow us to engage in a gratuitous attack on the Leader of the Government — —

Honourable members interjecting.

Hon. M. P. PAKULA — You may laugh, Mr Ondarchie and Mr Philip Davis, but it is not. This is about the very real issues that have been raised by the nature of the minister's return, the form in which it is being provided to the Parliament and the potential issues for disclosure in the future that arise from it. For that reason members will note that the motion does not

seek to refer the minister to the Privileges Committee; it seeks instead to refer to that committee the issue of the nature of the disclosure and to ask it to provide the Parliament with advice and recommendations about how, at least with regard to the question of gifts and donations, we might avoid a situation where that part of the register of interests and that part of the act which supports it become irrelevant.

Before I say what I was planning to say about that, I think it is incumbent on me now to address the matter that was raised by the Minister for Manufacturing, Exports and Trade during question time, because it appears that a tactic of government speakers might be to defend the Leader of the Government by attacking me.

Mr P. Davis — Heaven forbid!

Hon. M. P. PAKULA — Mr Davis says, ‘Heaven forbid’. Of course we are all the subject of robust debate — we are all subject to the ebb and flow of debate across the chamber — but it is instructive to note that perhaps members of the government have set upon this course because it is difficult to oppose the motion in any other way. It is difficult to oppose a motion that simply seeks to have the Privileges Committee provide us with some advice, and it is probably difficult for members to defend the nature of the minister’s return itself.

Let me go to the question of my mysterious Beva Trust, which was raised by the minister during question time. Members who were in the Parliament in the last term and those who were in the Parliament in the term prior to that — the 55th Parliament — will recall that the governments of the day, the Bracks and Brumby governments, took the view that it was appropriate for ministers not to deal in shares. It was appropriate for ministers who had shareholdings to place those shares in a trust. That was what we said we would do for ourselves, and that was what we called on the then Leader of the Opposition in the other place, the member for Hawthorn, Mr Baillieu, to do. Prior to the 2006 election members will recall that the member for Hawthorn, the then Leader of the Opposition, chose not to place his shareholdings in a trust, and from time to time throughout the course of the last Parliament that remained an issue.

Mr Drum — Only with you guys.

Hon. M. P. PAKULA — Mr Drum says only with us. I suggest to Mr Drum that it was a matter of some interest to the Victorian community more generally. In fact, as members would recall, the Leader of the

Opposition, as he then was, ultimately placed his shareholdings in a blind trust — I think it is called the Ted Baillieu family trust.

Mr Ondarchie — What is your point?

Hon. M. P. PAKULA — Mr Ondarchie, I am getting to my point; settle down. I became a minister — —

Mr Ondarchie interjected.

The PRESIDENT — Order! We do not need assistance with this debate from Mr Ondarchie.

Hon. M. P. PAKULA — As members will recall, I became a minister in the last days of 2008, and I owned some shares — not a huge number and not of huge value — in my own name. Upon becoming a minister I took the view, given it had been the government’s position that Mr Baillieu should put his shares in a blind trust because he was potentially going to sit around the cabinet table and given at that stage I was sitting around the cabinet table, that I should do what I was calling on the member for Hawthorn to do, and I placed my shares in a trust. As for the name ‘Beva’, I know it is a bit titillating and people are wondering what it means, but my children’s names are Ben and Eva, so I named the trust after them, given they are the beneficiaries of it.

I am not sure what kind of an issue members of the government want to make of that, but in terms of the question of disclosure, if anyone really wants to know what is in it, they need do no more than go back to my return immediately before I became a minister and they will get a fairly good idea of what was subsequently placed in the trust.

Mr Ondarchie interjected.

Hon. M. P. PAKULA — Mr Ondarchie says, ‘What’s the point?’. I will tell him what the point is: members of the Labor Party — people who were ministers in the previous government — took the view that it was not appropriate, not advisable and not a good look, whatever you want to say about it, for them to be holding or dealing in shares, particularly shares in companies that could have issues that might come before cabinet. I think to a person we ceased dealing in shares.

I have noticed from the returns that members of this government take a different approach. Some ministers have their shares in trust; the Premier is one, and I think Ms Lovell has a family trust or a family superannuation fund. It is quite clear from their returns that other ministers continue to hold substantial numbers of shares

in their own names. In fact some ministers continue to trade in shares. They are buying and selling shares right now, and that is made clear by the summary of variations between June and October 2011.

On the question of — —

Mr Barber — Are there any day traders?

Hon. M. P. PAKULA — There may be day traders in the chamber, but I would hope ministers are not among them, Mr Barber.

Mr Barber — You cannot catch that with disclosing every three months, can you?

Hon. M. P. PAKULA — That is indeed correct. But as much as I would like to engage — —

Mr Barber interjected.

Hon. M. P. PAKULA — I do not know, Mr Barber; I have never been a day trader. I would not have a clue.

If there is a suggestion that there is some mystery or something unusual about the fact that as a former minister I put the shares I had in a trust, as did every other minister in the Brumby government, and that they remain in the trust, I hope that has cleared up the mystery. But, frankly, it does not really go to the point of this motion in any case. The question of whether or not current ministers continue to hold, buy and sell shares while they are around the cabinet table is a matter of some concern, but it is a matter for another day and a matter for another debate.

Equally, I do not think the inadvertent or minor omissions, or the minor differences in the way members of this place sometimes declare things on their returns, are major issues either. One of the things that is obvious from the register of interests, for instance, is that every member treats the Racing Victoria Ltd passes differently. Some declare them, some do not. I think every member, other than those who have returned them, have them. Some believe it is a declarable interest; others do not believe so.

That is an academic argument and, frankly, I do not think it is particularly important; nor do I think the inadvertent or minor omissions that occur from time to time to be particularly important. Members sometimes discover these omissions and clear them up; they are not matters of great import. Some disclosures even cause controversy for ministers and for other members, and we have seen that occur from time to time.

But I think this is a different case. It is why the opposition believes it is worthy of some examination and consideration by the Privileges Committee, because disclosure has been made by the minister, but it has been made in quite a deliberate and careful way. Just to go to the substance of the disclosure once again, it says:

As a parliamentary member of the Liberal Party, I received campaign assistance ...

I will stop there for a moment. I think it is curious that the minister took the view that campaign assistance should be disclosed, because clearly every one of the 128 members of this place has received campaign assistance from somewhere or other. There are ways of disclosing that, and that is not what this register is about. This register is not about campaign assistance. As members rightly know, there are other forums for disclosing that, being Australian Electoral Commission returns.

If the minister is right in disclosing campaign assistance, then there are 127 other members who are wrong in not disclosing it. That is the first point I would make. I wonder why that disclosure is there, and I suspect it is there because it is part of trying to agglomerate as much as possible to make this declaration as difficult to understand as possible.

It then says ‘political and legal support from the Victorian division of the Liberal Party of Australia’ — no issue there; but it goes on to say — ‘its members and supporters’. The question that emerges is why is it worded in that way. Why is it described as ‘the Liberal Party of Australia, its members and supporters’? Clearly legal support for the minister has come from more than just the Liberal Party itself.

I recall that at the time this first became an issue a media release was put out by Mr Mantac, the state director of the Liberal Party, which suggested that the support had come from the Liberal Party alone, but clearly there is more to it than that. I would say that the minister has worded it in this way because he does not want to make a false declaration. To simply say that the support came from the Liberal Party apparently would be not an accurate description of the situation, but the minister clearly does not want to reveal everything. He does not want to reveal exactly who or which organisations that additional support came from and who those members and supporters are. I think, as members of Parliament, we are entitled to ask why not. The fact is that I do not know and nobody knows — Mr Davis might know, but very few other people would know — why there is a reluctance to state clearly who those extra-party supporters and members are that provided him with legal support.

It might be — and I am supposing here, President — that whoever those organisations or people are would be upset in some way if that support were disclosed. It might be that the minister does not know who provided the funds from which he ultimately benefited. That would be a problem in its own right, because if there are people out there that have supported you, and you do not know about it, there is always the possibility that those people will come a-knocking one day and let you know that you owe them. It might be that it would cause some internal problems for Mr Davis if it were to be revealed exactly how these funds came to support him. It might be that to name the supporters would in fact disclose a conflict of interest as described in the register of members interests act. I think it is the potential of the last one that is most concerning and the one to which I think we have to pay most attention.

As I indicated earlier, section 3(1)(e) says:

A Member who is a Minister shall ensure that no conflict exists, or appears to exist, between his public duty and his private interests.

In a situation where the minister says that he has received ‘political and legal support from the Victorian division of the Liberal Party’ and from ‘its members and supporters’ and the members of this Parliament do not know who those supporters are, nobody is in a position to make an assessment of whether or not a conflict exists or would appear to exist. This minister is a minister, like many ministers, who is responsible for enormous capital projects from which all kinds of organisations can benefit, and he is a minister who makes a range of appointments to boards which not only provide individuals with prestige but provide them with income in the form of board fees. There are very real public policy reasons why it is important to know whether any minister might be subject to a conflict of interest or might appear to be subject to a conflict of interest in such a way that would reduce confidence in the governance of this state.

That is why the opposition says that it is a bad precedent for the integrity of government and for the confidence of the community in the governance of the state to have a situation where a minister can say that he has received legal support — and let us not mince words, financial legal support — from supporters of his party without saying who those supporters are. If the support had come from the Liberal Party and the Liberal Party alone, I think we would say that that declaration is appropriate, but once the minister concedes that the support is from sources other than just the party — that is, individual members and supporters of the party — then I think the minister is duty bound to identify who those supporters are, not just within the

strict terms of the act but duty bound as a minister of the Crown who has a responsibility for public confidence in the Crown.

We say that for all the reasons I have outlined — for issues of conflict, appointments and capital projects — but also for the integrity of the register of interests, if this practice were to take root and were to become commonplace, then it would make a nonsense of the register of interests. It would make an absolute nonsense of the register, certainly at least to the extent of the provision about gifts or other substantial interests.

Imagine what would happen if every member or even a number of members made declarations in the same form as the minister has made. Imagine what would happen if other members took the minister’s declaration to be a precedent or a template for how they should make their declarations in the future. It would be open to any member to receive gifts, to receive support — financial and otherwise — and to receive personal donations of any amount, and, provided that that member could characterise the donor or the supporter as a supporter of their party, then that would be all they would need to put on the register.

I would say that would make a nonsense of the register. It would make the register, as a vehicle for disclosure, a much more diminished document than it is today. If the practice of disclosing gifts, donations, other substantial interests and funds received by simply describing them as ‘a gift or a donation from a supporter of the party’ became widespread, then the register would be rendered worthless.

That is why in the motion I say that the Privileges Committee should look into the issue of whether or not it is now sufficient for members of Parliament to simply declare a substantial interest, donation or gift to them in excess of \$500 from supporters of their political party without indicating who or what organisation made the donation or the gift. We need the committee to establish whether that is now the new standard. We also need the committee to look into what the effect on the value or the relevance of the register of interests would be if that practice became commonplace. We need the Privileges Committee to look at whether or not that would have an impact on the confidence of the Victorian community in the register of interests as a vehicle for disclosure and what effect that change would have on the ability of the Parliament and the community more generally to scrutinise properly whether or not a member who is a minister has any conflict or appearance of conflict between his public duty and his private interests.

This motion is important. There are very real public policy issues at play here. Given that I am winding up, I hope members are now prepared to concede that this is not about an ad hominem attack on the Leader of the Government. This is about a very serious question of the relevance of the register of interests, how it is going to be used in the future, whether members in the future will be able to simply declare donations and gifts as being from supporters of their party, whether that will be enough, what impact it will have on the relevance on the register and what impact it will have on public confidence in it. These are issues that are squarely within the purview of the Privileges Committee. This is a matter that warrants some serious consideration.

I would hope this is a motion that can be supported by all members in the chamber because as members we are all subject to the register of interests, we are all vulnerable to attack from any quarter about not being fully frank and we are all diminished if public confidence in the register is diminished. We all have an interest in the register of interests remaining a robust document which has strong public confidence and regarding which all members understand exactly what their obligations are.

Is the declaration made by the Leader of the Government the new standard or not? If so, is it now open to all members to make declarations in that form? If so, what is that going to mean for the relevance of the register and, importantly, for the capacity of the Parliament and the people of Victoria to know whether a minister has a conflict, is vulnerable to blackmail or has an appearance of a conflict? These are all serious public policy matters which are well within the remit of the Privileges Committee. This declaration raises some serious issues that warrant the attention of the Privileges Committee. I hope all members view it in that way and are prepared to support a motion that asks the Privileges Committee to look at the important issues raised by this motion.

Mr BARBER (Northern Metropolitan) — This motion starkly illustrates the complete failure by the old parties — Labor, Liberal and The Nationals — to effectively regulate themselves for the broader interests of the public. This legislation has sat largely unchanged since 1978. In that time in every other sphere of public life and corporate governance dramatic strides have been made.

I will give a few examples from the public sector. John Howard's ministerial code of conduct did a fairly credible job of making some improvements, specifically in relation to disclosure. It must have been fairly effective because they clipped about six ministers

with it in fairly short succession before they softened it, and then a couple more still tripped over it. Nevertheless, if Mr Baillieu is committed to his code of conduct for ministers, he need not wait another day — he has already waited 11 months — he could simply adopt the John Howard code, and he would probably receive plaudits from many corners.

Additionally, in relation to the specific act that Mr Pakula names in his motion, there were some discussions on this legislation in the last Parliament. Mr Pakula did not make any reference to any of the activity that occurred in the last Parliament, including Mr Scheffer's Law Reform Committee report, the government response to that report, the recommendations of that report, the bill that Mr Hulls brought forward, which was never brought to a vote, the various amendments that were proposed by the then opposition and so forth. It is not as though Mr Pakula has discovered something new and amazing never before noticed. In fact this has been a political weapon that has gone back and forth across the chamber, and never has there been an attempt — apart from, I think, the no doubt creditable effort of Mr Scheffer and his committee — to in a non-partisan setting talk about what it is that members of the public would expect.

For those who have never read the act, it is quite simple in what it intends. The act sets up a code of conduct that requires members and particularly ministers to keep separate their private and beneficial interests from their work as MPs and ministers, and it then requires members to declare those interests. There are two wings, if you like, to the legislation, and we need both wings to be working well for the idea behind the legislation to function.

Firstly, there have to be some standards for members to keep separate their private and beneficial interests from their work as MPs; and secondly, it is intended that those interests will be publicly disclosed. It is not simply a code of conduct that someone is expected to adhere to, but it needs to be publicly demonstrated that they are separating their known published interests from their activities particularly as MPs but also as ministers.

Unfortunately Mr Pakula's motion refers to the second part — the reporting part of it. Unfortunately, though, the two have to work together. There is not much point in us all disclosing our shareholdings if there is no clear set of rules as to what we should be doing with those. Vice versa, there is not much point in having an extensive code of conduct in relation to separating interests if nobody knows what our interests are —

financial, personal and familial. The words 'beneficial interests' appear in the legislation.

Mr Pakula might have also noted that there is the capacity to make regulations to the act. If his simple question is, what are we supposed to be putting on these registers and what level of detail we should be providing, then the simple creation of a regulation could detail that. If Mr Pakula was really on his game, he would have read his own government's response to Mr Scheffer's report. I was checking it out on the screen of that computer monitor in the corner of the chamber just before. In relation to regulations and whether members of the previous government could have simply brought forward a regulation that detailed the level of disclosure required, their response was, 'We will think about it'. They did not do it. Since the relevant minister under the general order for this piece of legislation is the Premier, then the Premier would certainly be in a position to go out and gazette a regulation tomorrow that tells us what we do and do not have to disclose and to what level of detail.

However, Mr Pakula has made some points about some of the broader types of interests or entanglements that members of Parliament might get themselves into. Mr Scheffer's very thorough report, which I keep referring to, talks about the need for MPs to disclose debts and not simply financial assets, which is what is being talked about in this motion. There is a very good reason for the need for a disclosure of debts. It is the same reason that members of Parliament are not allowed to be bankrupts. If you look back to the 1890s in this state, you will see a whole group of MPs who had entanglements with property developers. Sometimes those MPs were bankrupt, but to avoid getting booted out of Parliament they entered into arrangements where certain land developers agreed to pay off their debts, or at least hold off those trying to collect their debts. That put those MPs in effect under the daily control of the people who had advanced them those loans, so debts and loans are quite essential.

Mr Pakula is attempting to get to the bottom of the moneys that Mr David Davis may or may not have received to pay one of his legal bills, which itself came out of a spat between the Labor and Liberal parties. In recent days either party has had the opportunity, if they want, to come in on their own and fix this problem; neither took up the opportunity.

The bill introduced by the Attorney-General, Mr Hulls, in the latter part of the last Parliament — well after Mr Scheffer's 2009 inquiry — was in many ways politically driven. It appeared particularly to target the interests of the then opposition leader, Ted Baillieu, but

ignored a lot of the other issues I have raised and that were raised in Mr Scheffer's report. I remember the opposition at that time produced a whole series of retaliatory amendments designed to target perhaps what it thought might be the undisclosed interests of various Labor MPs, and the whole thing descended into a bit of a farce. Whatever the mover of the motion might say here today, there is not much of a record of olive branches having been offered recently, and there has been zero attention paid to what the public might expect.

As I said, the legislation also contains a code of conduct. Codes of conduct occur for a whole range of public servants these days. Members should check out the one for local councillors, which is about 30 or 40 pages long. They should also check out the ones provided to some public servants; I have seen them up to 80 pages long. The code of conduct in this act is just a few dot points and really does not indicate what the correct standards should be or that parliamentarians have any understanding of what the public might expect of them. That is an extremely poor situation.

In every other area of public life and corporate governance considerable attention has been given to high levels of disclosure, sets of new guidelines around the separation of various kinds of interests and reform to the overall structure of listed companies driven largely by the rules of the Australian Stock Exchange. It seems that we are tinkering with local councils every other year and creating new rules. Councillors can barely come to grips with what the old rules mean before they are hit with a new set. My experience in the last Parliament was that the Minister for Local Government, who was moving legislation, did not know what his own legislation meant. If some of those provisions had been moved through before he rushed off and got his mate Julian Burnside to redraft them for him, we still would not know with the legislation that is in front of us what we had voted for.

Leaving all the other political issues of the day aside — such as the carbon tax, Take a Break and all those other issues — we should work for the public interest, which in this case is the joint effort of a strong, clear code of conduct about keeping your private interests and your beneficial interests separate, and strong disclosure.

In my disclosure return I have got one of those family trusts. Members have referred to it as a blind trust. I do not think it is possible to have disclosure of a blind trust, because then you would be able to read your return and you would know what is in it. However, I can assure members that even if they put a gun to my head, I could not tell them what is in my family trust at

the moment. I am a potential beneficiary of it, but I do not think I have been a beneficiary of it at any time in the last couple of decades. I am not a trustee of the trust, so I do not control any of the assets in it. I simply do not know. However, I will be perfectly happy to comply with whatever set of rules we come up with for disclosure.

I cashed out my shareholdings when I became an MP. I have never been a great timer of asset classes, but I got lucky this time. Certainly the last five years have been a good time not to be in the sharemarket. I have weighted my portfolio about 220 per cent to the Brunswick West residential property market, and I have done all right out of that. That is disclosed — not the physical address, but simply that we have residential property in Brunswick West and a couple of other properties that we own around the place. There are some Telstra shares somewhere left over from the float, but generally my disclosure is fairly thin. I am a member of the Public Transport Users Association. Aside from that I do not have a lot to disclose, no matter what the regime may be.

Previously I had a motion on the notice paper for a while which called on the Premier to introduce regulations for disclosure in this area — to set the standard, if you like. If he wanted to, he could even put out those regulations for public consultation, even if it were just members who would have the opportunity to comment on them. That would be quite a simple approach to address the issue that Mr Pakula is raising, which is to ask what the required standard of disclosure is. However, that has not been forthcoming from the Premier, despite my heavy hint by putting the motion on the notice paper. Subsequently I wrote to the Premier asking for his permission to have access to parliamentary counsel in order to draft a private members bill that would seek to amend the code of conduct.

We are trying to be constructive. I have offered up a range of different suggestions as to how we could genuinely move this issue forward. If I were blaming anybody, perhaps I would not blame Mr Davis for his level of disclosure as much as I would blame the Premier for not taking the step of putting forward regulations that would determine and make clear what the required standard of disclosure is. That would be the quickest and simplest way to do it.

Fairly soon, though, we will have to face up to this issue, one way or another. As I have said many times in this chamber, as Mr Scheffer's report points to and as the new government is no doubt becoming aware, any move to have an integrity body in Victoria — an

independent commission against corruption (ICAC), an independent, broadbased anticorruption commission or anything like it — will in some way or other have to integrate the issue we have been talking about today. An ICAC investigates — it does not prosecute — but it needs a trigger to cause it to investigate a matter.

There are two triggers in the New South Wales Independent Commission Against Corruption Act 1988, for example. The first is corruption, which is not specifically in the criminal statute in Victoria, but there is a common-law offence called misuse of public office — it is not called corruption. The other trigger in the New South Wales ICAC act is a breach of an applicable code of conduct. The applicable code of conduct in Victoria is, as I have said, about three or four dot points. For public servants and possibly even for ministerial advisers it is many pages, but not yet for ministers. In New South Wales there is the Premier's code, which is a voluntary code. It is not produced through statute, but nevertheless it would be an applicable code of conduct.

Without that kind of trigger, the ICAC does not really go anywhere. It can investigate things that people think are dodgy, but it can only make findings that someone has breached either the law or an applicable code of conduct. Without the creation of a specific offence, it will be quite difficult for anyone to be definitively found out by the ICAC. We will have huge numbers of press releases and statements saying that so-and-so or such-and-such has been referred to the ICAC, but will the ICAC ever be able to make a finding? In the notorious Wollongong City Council issue in New South Wales it was determined that various public — —

Mr Viney — This motion is not about the ICAC.

Mr BARBER — It is absolutely about the ICAC, Mr Viney, because, as I have been explaining, it is about the Members of Parliament (Register of Interests) Act 1978, which has two wings. If Mr Viney, in preparation for this motion, would read up on his former government's response to Mr Scheffer's report that dealt specifically with this piece of legislation, he would see what was said by the report and in the government response in relation to the integrity body.

Mr Viney interjected.

Mr BARBER — Fantastic. Yet this issue just keeps recurring, doesn't it, Mr Viney?

The ACTING PRESIDENT (Mr Elasmar) — Order! Through the Chair!

Mr BARBER — Every time I find my way up here, through you, Acting President, I find myself saying the same thing. I said it until I ran out of spit under the last government, and now I have a second turn thanks to Mr Pakula's motion. However, it is like *Freaky Friday* but everybody has swapped sides, we are still arguing the same thing.

If the government does not address this issue when it brings forward its legislation for an integrity body, the entire discussion will be a complete joke. It must address the code of conduct for MPs, and that requires a strong regime of disclosure to go with it; otherwise the ICAC will be able to investigate basically everybody except MPs. It will not have much to investigate in relation to MPs, let alone ministers, and that is an extremely important point. Ever since we started talking about ICACs in this state I have not seen a media article that pointed to this piece of legislation as the trigger, if you like, for an ICAC investigation.

I am guessing that the government will not support this motion, and therefore we will not get an inquiry through the Privileges Committee. I do not know that the Privileges Committee is the right body to do it, but it is important, as stated in paragraph (2) of the motion, that we receive:

... recommendations on any aspect of the act that should be strengthened or changed to —

- (i) ensure that members of Parliament are clear as to what is expected of them in making declarations; and
- (ii) maintain public confidence in the integrity of the register of interests and, more broadly, public confidence in the Parliament of Victoria.

I endorse those aims and will therefore vote in favour of the motion, as will my Greens colleagues.

Mr P. DAVIS (Eastern Victoria) — Members of the opposition will be relieved to hear my contribution will be succinct, but I need to make a few points. Opposition members may agree with some of those points, but some of them they will regret. Firstly, I want to pick up on the context within which this motion rests, and that is the issue of probity and matters around transparency and governance. Clearly the most important protection the public has that members of Parliament and governments are behaving with probity is as a result of matters being transparent. One element of that is that there is a robust and partisan contest within the Parliament, and there is no harm in that. That is the way some issues are given oxygen and exposed in the public domain. Another element is that there are appropriate mechanisms of transparency.

Mr Barber touched on something I had intended to raise in a different way. He referred to the 1880s land boom and the various scandals, as we would regard them, that were on the front pages of the newspapers of the time and eventually led to the great bust of the 1890s and the humiliation of Victorian members of Parliament who were involved in some of those outrageous schemes. Some of those schemes led to many people losing, in today's terms, many millions of dollars and to members of Parliament actually fleeing the state of Victoria.

Mr Barber — That's because they had millions in the first place to lose!

Mr P. DAVIS — I do not know that it was their money to lose; I think it was somebody else's money. Some members of Parliament had to flee the state and, indeed, go overseas. What surprises me about that is that it was not until 1978 that we had a regime in Victoria to ensure transparency of members interests. It is stunning, is it not, to think it took 80 years for that transparency to become a formal requirement of members of Parliament. I do not think we should hyperventilate about the incrementalism that there is around public policy and transparency. It is probably not a bad thing to step through each of these principles carefully. We might consider that the scheme we have in front of us now — the register of members interests, the code and associated factors — was emulated by all of the other states. Victoria led the way in 1978, and the other states followed suit and adopted their various schemes. Today, as we know, there are different forms of probity, oversight and anticorruption mechanisms in every state, and every state has a different regime.

It is interesting that the parliamentary committee which I now chair — the Public Accounts and Estimates Committee — handed down a report several years ago which recommended a review of the register of members interests and the code of conduct. It was surprising that the way the government handled that matter was to not take up the recommendation specifically. The recommendation was that there should be a review by each of the two houses through the Privileges Committee, but the government referred that to the Law Reform Committee of the Parliament, which was chaired by Mr Scheffer. That committee conducted a very comprehensive review which led to a whole series of recommendations.

The government response to that report in 2010 was, in effect, the introduction of some legislation, coincidentally tabled with the formal response to the report. The legislation was introduced into the Assembly, and as we know and as Mr Barber alluded to, that was simply the context of a partisan debate,

because, as was put out by the then government, this was reported in the media as the 'Baillieu bill'. All it was was a partisan attempt to, in some way, cause political damage to the then Leader of the Opposition.

When the opposition did not do the predictable thing and oppose the bill but instead said, 'Yes, we will support it, but it does not go far enough; it needs strengthening', and introduced a number of amendments in the Assembly — which the government would not consider in the Assembly — to strengthen the transparency and accountability of that bill, what happened? The government was intimidated and therefore ignored the opposition's amendments, passed the bill unamended and referred it to this house. Then what happened? It lay on the notice paper until Parliament was prorogued for the election, because the government was not serious about taking a parliamentary view of improving accountability and transparency.

That means it is hard for the government to take the motion before the house and under debate tonight with the degree of seriousness which, in other circumstances, it might warrant. Again, it is just a reflection. Instead of it being the Baillieu bill, it is a motion to, in some way, unsettle, unnerve and politically attack a member of this house who happens to be the Leader of the Government. There is not a lot of merit in that, in my view.

There are some issues which I want to touch on quite specifically. They go to the issue of what I would regard as the importance of the contest that we are engaged in here, which is the contest between good and evil and the matter of principle.

On the issue of how we are governed, the structures of government are critical. The protection for the public in terms of the Parliament is absolute transparency. I will not get into the detail because I know that time is on the wing, as it were, and the opposition is keen to get on with other business because it does not think this is an important debate to give a lot of time to, apparently; I am happy to abridge my comments.

But were we to have a more substantive debate around this issue, I would lead to the obvious point, which is that we had a policy position going to the election, which I looked at from the point of view of whether we should contend that one policy is better than another. Clearly we should, because when I looked for what the Labor Party in government was saying about accountability, parliamentary standards, transparency, ethics and corruption, all I could find were five dot points in its policy platform about accountability and

parliamentary standards. I thought that was incredibly thin, given the amount of debate that occurred over the course of the 56th Parliament in relation to this very matter of corruption. The allegations that were being made around the Minister for Planning, about inappropriate influence by developers on the planning process, about the way that that minister and the executive — —

Mr Viney — No-one brought that up. No-one has raised those types of things in this debate. What are you doing this for? Do you really want to provoke me?

Mr P. DAVIS — Mr Viney, Mr Pakula made his case, I have been invited to respond, and I am responding to Mr Pakula's argument. I remind you — —

The ACTING PRESIDENT (Mr Elasmr) — Order! Through the Chair, Mr Davis.

Mr P. DAVIS — I remind Mr Viney, through the Chair, Acting President, that although the opposition is contemptuous of the motion it has moved and wants to abridge debate, the motion is a serious one that points to allegations in relation to the Leader of the Government, and I think it needs to be dealt with seriously. All Mr Viney is doing is reinforcing the view which Mr Barber correctly put — that this is simply a partisan football being kicked from one side of the chamber to the other.

It was the Baillieu coalition, in opposition, that laid out in *Victorian Liberal-Nationals Coalition Plan for Integrity of Government* — a comprehensive and detailed document — what it would do to implement an integrity process for the whole of government. The government has started to roll this out in a legislative sense with the introduction of the first tranche in the Legislative Assembly last sitting week. There is now a process of progressive implementation of that policy commitment. As the blocks — the accountability mechanisms — are put into place this will inevitably lead to a framework that will give Victorians a greater sense of confidence in the integrity and transparency of government. It is clear that the Baillieu government has a commitment to that policy, which it is now implementing.

The motion before the house specifically seeks the Privileges Committee to undertake an inquiry which the Law Reform Committee of the previous Parliament, which Mr Scheffer chaired, had already exhaustively conducted. As I alluded to, the committee's recommendations were adopted by the previous government in a way that was insufficient; it introduced

legislation but showed no commitment to it because it did not progress it. I am satisfied that through the Law Reform Committee that government attempted to put in place an enhanced and transparent process of accountability, but the whole of government was clearly not committed to it because it came down to political opportunism simply to embarrass the former opposition leader, now the Leader of the Government.

For that reason the reference to the Privileges Committee in the motion before us is inappropriate. The process that would have led to a more substantial outcome was run exhaustively and unsatisfactorily by the parliamentary committee that Mr Scheffer chaired. The Baillieu government takes a different approach to integrity, one which picks up on some of the work done by the Proust review, which was adopted by the then Brumby government and has been instructive in terms of forming the coalition's policy position on integrity in government.

Mr Viney, Mr Scheffer and Mr Pakula should accept that they got it wrong in the last Parliament. They could have had a new regime of transparency had they been committed to it. It is not appropriate to send this reference to the Privileges Committee; it is not a reference committee, as we know. Given the disappointing result for Mr Scheffer in regard to his own recommendations, he might join me in believing that it is better to rest on his own credibility. He put up the best recommendations he could as chair of the committee, but the then government did not adopt them.

I understand the opposition will not oppose — in fact, will wholeheartedly support — the legislation to implement an independent broadbased anticorruption commission. If at the end of the implementation process, the opposition believes we need further transparency measures as the building blocks of the integrity process are put in place, perhaps it could then move its own amendments to the provisions within that legislative framework. That is what I would like to see.

For those reasons, I oppose the motion before the house. I urge members to support the view that in future these matters should be handled in a more bipartisan way, because in the long run that is in the interests — —

Mr Barber — Tripartisan?

Mr P. DAVIS — Mr Barber interjects from out of his place, but I will pick it up. When I said 'bipartisan', perhaps I should have said 'parliamentary' — we should take a parliamentary approach. That would be a

better phrase. All of us in this chamber know full well the importance of taking ownership of matters that affect members of Parliament. We know partisanship about parliamentary accountability will never be satisfactory. Accountability and transparency measures are critically important to all members, and all members need to be comfortable with the level of exposure they have. That will always be a matter of balance between public interest and private interest. I oppose the motion before the house.

Mr VINEY (Eastern Victoria) — Despite Mr Philip Davis's attempt to provoke me, I will try to deal with this in a fairly clinical manner, because this is a pretty significant and important motion. I know the government is wanting to portray this as some kind of an attempt to smear Mr David Davis. That is not the approach Mr Pakula has taken, nor is it the approach of the motion. As all members of the house know, if the opposition wanted to conduct such a campaign, it could have done as the previous opposition did against Mr Theophanous or Mr Madden or whoever — that is, construct a series of motions in this chamber that went after the integrity of particular members of the house. That is what it did.

I sat on every select committee the previous opposition set up in the last Parliament and also on the Standing Committee on Finance and Public Administration. I remind Mr Philip Davis and other members of the government that none of those committees actually established any evidence of corruption in the matters they were asked to investigate, despite the chorus of such allegations in this chamber and in those committees, and despite the free use of that word. It does not matter which authority one looks at in the operations of Parliament; they all point to the fundamental underpinning of our democratic system being about transparency and openness, and that in particular relates to the declaration by members of Parliament of any interest, gift or donation they may have had that could be seen to be a conflict or potentially be a conflict. Declarations of gifts, donations or support are about underpinning public confidence in the democratic system itself.

As much as Mr Barber and Mr Philip Davis, who have both spoken earlier, wanted to portray this as part of the political milieu and debate of the political process in this place, that is not what is said by any authority — whether it be *Erskine May's Parliamentary Practice*, whether it be the 1979 report of a committee of inquiry called *Public Duty and Private Interest*, whether it be *Odgers' Australian Senate Practice*, whether it be the Members of Parliament (Register of Interests) Act 1978 itself or whether it be the report of Mr Scheffer's

committee, the Law Reform Committee, entitled *Review of the Members of Parliament (Register of Interests) Act 1978*. All of them highlight the underpinning of our democratic system by openness and that the purpose of declaring gifts, donations and pecuniary interests is to build public confidence in the democratic process itself.

Mr Scheffer's committee's report refers to the speech in 1978 by the then Premier, Sir Rupert Hamer, to Parliament establishing the Members of Parliament (Register of Interests) Act 1978, and quotes him as saying:

... the world will know in advance if [a member] has any interest which might in the eyes of some constitute a possible conflict of interest between his private affairs and his public duty.

I also go to *Erskine May*, which says on page 76 of the 24th edition:

The main purpose of the register —

that is, the register of financial interests —

is to give public notification on a continuous basis of those financial interests held by members which might be thought to influence their parliamentary conduct or actions. The main purpose of declaration is to ensure that fellow members of the house and the public are made aware, at the appropriate time when a member is participating in the proceedings of the house, of any past, present or expected future financial interest which might reasonably be thought to be relevant to those proceedings.

The Members of Parliament (Register of Interests) Act 1978, under the code of conduct section, outlines not just the principles by which a member ought to act under the code of conduct but the underpinning reasons for that. When you read that 1978 code of conduct for members, to which we are all still bound to this day, you see that its underlying purpose is unquestionably to ensure that the public can have confidence in the processes of the Parliament.

What this motion is about is this: we have had debate about the specifics of Mr David Davis's current declarations in which he, in generic terms, has said:

As a parliamentary member of the Liberal Party, I received campaign assistance, political and legal support from the Victorian division of the Liberal Party of Australia, its members and supporters.

We have had political debate on that matter — we have had question time and discussion and debate on it. What this motion is about is whether this is now the new standard because, as we all know, once someone's lower standard is accepted and it is applied, then that becomes the standard for everyone.

Once a lower standard of reporting has been accepted as acceptable practice in the members register of interests, that potentially becomes the standard for everyone. Potentially every member of the Parliament of Victoria could now simply declare that they have received donations from supporters and not name them or indicate the organisations they might be from. That is now the new standard, based on Mr David Davis's report. This is a matter of serious significance to this Parliament that ought to be looked at.

Now the government is saying it is unnecessary for this house to look at a dropping of the standard of reporting of members' financial interests or donations. Potentially all 128 members of this Parliament could now simply declare that they received funds and donations from their supporters. I do not in any sense believe that that is adequate. What this motion is actually about is asking the Privileges Committee to have careful consideration not of Mr Davis's declaration — we have had that debate; it is not asking it to investigate Mr Davis's specific declaration — but of this simple principle. It is not asking the committee to look at all the issues related to the register of members interests, which Mr Scheffer's committee has already done in the last Parliament. It is not asking that; it is asking the Privileges Committee to consider this new, lower standard and to think about the implications that that has.

I ask all members of this place to think about the implications that that has on the integrity of all members of this place. It brings into question the integrity of all members of this place. When that occurs — when the integrity of members of this place is brought into question — it undermines the principles of the democratic system that we have so carefully constructed as a nation and as a society for the last 150 years in Victoria and, more broadly, across Australia based on the Westminster tradition of hundreds of years of principle in the UK.

As members we need to think about this very carefully, and members of the government ought to think about their decision to vote this down. We have had requests in this current Parliament to set up lots of committees and investigations into lots of things, and not one of them has been supported by the government. We have asked for all sorts of investigations, some of which members of the government might see as political investigations, on planning and other things. I understand all of that. However, this is not that kind of request. This is a very simple request for this house to refer to the Privileges Committee a consideration of the implications of this new lower standard that is apparently now acceptable in the Victorian Parliament.

According to Mr Davis's declaration, it is simply enough to say that you have received donations from supporters. That just makes it a nonsense. All members of Parliament receive donations from supporters — that is how they run their campaigns. Even Mr Barber would have received donations from supporters through his political party. The issue here is that Mr Davis has declared that he personally received a donation from a supporter but he has not declared who, or what organisation, that supporter was.

If we are going to operate on this new, lower standard, we need to think about what the implications are. If all 128 members of the Victorian Parliament say, 'I receive donations from supporters', how does that help any of us — or more importantly the public — to consider whether or not influence has occurred in decision making? If one looks at the 1979 report of a committee of inquiry entitled *Public Duty and Private Interest*, conducted by Chief Justice Nigel Bowen, a very clear distinction is made between the issues of bribery and pecuniary interest. The report says that it is not suggested that declaring that you have a particular interest is an act of bribery but that it is potentially an act of influence that someone's personal interest may influence how they approach or make a decision. These are important principles that underpin public confidence in the democratic process.

This motion moved by Mr Pakula does not ask that the Parliament or its committees investigate Mr Davis. There have been all sorts of suggestions about why Mr Davis might or might not have declared these donations. People have suggested to me that the money came out of the Liberal Party's communications fund to pay for his legal bills and that that was then topped up by the Liberal Party 500 Club — in other words, it was a money-laundering exercise whereby it was paid for out of one thing and then topped up with another so that it did not appear that the funds had come directly from a particular organisation. I do not know that that is able to be proven. That is not the matter for investigation in this motion.

The matter for investigation in this motion is the new, lower standard. I suggest to members of the government that they think carefully about voting down an investigation into the new standard. If they do that and we do not have this privileges process and if Mr Baillieu does not require Mr David Davis to properly declare this donation as everyone else does who has had donations or gifts worth more than \$500 made to them, then we are left with a new standard that every member of this place can use. That introduces all sorts of potential problems and conflicts that can never be exposed. It also opens up the potential for members

to be subsequently influenced on the basis that they did not declare that someone had made them a donation. They could then be subject to a threat that such a matter would be publicly exposed if they do not do certain things.

The code of conduct of the Members of Parliament (Register of Interests Act) 1978 also makes specific reference to the important responsibility of a member who is a minister. Section 3(1)(e) says:

A Member who is a Minister shall ensure that no conflict exists, or appears to exist, between his public duty and his private interests.

That cannot occur if the minister has not openly declared the donor. How on earth could it be possible for a minister to meet section 3(1)(e) if the minister does not declare who the donor is? So a minister under the act has a special responsibility to be open. All members do, but a minister has a special responsibility because a minister makes decisions every week around the cabinet table and also makes decisions outside of the cabinet table in relation to his authority as a minister under various acts. It is particularly important for a minister to be open.

This is not a motion that is asking much of the house; it is a motion that is asking the house to refer the principle in relation to the standard of declarations to the Privileges Committee. That is something that all members ought to be able to support. The members of the government have in this Parliament consistently voted down every suggestion of an inquiry. Every single motion moved by the opposition in this regard has been voted down by members of the government. This is a motion that is not based on a political attack; that has already occurred in this place. This is not a motion calling for the Privileges Committee to investigate Mr David Davis in any way; it calls for the Privileges Committee to investigate the principle itself.

Mr Barber talked about his own declaration of interests. He said he declared his family property — I assume in West Brunswick — but did not declare the address. I know many members do that, and that is perfectly consistent, but I have declared my address. I have listed my address as 82 Bowen Street, Warragul, the property my wife and I own. I am not saying that Mr Barber has acted improperly; I am not suggesting that in any way, because that is a common standard, but I chose to take a different position.

I say to Mr Barber that my point on this matter is simply this: it is an inconsistent standard, and it is an inconsistent standard because it is unclear. I chose a particular path because I wanted greater clarity, and

Mr Barber has chosen one that is the common standard. There are good reasons why members might not want to declare their private address, and I appreciate that, but it is unclear. These are matters that need to be made clearer, including the new standard that Mr Davis has set.

Mr Davis has set a new, lower standard — all you need to do is say that you got money from a supporter. That is all you need to do under this new standard. If all 128 members of Parliament do that, then the members of Parliament register of interests is simply useless. It will be absolutely useless and will have no meaning, and that will undermine the confidence of the Victorian people in the democratic system itself. That is why it is very important that members of the government support this motion.

House divided on motion:

Ayes, 18

| | |
|--------------------------------|---------------|
| Barber, Mr | Pakula, Mr |
| Broad, Ms | Pennicuik, Ms |
| Darveniza, Ms | Pulford, Ms |
| Eideh, Mr (<i>Teller</i>) | Scheffer, Mr |
| Elasmar, Mr | Somyurek, Mr |
| Hartland, Ms (<i>Teller</i>) | Tarlamis, Mr |
| Leane, Mr | Tee, Mr |
| Lenders, Mr | Tierney, Ms |
| Mikakos, Ms | Viney, Mr |

Noes, 20

| | |
|----------------------------|---------------------------------|
| Atkinson, Mr | Hall, Mr |
| Coote, Mrs | Koch, Mr |
| Crozier, Ms | Lovell, Ms |
| Dalla-Riva, Mr | O'Brien, Mr |
| Davis, Mr D. | O'Donohue, Mr (<i>Teller</i>) |
| Davis, Mr P. | Ondarchie, Mr |
| Drum, Mr (<i>Teller</i>) | Petrovich, Mrs |
| Elsbury, Mr | Peulich, Mrs |
| Finn, Mr | Ramsay, Mr |
| Guy, Mr | Rich-Phillips, Mr |

Pair

| | |
|--------------|---------------|
| Jennings, Mr | Kronberg, Mrs |
|--------------|---------------|

Motion negatived.

PRODUCTION OF DOCUMENTS

Ms PENNICUIK (Southern Metropolitan) — I move:

That this house requires the Leader of the Government to table in the Legislative Council by 2.00 p.m. on Tuesday, 8 November 2011, any safety assessments, advice received, reports or related documents held by the Department of Transport or the transport safety regulator, including any received since November 2010, regarding the manual gates and railway crossing at New Street, Brighton.

The issue of the railway crossing at New Street has been an ongoing saga for four years, since the crossing was closed in September 2007. That was following a minor incident involving the gates, which were only slightly open, being struck by a north-bound train. Prior to that there had not been any serious incident at the New Street railway gates which were the last remaining metropolitan manually operated gates at a railway crossing. The gates were opened and closed by a railway employee every time a train came through. The employee would go out and close the gates to allow the train through and open the gates to allow the traffic through. The gates, because of their status as the only manually operated railway gates remaining in the state of Victoria, had a heritage listing under Heritage Victoria.

I also note that because the gates were manually operated until they were closed in September 2007, all incidents, including minor incidents such as where a train or a car had clipped one of the manual gates, had been recorded. This is not the case with most other level crossings, for which only serious incidents are recorded. In that time the number of incidents recorded at the New Street crossing was very low. However, the crossing was closed by Connex at the time, and there was a campaign in the community to reopen the crossing at New Street.

I raised that matter in Parliament three times. On 11 October 2007 I raised on the adjournment with the Minister for Public Transport at the time the delay in a sensor-activated detection system that was going to be fitted to make operation of the gates fail safe. I requested that the minister attend to that matter so that safety at the crossing could be improved.

On 17 April 2008 I presented a petition from 1524 residents of the Brighton area and people who used the New Street crossing for the gates to be reopened. On the same day I raised the matter on the adjournment. I pointed out in particular that a report commissioned by Bayside City Council had stated that in the United Kingdom, for example, there were 245 manually controlled railway gates and 245 manually controlled barriers as well as 364 manually controlled barriers protected by CCTV (closed-circuit television). I thought that was quite a startling fact, because we had been told by the government at the time that we could only have boom gates and not manually operated gates. I thought, and I still think, it very interesting that throughout the UK there are manually operated gates similar to the New Street gates. Some still have people operating them, and some are monitored by CCTV. There are several hundred of them.

This year the New Street railway gates remain closed, and the crossing remains closed and boarded up. There has been a lot of public outcry about the effect on nearby streets, particularly Hampton Street, of the general increase in traffic and the increase in traffic making right-hand turns from Beach Road into South Road and in particular a little further down Beach Road into Were Street. There is also a problem with motorists doing U-turns on Beach Road. This has now been somewhat alleviated by the creation of a right-turn lane into South Road. However, a majority of residents would like to see the crossing reopened.

We know that \$2 million was allocated in the budget for the reopening of the railway gates. That \$2 million, we understand, is being used for preparatory work, including soil testing, which I understand is either under way or almost complete, and looking at grade separation and putting the road underneath the railway at New Street.

There has also been quite a lot of public comment about the government's decision to go for grade separation at New Street, given that it is not considered a priority crossing for grade separation. If you look at the Australian level crossing assessment model (ALCAM) report, this crossing does not appear in the top 50. This has been reported in the press, and Mr Lenders, who raised the Murrumbeena Road crossing on the adjournment debate last night, put it at no. 233 on the list of priority crossings.

I have had a look at the implementation plan for the ALCAM. What it has tried to come up with over the last 12 years, since 1999, is consistent criteria for assessing railway crossings in terms of their priority. We know there are much more urgent crossings requiring grade separation in metropolitan Melbourne than the New Street railway crossing — for example, we know that priority no. 1 is Springvale Road, Nunawading, which is being fixed; no. 2 is Springvale Road, Springvale; no. 3 is Mitcham Road, Mitcham; no. 4 is Main Road, St Albans; and no. 5 is Furlong Road, St Albans. None of those crossing upgrades appears to be funded or on the government's priority list, but they have a priority ranking according to ALCAM. Other crossings in that general area include no. 7, which is Centre Road, Clayton; no. 31, which is Charman Road, Cheltenham; no. 33, which is Toorak Road, Kooyong; no. 35, which is Swan Walk, Chelsea; no. 37, which is Koornang Road, Carnegie; no. 39, which is Tooronga Road, Malvern; and no. 41, which is Station Street, Bonbeach.

In terms of the need for grade separation based on the criteria and safety priorities, New Street does not even

appear in the top 200 of the list. A lot of public money would be expended on grade separation at New Street. Members of the community are in favour of that. Members of the house can understand that, because it would open up New Street, which is what they want, and make it safer. We also need to look at the issue in terms of the whole of the state.

The member for Brighton, the Minister for Innovation, Services and Small Business, raised the issue of the New Street gates nine times in the last Parliament — during members statements on two occasions and adjournment debates on three occasions, in questions on notice and by tabling a petition in the lower house. Ms Asher was always in support of reopening the gates. I noticed that in one of her statements she mentioned that if there were to be a grade separation, then it should be at the South Road crossing. In articles in the local press, which members can see online, local residents also raised the issue of grade separation at South Road, which is only a couple of hundred metres from New Street and is at a major intersection.

The reason I am calling for these documents is that any work that has been done by the Department of Transport or the transport safety regulator, particularly in the last year, needs to be made public so that we can all see what assessments have been done following the release of the report that was done for the previous government — the Sargant report — and the report that was done by Bayside City Council. Neither of those reports ruled out the idea of reinstating the gates at the New Street crossing and looking at the interlocking system that is used in the UK in relation to those types of gates. In 2008 when I referred to that report in Parliament — and I referred to it just before — I thought that that could be a possible solution for other appropriate railway crossings, because those gates are safer than boom gates. It is not possible for someone to duck under railway gates. That is an acknowledged problem — members can read that in any report about railway crossings that are not grade separated. For example, the Australian level crossing assessment model deals with the hazards at railway crossings.

One hazard is when pedestrians and cyclists — and even vehicles, but particularly pedestrians and cyclists — duck under boom gates. It is a bit harder for vehicles to do it, but on one occasion I witnessed a car trying to get under boom gates at a station when the gates were down. This is not possible with the gates that were operating at the New Street level crossing. They were a much more solid and impenetrable barrier for cyclists, vehicles and pedestrians to get through.

Before a final decision is made in terms of what to do with that crossing, particularly as work has already been done at South Road, we as a community need to have all the documentation in front of us. I request that members of the house agree to my call for any safety assessments, reports or advice that have been given to the Department of Transport or the rail safety regulator, particularly in the last year.

Mr LENDERS (Southern Metropolitan) — Today I rise on behalf of the Labor Party to support Ms Pennicuik's motion. I have not spoken in any of the debates on motions in relation to the production of documents in this Parliament, but I rise to speak on this motion for a number of reasons — primarily because the New Street railway crossing is in my electorate. It is also in the electorates of Ms Pennicuik, Ms Crozier, who is in the chamber now, and two other parliamentary members.

The motion seeks the production of a series of documents. Last night I raised during the adjournment debate this very issue that Ms Pennicuik addressed in her remarks. I want to make it quite clear that my issue is not about begrudging the people in this area funding from the government to be put towards the crossing — that is not the issue. It is a governance issue as to why this was a priority over other areas. On what basis does a crossing that is so far down the list of the accepted criteria that has been used by governments of all persuasions for a long time get treated as a higher priority than others?

In the electorate I share with Ms Pennicuik and Ms Crozier there are roads, which I mentioned in my adjournment matter last night, where seven trains can go through a crossing before a pedestrian or a car can get across or, if you are on Burke Road, before a pedestrian, a car or a tram can get across. Governments are not made of endless buckets of money. I understand that as much as anybody, but this is all about the priorities. If the government puts X amount into grade separation and into alleviating these issues, it is about what criteria are used. What Ms Pennicuik is asking for in this motion is basically that the material be made available to the Parliament to enlighten us and also, I suspect, so that the bright light of scrutiny can be put on what on the face of it looks to be a pretty ordinary set of priorities.

I turn to the city of Bayside, where this money is being spent, and I will not digress much from the motion. I am gobsmacked at the things that I hear from large numbers of people in Bayside. I hear about issues such as Sandringham Hospital and Brighton Secondary College, and there are many other issues in the city of

Bayside that constituents talk to me about. I have had a fair amount of traffic, as have all members. I do not at all begrudge the fact that this community has received this funding, but I am concerned about the priorities.

Getting back to the issue I raised in the adjournment debate last night, if we look at the four roads in the geographic centre of my electorate — Poath Road, Koornang Road, Murrumbeena Road and Grange Road — we see that at the height of peak hour they all have waiting times of the order of 20 minutes plus while the railway gates are down. I think I saw some figures for Murrumbeena Road that show it is getting close to 26 minutes or 28 minutes. I stand to be corrected on the exact figure, but it is of that magnitude. I know the Acting President has raised in this house the issue of Furlong Road, which is in his electorate.

But the point is that it is a historical thing. It is not a criticism of the current government, the past government or previous governments. If we want to criticise, we can probably go back 100 years and have a go at Thomas Bent, which will not help anybody other than — —

Mr Drum — Not unless it is popular.

Mr LENDERS — Mr Drum, we can probably attack Tommy Bent in harmony, but that is not going to fix the problem. The reality is that Victoria has more than 1600 of these crossings; I think that is the figure I have seen. We are not going to fix the problem overnight, but the Department of Transport has given a series of priorities. It ranks the crossings from 1 to 1600, or whatever the exact figure is, and they are addressed in that order. If there is a variation to that, I get it. I understand there can be a variation because the government suddenly thinks there is a safety issue involved or some new information has been provided or there has been a tragedy. Governments have to have the right to do that, and the department just giving information to the government is not what government is about. Governments make choices. Ms Pennicuik seeks the documents that will shed light on why the government made this decision and why these priorities have been made.

For those reasons, I think it is particularly appropriate that these documents are brought forward. I will not go on any longer. It is a reasonable request. It will shed the bright light of scrutiny on government decisions, and if there are good reasons why this railway crossing has a higher priority than Brighton Secondary College, Sandringham Hospital or the three north-south crossings where there are 20-minute plus waits during peak hour when the railway crossings are closed, then I

look forward to seeing them. These documents will help to shed the bright light of scrutiny on the government.

Mr O'DONOHUE (Eastern Victoria) — I am pleased to rise to speak on behalf of the government in relation to Ms Pennicuik's motion 197. In the usual manner the government will not oppose Ms Pennicuik's motion, noting the usual caveat about privilege. The government will look at the motion and respond as soon as practicable. I note that Tuesday, 8 November, is not far away, and it may be difficult for the government to respond in that time, so I flag that. The government may be able to do it, so I will not pre-empt the outcome. I note that it is not a long period in which to conduct the searches.

I do not wish to make this into a partisan debate, and I appreciate the contributions of both Ms Pennicuik and the Leader of the Opposition, Mr Lenders, but I need to make a couple of succinct points. First of all, as both Ms Pennicuik and Mr Lenders know better than I, as they represent this area, this has been a contentious issue, and one which the coalition made a commitment to resolve before the last election. We hear much from the opposition and from others when they believe election commitments are not being delivered.

To respond to the comments made by Mr Lenders, who asked, 'Why this one?', the people of Victoria voted on this one. This was a policy before the election, and it is reasonable for the people of Victoria to anticipate and expect the government to deliver on its election commitments.

We have heard much spoken about the ALCAM (Australian level crossing assessment model) priority list. It is worth pointing out that the main priorities for the government are high on that ALCAM list, including, for example, the Mitcham and Rooks roads level crossings in Mitcham and the Springvale Road level crossing in Springvale. Mr Lenders talked about level crossings in his electorate where the boom gates are down for perhaps 20 minutes in an hour during peak hours. I agree with Mr Lenders that that causes traffic chaos, and without wanting to be partisan, the reality is that under 11 years of a Labor government very few level crossings were fixed. This problem has got worse and worse as traffic volumes have increased and as frequency on the rail network has increased. Very little was done in the 11 years of the previous administration, and there are now significant challenges for this government to try to address.

We have a number of commitments which we are in the process of implementing to remove level crossings at,

as I said, Mitcham and Rooks roads in Mitcham; Springvale Road in Springvale; North Road in Ormond; Blackburn Road in Blackburn; Mountain Highway and Scoresby Road in Bayswater; Main Road East and Main Road West in St Albans; and Mr Pakula knows I have been out to inspect with Mr Finn — —

Hon. M. P. Pakula — As have I.

Mr O'DONOHUE — I doubt it was with Mr Finn, Mr Pakula. There are also level crossings at Burke Road, Gardiner, and at Murrumbeena Road in Murrumbeena. I wish to refer briefly to two level crossings at Anderson Road, Sunshine, which the government has committed to removing but which the previous government removed from the scope of the regional rail project. On coming to government the Minister for Public Transport and the government committed to removing those level crossings, notwithstanding that the federal government has delayed funding for this project and notwithstanding some of the other issues that have been identified with this project by the new government. Those grade separations will be delivered.

This government has made grade separations on this network a priority. It is honouring its pre-election commitment for a possible local road underpass at New Street, and it does not oppose Ms Pennicuik's motion.

Hon. M. P. PAKULA (Western Metropolitan) — I might start at the end of Mr O'Donohue's contribution. The claim he has just made about Anderson Road in Sunshine and the two grade separations in regard to the regional rail link project are plainly wrong. Mr O'Donohue should go back and have a look at the announcement that was made in collaboration with the Brimbank council with Mr Lewinsky and Meredith Sussex — and the member for Footscray in the other place was there. I was involved with an announcement we made some time before the last election that those grade separations were included in the scope of the regional rail link project.

The parliamentary secretary should get his facts right if he is going to come into the chamber and make allegations about them not being part of the scope. They were part of the scope before Mr O'Donohue came to government. I am pleased to hear him state for the record that he is going to continue with the decision that was made by the previous government.

Let me also indicate that in the contribution by Mr O'Donohue I did not hear any justification for the apparent decision to grade separate the New Street crossing other than that it was an election commitment.

I think it is very important that Ms Pennicuik's motion pass. As the former transport minister who made the decision not to reopen that crossing, I think it is important for us to know what possible advice this government could have that would suggest that grade separating New Street, Brighton, is a good idea. I would be absolutely fascinated to see any advice that suggests this is a good idea.

It is worth going back very briefly over the history of this decision, because as I think members know there were a couple of incidents at the manually controlled gates where, for one reason or another and without wanting to apportion blame to any one individual, the gates were not in their correct position, trains went through the gates and there were a couple of near misses.

Back in September 2007 Connex made the decision to close those gates, and those gates have been closed ever since. It was a matter that Minister Kosky, who was Minister for Public Transport previous to me, and the then Minister for Roads and Ports, Mr Pallas, wrestled with for some time. Metro Trains Melbourne and VicRoads also wrestled with it, because it was a complex problem. You had some residents, not just in Brighton but coming from further down the bayside areas, who wanted the crossing reopened. You had some residents who had heritage as their highest priority and wanted the gates restored in a manual fashion — those particular historic manual gates. You had others who were less fussed by that; they just wanted the road opened, whether that be with normal boom gates or otherwise. You had those who lived in New Street who were quite happy to have it closed permanently.

There were a range of local views on this, but it was difficult to fashion a solution that was satisfactory to all parties. In many cases it is difficult to fashion a solution that satisfies all parties, particularly when you have got a combination of mobility issues, heritage issues and amenity issues for local residents all conflicting with one another.

Minister Kosky and Minister Pallas each nominated someone to try to resolve the issue, and early last year not long after I became the minister I received the report of those nominees. They said the best solution all round was that the gates be permanently closed; that the heritage nature of the gates be restored, so that they be permanently closed, with the closure to be effected by replacement of the heritage gates; that a new pedestrian crossing be created at New Street; and that some 300 or 400 metres up the road a right-turn lane and a right-turn traffic light be created at South Road.

That was a very important part of the overall decision, because the greatest issue for motorists was that if they were coming north along Beach Road, given that they could no longer turn right into New Street and they could not turn right into South Road, they were filing all the way up through Brighton and then turning right at Dendy Street. Given that there was no right-turn lane at Dendy Street, it was creating traffic congestion on Beach Road more generally; so you had an issue for Dendy Street. You also had an issue for Hampton Street traders because a number of motorists were heading up Hampton Street.

Mrs Peulich — You know this all very well. It is familiar territory for you, Mr Pakula.

Hon. M. P. PAKULA — Mrs Peulich, I know it well because I was the minister for transport and I was properly briefed on the matter.

Mrs Peulich — How far is it from home?

Hon. M. P. PAKULA — As you would expect, Mrs Peulich, I was properly briefed on the matter. The right-turn lane at New Street created the ability for motorists not to have go down Hampton Street or Dendy Street but to turn right safely with a right-turn arrow at South Road, and what we decided — and what I decided as minister — was that of the amalgam of issues that needed to be resolved at New Street we would create the right-turn lane first. The work started almost immediately after the decision was made by the nominees and endorsed by me, and the right-turn lane was created by, I think, October of last year.

Why that is important is that the fundamental issue — the problem that has created all of this eagerness around New Street — was fundamentally resolved by the creation of that right-turn lane. No longer do motorists have to go up Hampton Street; no longer do motorists have to turn down Dendy Street. Motorists can turn right into South Road and turn left into New Street, and the problem is resolved. That is why, when the decision was announced back in April 2010, the member for Brighton in the Assembly was the first person to go on the record supporting it in the *Bayside Leader*. The member for Brighton, Louise Asher, went on the record and said that this was a good decision.

What happened then was that the Assembly member for Sandringham, the adjoining electorate, was unhappy about that because a lot of his constituents still liked turning right in New Street. Public meetings were arranged, including with former local councillors. There was a bit of local agitation, and the member for Brighton's position changed. That is all on the public

record. I am not saying anything that can be contested; that is quite clearly what occurred.

Given that the member for Brighton's position was changed, the then opposition made this commitment to reopen the New Street gates. It made a commitment to reopen the New Street gates despite the fact that the solution that has been put in place is by far the most sensible and cost-effective and has done the job. It meant that the heritage gates could be retained, that a pedestrian crossing was created and that people could turn right 300 metres up the road and get into New Street. The problem is resolved; it has been fixed, and yet the new government has made this commitment to reopen New Street.

Coming into government, the government then discovered what the previous government knew: that there is no easy way of reopening the New Street gates without creating a whole lot of other issues. You have got people who do not like boom gates; you have got people who want the heritage gates restored; heritage gates might mean manual operation, and manual operation is not safe; Metro does not want manual operation; and the community does not want manual operation.

Ms Pennicuik and I had discussions about this at the time. Ms Pennicuik had a view — and I do not want to verbal her — that the old manual gates could be retrofitted to act automatically. The people at New Street like the fact that they are now in a cul-de-sac. There is a whole range of issues. Rather than confront those issues and confront the logical inconsistency of the commitment that was made, the government has come up with this crazy idea to grade separate New Street. It is a crazy, ludicrous idea, and there can be no advice to government that would suggest this is right.

Quite apart from the fact that it is 220-something on the Australian level crossing assessment model list and quite apart from the fact that it is not needed, you have the situation that this underpass will be about 100 feet from the bay. I do not know a lot about the water table, but I reckon a grade separation at New Street — a tunnel under the railway line at New Street — would flood more often than not. It is impossible to imagine that you could create an underpass at that place in any cost-effective way and not have all kinds of problems with the water table, not to mention — —

Mr P. Davis — Mr Lenders knows about underpasses. He is a great advocate for underpasses. He knows how to build them — the cattle ones.

Mr Lenders — Cattle underpasses.

Hon. M. P. PAKULA — I have to tell Mr Davis that the government would be on much more solid ground talking about cattle underpasses than talking about this ludicrous underpass. Quite apart from the geotechnical problems, there is the fact that this railway line is about 20 metres from Beach Road. I cannot imagine what kind of sharp turn or gradient will be required to get this tunnel up and onto the road without it actually opening up in the bay somewhere. There is absolutely no logical economic, safety or transport basis to support a decision to grade separate New Street, Brighton. The problem that was caused by the closure has been effectively resolved for the vast majority of people. The heritage gates would be restored, the pedestrian crossing would be restored and the right-turn lane is already there. It is way down any sensible government's priority list for grade separation.

Mr O'Donohue made our case for us when he talked about the fact that there were all these grade separations needed in places where there are a genuine traffic issues. I agree with him. Whether I accept the criticisms he made of the previous government or not, the fact is that on any rational basis, even if you accept absolutely Mr O'Donohue's view of the world, this grade separation should not be proceeded with.

I support the motion because Ms Pennicuik is right. If we are going to understand why this government wants to proceed with this grade separation, we need to see the costings, the analysis and the advice, because I would be staggered if any sensible government department would tell any government to do what this government is planning to do at that crossing.

Ms CROZIER (Southern Metropolitan) — I have great pleasure in rising to speak to this motion. Mr Pakula obviously has an intimate knowledge of this issue. He outlined his familiarity with it, coming from his previous role. He went into some detail in his contribution. However, he made some quite outlandish remarks about tunnels ending up in seabeds and other matters.

I want to make a few comments in relation to this matter because, as Mr Pakula pointed out, it has been raised by many constituents across Southern Metropolitan Region. As Mr Lenders, Ms Pennicuik and Mrs Coote, who is now in the chamber, are well aware — —

Hon. M. P. Pakula — Are you reading the letters to the editor? They all think this is nuts.

Ms CROZIER — I have to say to Mr Pakula that this was an election commitment, as Mr O’Donohue has pointed out.

In his adjournment matter yesterday evening Mr Lenders quite rightly raised a number of concerns from many constituents of Southern Metropolitan Region about grade separations across the area, but he also is reported as saying in that adjournment matter that:

Recently I was on Murrumbeena Road with a number of constituents of mine and Mrs Coote’s, watching the trains go past in great numbers.

I was quite pleased he said that, because it is in contrast to what happened during the previous government where we had numerous issues about the public transport system that members of this house and members of the Victorian public are only too well aware of. The metropolitan train system was left in a diabolical state. We came to government just 11 months ago, and that is what we are now undertaking to fix.

Mr Lenders — Terry Mulder has said he has already fixed it.

Ms CROZIER — We are undertaking and doing that, Mr Lenders. I want to refer to a recent article that was in the *Age* in relation to where we are at on that very issue. The headline is ‘Best-ever punctuality result for Metro’, and the article says:

Around 9 out of every 10 Melbourne suburban trains arrived on schedule in July, the best result for the network in five years.

The city’s metropolitan rail operator, Metro, says its punctuality target of 91.9 per cent is the best result since it took charge of the network in 2009, and the high mark since August 2006.

Since that time, the number of weekly services has increased 17 per cent and annual patronage has almost doubled.

Metro chief executive Andrew Lezala said new timetables and the lifting of speed restrictions on part of their train fleet helped increase performance.

That is in complete contrast to what the previous government did, which was one of the legacies we were left with.

Mr Scheffer — That is selective editing.

Ms CROZIER — That is what was stated in the *Age*.

Mr Scheffer — Only part of it. I dare you to read the rest of the article.

Ms CROZIER — It was on 4 August, Mr Scheffer. As all members know, the public transport system was plagued with many problems. I do not have to go into the myki ticketing system debacle. We have been talking about wasting money, and that cost hundreds of millions of dollars of taxpayers money that could have been put into better services. As Mr Lenders quite rightly pointed out with regard to the Sandringham Hospital, all the money that could have been put into the hospital system went instead into the debacle of the myki ticketing system.

Mr Lenders — You have just spent \$49 million on your priorities.

Ms CROZIER — We went to the Victorian public and said we would deliver on those election commitments, and this was just one. We were left with a number of financial disasters, and the public transport system was heavily involved in many of those cost blow-out projects.

Mr Scheffer — And building even more financial disasters.

Ms CROZIER — Mr Scheffer, I have to say that we are undertaking to review a lot of these projects; we are looking into that.

Mr Lenders — Looking into a lot of things.

Ms CROZIER — It does not happen overnight, and it needs to be — —

The ACTING PRESIDENT (Mr Ramsay) — Order! I do not see Mr Lenders and Mr Scheffer listed as speakers. I ask them to let Ms Crozier finish her contribution.

Ms CROZIER — I was just going to say a lot of these issues were symptomatic of the way the previous government handled financial matters and spent billions of dollars. As Mr Lenders and Mr Pakula have said, the Murrumbeena level crossing has been highlighted by this government as a priority, and the government has undertaken to review the process. I am pleased that the Baillieu government is doing that, and I know the constituents of my electorate, which is also the electorate of Mr Lenders, will be very pleased once that has been undertaken.

In conclusion, this was one of the pre-election commitments made by the Baillieu government. The planned road underpass at New Street in Brighton was also one of those election commitments. As Ms Pennicuik has said, \$2 million was committed in the 2011–12 budget to restore access between New Street

and Beach Road, which reinforces the government's commitment to improve level crossings right across this region, not only at this site but across this state. This is what the Baillieu government has undertaken to do. We are ensuring that proper processes are in place. We are assessing level crossings and delivering on our election commitments. Having made that short contribution, let me say that, like Mr O'Donohue, I will not be opposing the motion.

Ms PENNICUIK (Southern Metropolitan) — I thank Mr Lenders, Mr O'Donohue, Mr Pakula and Ms Crozier for supporting my motion. I will briefly cover the points raised by the other speakers.

Mr Lenders raised the issue of other particular crossings in the Southern Metropolitan Region where the boom gates are down for 20 minutes plus every morning and evening in the peak hour while trains run on the Dandenong and Frankston lines so that vehicles are unable to get through and even pedestrians are unable to cross at those crossings. Mr Lenders made the point that the priority list of rail crossings to undergo grade separation should be made on the criteria laid out in ALCAM (Australian level crossing assessment model) and not based on promises or other issues that are not about the highest priority safety issues that have already been identified unless new information comes to light, which has not been the case with the New Street boom gates.

Mr O'Donohue said that opening the New Street boom gates was an election commitment. I say to him that it was certainly an election commitment to open them, but it was not an election commitment to put a tunnel under the railway line or to put the New Street crossing ahead of much more urgent level crossings in terms of grade separation. We have already covered the issue that New Street is 223rd on the ALCAM list.

Mr O'Donohue did talk about the priorities the government has identified and that some of those coincide with the ALCAM priorities; however, I draw his attention to the fact that we talked a bit about the ones that are in the top 10 that coincide with what the government has identified as priorities, but there are more than 200 between those top 10 and the New Street crossing, which is at 223.

I do not want to go through the regional rail debate, because that does not go to my motion. Mr Pakula made several points based on his experience as a former transport minister, but he did say that manual gates are unsafe and that is why we cannot have the manual gates reinstated at New Street. The evidence does not show that manual gates are not safe. In fact the GHD report presented to Bayside council, which I referred to in my

contribution to the debate, states that some hundreds of railway crossings across the UK have manual gates or gates that are monitored by closed-circuit television. As I have mentioned and advocated, that could be a safety improvement at some level crossings that cannot undergo grade separation in the near future. Manual gates or automatic gates instead of boom gates could improve safety at a number of railway crossings.

Mr Pakula also raised the issue of the proximity of the railway line where New Street meets Beach Road, which is the geographical area we are talking about, being only some 20 metres or so from the bay, which is entirely correct. The railway line runs parallel and alongside Beach Road, so Mr Pakula raised the obvious point — of which I was aware but had not gone to in my contribution, and I thank Mr Pakula for raising it — of the feasibility of being able to put a road under that railway line and align it in such a way that cars will be able to come out onto Beach Road. It seems to be an engineering impossibility. I think that is a very important point, and that is why it is important that any documents that have led to this decision be tabled in Parliament so that the whole community can avail itself of them.

I also thank Ms Crozier for her contribution. It was interesting that there were contributions from all parties represented in Southern Metropolitan Region. I am not quite sure that the performance of Metro Trains Melbourne and the issue of myki are totally relevant to my motion, except that the parallel I could draw is the absence of the myki documents, which we are also asking to be tabled in the Parliament. If we are talking about election commitments — Ms Crozier finished her contribution by saying this was an election commitment, as Mr O'Donohue said — I point out that the election commitment was only to open the gates and not to put a tunnel under the railway line.

An election commitment that the current government also made was to make public the myki documents. We have asked for those to be tabled in the Parliament, and we have only just received another letter saying we are not able to have them, even though it was an election commitment to table the myki documents so the public of Victoria could understand why one point something billion dollars of its money has so far gone into this project that is still not working properly.

However, I thank all speakers and all parties for supporting my motion, and I look forward to the tabling of those documents in this chamber.

Motion agreed to.

YOUTH: GOVERNMENT FUNDING

Ms MIKAKOS (Northern Metropolitan) — I move:

That this house —

- (1) expresses concern at the failure of the Baillieu government to support successful programs assisting Victoria’s young people;
- (2) notes that the Baillieu government has cut funding to a number of programs that assist young people including —
 - (a) the apprenticeship completion bonus, which subsidised employers taking on more apprentices and helping to see them through their training;
 - (b) FReeZACentral;
 - (c) the mentoring and capacity building initiative, which relates to youth mentoring; and
 - (d) the Victorian certificate of applied learning (VCAL); and
- (3) calls on the Baillieu government to provide more assistance to support young Victorians.

It gives me great pleasure to speak in support of this motion, a motion that seeks to express concern at the Baillieu government’s failure to support successful programs that assist Victoria’s young people. This motion calls on the Baillieu government to provide more assistance to support young people. Since coming to office the Baillieu government has cut a number of programs that benefit young people, and I will seek to go through each of them in turn.

I will begin with the FReeZACentral program. FReeZA was introduced by the previous Labor government to provide drug, alcohol and smoke-free events for young people across Victoria. By networking with FReeZA committees around the state, the Push, a not-for-profit organisation, helps support young people in getting the skills they need to organise their own live events through FReeZACentral. FReeZACentral workshops and mentoring programs are free and offered to young Victorians to help them establish a career in the music industry. They encourage young people to participate in music training workshops, providing them with the skills and experience to become, amongst other things, a performer, a festival or event organiser, a music business person or an entrepreneur or to work in technical production, music media or marketing. It is these workshops and mentoring programs that the Baillieu government has decided are not needed by young Victorians anymore.

The government recently released a report commissioned by the previous Labor government

revealing that live music contributed \$501 million to the Victorian economy and provided jobs for 17 200 people. In the last financial year over 500 young people attended eight accredited training workshops across Victoria, and 54 young people were selected to participate in the FReeZACentral mentoring program with professionals from across the music and entertainment industry.

Labor recognises the benefits of the hands-on experience in the music industry that FReeZACentral provides to young people. Unfortunately the Baillieu government has turned its back on skills development for young people by choosing to cut funding to this important program. With many local FReeZA committees and a number of young mentees across my electorate, it is disappointing that the Minister for Youth Affairs does not credit the contribution of these young people to the music industry. When the minister was asked about this funding cut in the Public Accounts and Estimates Committee hearings earlier this year, he responded by saying that this program was not one that made the cut. I question the basis for the decision about what makes the cut and what does not, when the program has proven to be so successful.

The minister was quoted recently talking about Youthcentral’s roving reporter program. He said in the *Geelong Independent* on 14 October:

This is an opportunity for these young people to experience what it’s like to work as a professional journalist ...

I ask: what is it about young people who want to experience what it is like to work as a professional within the music industry that does not warrant the same level of support? I am certainly very supportive of the roving reporter program, but I think the FReeZACentral program is also beneficial to young Victorians.

The member for Benalla in the Assembly, Bill Sykes, recently put out a media release congratulating a local Benalla band for making it all the way to the regional finals of the FReeZA Battle of the Bands competition. The Victorian Battle of the Bands competition is another FReeZA event managed by the Push. The Push also manages the FReeZA support service, which helps young people on FReeZA committees and adult workers helping to deliver the FReeZA program to obtain free advice on a range of FReeZA-related events. What I would point out to Dr Sykes and other MPs who are happy to congratulate their local young people who have made it to the Battle of the Bands — and they are certainly worthy of congratulation — is that with this program having been cut, they may not see many more

of their young constituents making it to the Battle of the Bands competition in the future.

This government's cut to one of the FReeZA events managed by the Push is just the beginning of the end for many youth programs in Victoria. In his media release of 7 October the minister said:

The Victorian coalition government supports the FReeZA program and is committed to providing opportunities for young people aged 12 to 25 to develop skills and experience in the music industry.

I have to question that commitment, given the cut to the FReeZACentral program. It remains a mystery how the minister thinks he can do this.

I call on the Baillieu government to restore funding to the FReeZACentral training and mentoring program and commit ongoing funding to FReeZA. General funding for FReeZA, quite aside from FReeZACentral, is also up in the air, and we do not know whether the funding will continue beyond this financial year. Again I call on the minister to make an ongoing commitment to the FReeZA program into the future. It is very disappointing that the Minister for Youth Affairs cannot persuade his colleagues that the FReeZACentral program and other programs for young people are of enormous benefit.

There are, of course, other programs that have been affected by the government's budget this year. The Victorian certificate of applied learning — otherwise known as VCAL — is one of the programs experiencing a funding cut, and we have heard much about that. Slashing \$48 million from VCAL makes absolutely no sense whatsoever. This decision will impact on students statewide and could even force some schools to cut back on their education programs.

We have heard in the media in recent days that some schools are now looking at cutting back on the VCE (Victorian certificate of education) subjects they are going to offer to their students in order to find the funding to keep their VCAL programs going. This is an extraordinary situation. The government is putting school communities in the difficult position of having to rob Peter to pay Paul to keep a very popular alternative to the VCE program available to their students.

VCAL programs are essential in helping students achieve valuable hands-on trades training and to pick up skills and experience that will be important to them in the workforce. There are many reasons for not every student being able to complete the VCE, and it is quite critical that every student have the opportunity to

pursue more career-focused studies. I believe VCAL is a great alternative to VCE for year 11 and 12 students as well as mature age students and is worthy of ongoing support. VCAL has delivered very real benefits for young people. I understand that last year 86.9 per cent of VCAL students were able to take a direct pathway to further education, training or work. It is astonishing that the Baillieu government has cut funds to such an important program.

Victorian schools and education providers recently had to resort to placing an open-letter newspaper advertisement directed at the Baillieu government, calling on it to reinstate the funding. Sadly, that plea has fallen on deaf ears so far. The Baillieu government is clearly out of touch with the educational needs of the state's students. VCAL is an important program, and it is time the government recognises this fact.

VCAL was started by the former Labor government in 2002 and is now undertaken by about 20 000 students at more than 400 schools, TAFEs and adult learning centres. In the Northern Metropolitan Region 40 schools offer the VCAL program. Mr Ondarchie would be well advised to listen to what I am saying, because this is also his electorate. These schools include my old school, Thornbury High School, William Ruthven Secondary College, Preston Girls Secondary College, Croxton Special School, Epping Secondary College, Lalor North Secondary College, Mill Park Secondary College and the Concord School in Bundoora. These are all important schools.

Mr Ondarchie — You should go and visit them all.

Ms MIKAKOS — I frequently visit schools in my electorate, Mr Ondarchie.

Mr Ondarchie — I have been to visit them all, Ms Mikakos. They would love to see you one day.

Ms MIKAKOS — I am sure they all have a lot to say to you about the cuts to the VCAL program, Mr Ondarchie. All these schools in the Northern Metropolitan Region have been affected by this loss of funding. If Mr Ondarchie were representing his constituents well, he would be championing the restoration of funding to his local schools so that they could have the opportunity to offer VCAL.

Mr Ondarchie interjected.

Ms MIKAKOS — Mr Ondarchie, you have been here for 5 seconds, and you think you know everything; you would be well advised to listen and learn.

An honourable member interjected.

Ms MIKAKOS — My colleagues are already convinced about the merits of the VCAL program; I am seeking to convince Mr Ondarchie and his colleagues, so I am pleased they are all here to listen to my contribution.

It has been a huge disappointment to local schools, students and parents across Victoria that funding to this important program has been cut. As I indicated before, this will threaten not only the availability of VCAL but also the availability of other subjects through the VCE program, which has been thrown into question by school principals who have indicated they will have to find savings somewhere, and these savings may well come from cutting back on VCE subjects.

Nine schools intend to provide VCAL from next year, proving that the program is in demand and worthy of support. It was interesting to listen to Mr Leane's question to the Minister for Higher Education and Skills in question time earlier today. He asked the minister whether schools would be funded to offer the VCAL program for the first time. Mr Hall made it clear that the amount of funding that would be available was — —

Mr Leane interjected.

Ms MIKAKOS — He was vague, Mr Leane. He did not make it clear how much money would be available to schools offering VCAL for the first time. We may well be faced with a situation where few additional schools are able to offer this program into the future unless the funding is urgently reinstated. It is clear that the government has no plan or vision to provide the skills and training necessary to create jobs or stimulate Victoria's economy.

I now turn to the issue of the apprenticeship completion bonus. Not only has the Baillieu government cut the VCAL program but it will also phase out the apprenticeship completion bonus. This bonus is an incentive, paid directly to employers, to take on more apprentices and trainees and to see them complete their training. It has been a great success in having more young people take on apprenticeships and stay focused during their critical first year.

Labor understands that jobs connect the economy to the community, create prosperity and support families. Whilst funding is allocated to the program in this year's budget, it will slowly diminish in the out years, and it was stated in the budget papers that this bonus will be phased out. From 1 July no new apprentices will be eligible for this program, putting at risk job opportunities for 14 000 apprentices and trainees who

qualify for the bonus each year — a staggering figure. Cutting this initiative is another example of the poor judgement of the government, which is struggling to work out its plan for Victorian jobs.

Hon. M. P. Pakula interjected.

Ms MIKAKOS — We have seen cut after cut everywhere, Mr Pakula; you are absolutely right. The government is looking at cutting back on a range of vital programs for Victorians and in this case young Victorians in particular.

The final issue I will touch on is the cuts to the youth mentoring program. The mentoring and capacity building initiative was started in 2005 by the previous Labor government to help address disadvantage and make Victoria a fairer state. The government committed \$3.9 million for the four-year period from 2008–09 to 2011–12 to ensure that this program was supported.

The program targets young people who are at risk of dropping out of their studies and who have become disengaged from employment and training. Sadly, the 12 projects across Victoria which are supported by this initiative face the end of their funding at the end of this calendar year. At the end of December these projects will no longer be funded under this initiative. Each project has a different focus of support for young people from vulnerable and socially disadvantaged backgrounds across rural, regional and metropolitan areas. In fact half of those programs are available to young Victorians in regional Victoria. This program encourages teenagers and young adults to re-engage with study or employment by being paired with adults who are prepared to volunteer their time to support them.

Last week I had the opportunity of and the pleasure to visit a number of these innovative projects. I was amazed by the stories and their proven success rates. After visiting the programs and having these discussions, I am more convinced than ever of their success in helping vulnerable young people and of the importance of keeping the programs going. For example, I visited the Barwon Youth Big Brothers Big Sisters project in Geelong.

Ms Tierney — A great project.

Ms MIKAKOS — It is absolutely a great project, Ms Tierney. It has recorded an increase of around 50 per cent in school attendance by its youth. I was lucky enough to have the opportunity to meet one of the big brothers, who came along to describe his experience of being a mentor to a young person. He goes fishing

with, spends time in a social and recreational way and provides informal support to a young person who needed that support. It was clear from what he had to say that the program had really made a big impact on that young man's life. Other people who worked with the young man had remarked on the significance of the program and how the support he received from his big brother seemed to have a positive influence on his life.

The Beyond All Expectations program in Emerald has recorded a 98 per cent success rate in helping young people re-engage with work or training opportunities. The program that I visited at the Emerald Centre for Hope and Outreach is quite impressive. I had the opportunity to talk to both staff and volunteers and the young people involved in the program. It is a unique program in that the mentors not only help support young people by building their confidence and self-esteem but also take young people to different places of employment in the local region. They take young people to the local TAFE and encourage them to consider both employment and educational opportunities that might be open to them in the future.

The program has had a great success rate in getting young people engaged in study or employment by pairing them with a mentor who provides that support. This is a not-for-profit organisation which is supported by St Mark's, the local Anglican church in the community. Without government funding the program will really struggle to survive, and that would be a huge loss to the local community. They have worked for many years to build up the program and to get on their books a number of mentors who are prepared to volunteer their time. Without the support of the state government they may well struggle into the future.

Another program I visited is the Jindi Woraback youth mentoring program based in Lilydale, which is supported by the Shire of Yarra Ranges. I had an opportunity to speak to the staff involved in running that program and was impressed by their commitment to supporting young people in their shire.

All of these programs are fantastic because, as I said, they are based on volunteers providing their time. Funding is required, however, to staff coordinators who undertake the police checks, the working-with-children checks and the training and ongoing support provided to the mentors. They ensure that everything is running on track. Each year each program receives only \$50 000, which is a tiny amount of money in the scheme of things, but it is enough to keep the programs going. Without that state government support all the programs may well be at risk in the future. Many have said to me that they would seek support from

philanthropists, but at this time when we face a global financial crisis philanthropists and the corporate sector are forever being asked to dig deeper into their pockets and their money can go only so far. It is important that the government is prepared to support the programs and indicate to the community that they are valued.

There is another program that I wish to highlight to the house because of its unique nature — that is, the Bridge Youth Service young parents mentoring program in regional Victoria, which is all about providing support and assistance to vulnerable young people when they are expecting to have a child or once the baby has been born. This unique program seeks to support teenage mothers who without that support may well have their child placed in the child protection system.

All the programs are very worthy of support. I point out to the government that ultimately it is a dollars-and-cents argument, because it seems to focus on such issues. As I have indicated, the mentoring projects are low cost, but they have a high impact on the lives of young Victorians.

Recently I met with the Victorian Youth Mentoring Alliance, which is a fantastic organisation. It is the peak body for all the youth mentoring programs across Victoria. The programs across the state total 233, so many are not supported by the youth mentoring initiative but are supported by other sources of funding. The information the alliance provided to me is that there has been a range of studies that have proven exactly how cost effective the programs are to government and to the community. For example, a study by Access Economics looked at the impact of early intervention, such as youth mentoring, in nine outer metropolitan Melbourne local government areas. It found that the financial benefits from implementing a youth mentoring program outweigh the costs of the program itself.

In a similar vein, researchers at Deakin and Melbourne universities have found that a mentoring program that targeted the most troubled 1 per cent of young Victorians aged between 10 to 14 would cost about \$40 million, but it could deliver up to eight times that in cost savings to the community. The program that I indicated, the initiative that has been running, cost only \$3.9 million; it was not \$40 million. But the point I seek to make is that if you spend money on mentoring programs, there is a huge dividend to the community in terms of cost savings down the track.

I touched on some of these issues last night when we were discussing a bill that relates to the youth justice portfolio. The point I made then is that there is a far less

likelihood of young people reoffending or engaging in antisocial behaviour if you provide them with support to divert them out of the criminal justice system. You target at-risk disengaged young people with the strategies that are available, such as youth mentoring, the Victorian certificate of applied learning and others. I believe investing in these programs would be money well spent and would represent very good value for money for the community. Apart from the youth mentoring initiative itself, the government is also making cuts to three of six regional coordination projects that support new and existing mentoring programs. I say three out of six because the other three are in fact funded by philanthropy.

The other funding that is in jeopardy is the funding received by the Victorian Youth Mentoring Alliance. As I mentioned, the Victorian Youth Mentoring Alliance is the peak body that provides support and training to all youth mentoring programs across Victoria. It is an important body, but its funding runs out at the end of this financial year. This body was established in 2005, and since that time the number of youth mentoring programs in Victoria has tripled, so I take this opportunity to congratulate it on the work it has done in supporting youth mentoring organisations across our state. That is why the previous Labor government worked in partnership with the Helen MacPherson Smith Trust to fund the Victorian Youth Mentoring Alliance, an organisation that is now at risk without ongoing financial support.

Last night I referred to a report by the Drugs and Crime Prevention Committee, tabled in July 2009. I will refer to it again because it is an important report. It is entitled *Inquiry into Strategies to Prevent High Volume Offending and Recidivism by Young People*, and it looks at a range of issues around young people in the juvenile justice system and the reasons young people offend.

The committee in its report — and it was a bipartisan report — recommended that the Department of Human Services promote and fund mentoring programs through the Victorian Youth Mentoring Alliance to support stronger links between leaders and role models in the community and young people in custody. As I said, it was a bipartisan report. That recommendation was supported by members of the coalition. I hope the members who supported this particular recommendation will now seek to lobby the Minister for Youth Affairs, Ryan Smith, to reinstate mentoring initiative funding.

I know the government has been going around saying to people that they can apply for funding under the

Engage! program. The point that I wish to make is that the Engage! program was called the youth participation and access program under the previous government. This government seems to be very fond of rebranding things to disguise funding cuts. The Engage! program is available to council youth services, so what will happen now is that all the councils around the state will apply for funding for their core youth services under the Engage! program, and all their youth mentoring programs will be forced to compete with them. The only way that the youth mentoring programs will be able to continue is if funding is cut to council core youth services across the state.

I suspect what will happen is that a number of youth mentoring programs will miss out on funding, but councils will also receive less funding for their core youth services. As a result, it will be a lose-lose situation all round for youth programs across our state. It is disappointing that the government is forcing its mentoring programs to compete with each other for this funding. They also have to compete with the councils themselves in some respects because some of the youth mentoring programs are actually run by councils across Victoria.

Councils will now have to make a decision about whether they put in an application for their youth mentoring program or only put in an application for their core youth services. I suspect some will decide that it is too difficult and they will only put in an application for core youth services. Our young Victorians will be the losers from that. The coalition's failure to continue funding this program is the clearest evidence yet that it simply does not understand the enormous benefits that youth mentoring brings to the individual and to society as a whole.

In conclusion, the government has made cuts to a range of programs that support our young Victorians. It is an absolute disgrace that a government in its first budget has chosen to cut four important programs that support young Victorians in many different ways. Engaging our young people in education, training and employment and supporting them to build confidence and self-esteem should be one of the top priorities of any state government.

I have great pride in being a member of a party that made education of young people its top priority. It is about time the Baillieu government focused on what is important to Victorians. I know all Victorians would support greater funding for youth programs, and I call on the Baillieu government to reinstate funding to all these programs.

Mr DRUM (Northern Victoria) — It is with pleasure that I take the opportunity to rise on behalf of the coalition in response to the motion moved by Ms Mikakos. A range of youth-associated issues have been put forward by Ms Mikakos. The 2011–12 state budget funded a \$157 million boost to apprentices and traineeships. The Victorian government has invested more than \$2.1 billion in this year's budget for vocational training and vocational education. That is the largest ever investment in this sector.

The completion bonus which subsidised employees has taken a bit of a hit. We have had to make some very tough changes to some of our programs. It is a bit rich to totally overlook the fact that the Baillieu coalition government has had to deal with a shortfall of over \$2 billion in its one parliamentary term. Over \$2 billion has been sucked out of the expected budget income by the decisions taken in Canberra.

It is good to see the former Treasurer, Mr Lenders, in the chamber. For many years the former Treasurer was very vocal about what members of the then opposition should have been doing in relation to calling on Canberra and the Howard federal government to send a little bit more of the GST money back to Victoria. Week after week and day after day in Parliament Mr Lenders was very vocal about how the Howard federal government should be sending more of the GST revenues back to Victoria.

That dialogue stopped when the Rudd federal government was elected. We did not hear Mr Lenders talk about it once there was a Labor government in Canberra. I suppose it had to do with the fight he had within his own party. I wonder whether Mr Lenders has had any conversations with his colleagues in Canberra on behalf of Victorians since the \$2 billion was taken out earlier this year. Has Mr Lenders gotten on the phone and spoken to Canberra and advocated for a more equitable deal for Victoria? Or is Mr Lenders just happy to see this government in control of the state's finances and doing it tough yet again? Let us put everything in context. Let us make it clear where some of these tough decisions have come from and where this government has been forced to make some savings.

Within education we have been forced to make some changes to the way growth in the training sector is going to be controlled in the future. Certainly that has taken its toll in some respects. However, this government recognises the importance of apprentices. We understand how vital they are to the trades. We are committed to supporting our apprentices and their employers. We understand the value of the apprenticeship system and how young people with a

whole range of skills are going to need to embark on careers, and we know those careers are going to be very rewarding.

We have committed over \$55 million to the apprenticeship trainee completion bonus scheme. We understand that is going to assist more than 20 000 current Victorian apprentices and trainees who commenced their courses prior to 30 June. The expert panel review report, *A Shared Responsibility — Apprenticeships for the 21st Century*, was released in January 2011. In relation to priority occupations, the panel recommended a shift away from incentive payments towards direct support for employers. That is something that is supported by this government.

There have been some cuts to the Victorian certificate of applied learning (VCAL) coordination system, but there is not going to be any reduction for VCAL delivery itself. We will be putting the responsibility onto the schools in the same way as we do with the Victorian certificate of education. We understand the schools will be able to coordinate the vast majority of students who go through their system in the same manner as they do currently, without specific coordination funding for those packages. All of that comes within the student resource package.

We are hoping we will see VCAL continue to grow. I am sure everyone understands that our funding for VCAL has increased by over 8.5 per cent. Enrolment is expected to grow, and we heard in question time today Mr Hall's announcement that there is going to be assistance for new schools that move into that space of providing VCAL when they have not done so previously. In every area, whether it be supporting apprentices or continuing to support VCAL trainees, this government is totally committed to ensuring that young people who have the potential and desire to get out there and gain employment under apprenticeships or traineeships will be wholeheartedly supported by this government.

In relation to FReeZACentral, it is staggering to think that Ms Mikakos suddenly referred to FReeZACentral and tried to rewrite history by claiming that it was somehow a Labor Party initiative. The first FReeZA event took place in 1997, so unless Ms Mikakos thinks that the FReeZA program was started by Labor before it came to government, I do not know how she can make these claims. We understand the truth to be that the FReeZA events were started in 1997 by the Kennett government, and we have supported them. There is recurrent funding, which was not mentioned by Ms Mikakos.

There were no forward estimates in the previous government's budget in relation to the FReeZA programs. Everyone knows there was no money provided by the Labor Party in the budget for the FReeZA events. It is another one of those lapsing programs that we have had to pick up and fund over and above all of the other programs that we have initiated. It is just another example of the financial mismanagement of Daniel Andrews, the Leader of the Opposition, and his crew of Labor colleagues. It is another example of the mess they have foisted upon Victorians.

The opposition continues to put forward the concept that the coalition does not fund FReeZA programs, but we put on the record that the FReeZA program will receive recurrent funding for its ongoing expenditure under the Victorian government. It has never been under threat of being discontinued.

Business interrupted pursuant to order of Council on 13 October.

ADJOURNMENT

The ACTING PRESIDENT (Mr Ramsay) — Order! The question is:

That the house do now adjourn.

Wine industry: smoke taint

Mr LENDERS (Southern Metropolitan) — The matter I raise in the adjournment debate tonight is for the attention of the Minister for Agriculture and Food Security, Peter Walsh. The action I seek from the minister is essentially that he stand up for the grape-growing industry. As members would be aware, there is, correctly, a much greater burn-off requirement under the Department of Sustainability and Environment (DSE) this year, with a bipartisan-supported escalation of burn-backs to protect Victoria from bushfires. Everybody in the state is supportive of that. However, what we know is that with the very high targets going forward the grape-growing industry will be exposed to smoke taint.

The action I seek from the Minister for Agriculture and Food Security is that he be a champion of the grape growers by intervening and working with warnings, scheduling and timing so when the necessary burn-offs inevitably occur they will be done at the least inconvenient time for grape growers.

The government — and I pay tribute to the government — invested \$4 million in the budget for a

research facility in Mildura to deal with smoke taint. That is something for which the government should be commended, but this matter is more about — if the minister's answers at the Public Accounts and Estimates Committee were correct — the long term and the strains of grapes that are less susceptible to smoke taint, which was a big issue earlier this year for grape growers, particularly in the Pyrenees.

I have been contacted by a number of growers in the lead-up to the burn-off season. I was contacted about this particular concern earlier this year, as was my colleague the member for Ripon in the Assembly, Joe Helper. It is not an issue that I raise lightly, because we are all conscious that DSE needs to be able to manage its burn-offs. I raise it with the Minister for Agriculture and Food Security because the grape growers need a champion at this particularly difficult time, as the state escalates its burn-offs to up to 5 per cent of bushland as a correct precaution and protection against the bushfire season.

I ask that Mr Walsh be the champion of grape growers this season, next season and the one after that and that he not just rely on the admirable research being done in Mildura into long-term, smoke-taint-resistant grapes. I ask him to intervene directly with the Minister for Environment and Climate Change to try to schedule these measures to be put in place now to protect the grape harvest in the coming year.

Victorian Women's Honour Roll: nominations

Mrs COOTE (Southern Metropolitan) — The issue I raise this evening is for the Minister for Community Services, who is also the Minister for Women's Affairs, the Honourable Mary Wooldridge. It concerns nominations for the women's honour roll. I was very pleased to read today that the minister has invited nominations for the 2012 Victorian Honour Roll of Women to honour remarkable women in the community.

Last year the minister gave me the great personal honour of chairing the honour roll. We had 100 women to choose from and had to narrow the list down to a few. It was a big challenge. I must say there is considerable work being done by excellent women right across this state — young and old women, country women, women from different cultures and indigenous women. It is really pleasing to see the calibre of women doing the most extraordinary work. There are currently 478 women on the honour roll, which commenced in 2001. Until last year, former Premier Joan Kirner had been an integral part of the honour roll. She decided to

retire earlier this year, having earned great respect from everybody involved.

Women who have been honoured in the past have come from a diverse range of fields including health, science, law, social sciences, arts, media and education. Everybody in this chamber should be thinking of women in their electorates and communities and nominating them to be considered for the honour roll. It is a very important thing to do for women in this state. We need to see a lot of rural women and a lot of younger women nominated. I encourage everybody in this chamber to go out and actively seek women to nominate.

The action I seek from the minister is support for a widespread media campaign across Victoria to alert women to the importance of the honour roll. I ask that she take the opportunity to speak about the success of women on the honour roll in the past and encourage new women to nominate so that we get many nominations and can celebrate women in Victoria.

Snobs Creek discovery centre: future

Ms BROAD (Northern Victoria) — I raise a matter for the attention of the Premier. The action I seek is that the Premier reinstate funding for the Snobs Creek discovery centre, which was closed earlier this year by his government.

To assist the Premier in his deliberations I draw his attention to a public statement by The Nationals member for Benalla, Dr Sykes, on 9 September 2010. In his statement Dr Sykes welcomes written confirmation from the former Labor Minister for Agriculture, Mr Helper, that following a temporary closure, the Snobs Creek discovery centre is to reopen on completion of upgrade works at the facility. He states:

The discovery centre is a vital part of the local tourism package. However, in order to adequately fulfil this role the centre needs a substantial upgrade.

He goes on further to say:

I will continue to lobby the Brumby government to secure significant funding to support such an upgrade.

Any reasonable person would conclude from those statements that Dr Sykes and the government, led by Mr Baillieu and The Nationals leader, Mr Ryan, would support the continuation of the discovery centre. Local businesses and residents of the Eildon area feel absolutely betrayed by Dr Sykes and the Baillieu-Ryan government's decision to close the discovery centre. In particular, local businesses and residents are outraged

by the excuses of Dr Sykes for the government's closure of the centre. He stated that it was outdated and financially unviable.

The community of Eildon has experienced very tough times through the long drought years, and the hardship caused by those long, hard years does not go away overnight just because Lake Eildon is now full of water. The community of Eildon is not giving up without a fight. More than 500 people have signed a petition calling for the continuation of the discovery centre. I take the opportunity tonight to call on the Premier and Mr Ryan to do the decent thing and reinstate funding for the discovery centre at Snobs Creek. The centre has been operating since 1985, supported by governments of all political persuasions, and it is an absolute outrage that the Baillieu-Ryan government has decided to close the centre.

Alpine National Park: cattle grazing

Mrs PETROVICH (Northern Victoria) — My adjournment matter is for the Minister for Environment and Climate Change. In January this year about 400 cattle became part of a trial in the alpine region to determine whether grazing reduces bushfire fuel. At the top of the list of the coalition government's intentions was the need to commit to reducing the fuel load on public land while monitoring and carefully managing the ecological consequences of any activity. This was for the purpose of the government's commitment to study the reduction of the fuel load on public land while monitoring and carefully managing this study. Obviously many critics of the trial may not leave the city or be close to or as concerned about the prevention of bushfires as those of us in the country. From Melbourne and Canberra it is impossible to realise the impact of seeing 1 million hectares per annum burn.

Cattle grazing was banned in the Alpine National Park in 2005 by the former Victorian Labor government but was reintroduced by the coalition government earlier this year as part of its commitment to the people of Victoria at the last election. The Baillieu government has taken the major action of substantially increasing investment in fuel reduction burning and has achieved a substantial increase in this program since its election. There has been a significant effort over this year to provide the investment to do this after many years of neglect by the previous government. The government has produced results which it can be proud of in achieving a target of over 200 000 hectares, which was never achieved by Labor in over 11 years of government.

The federal government introduced new regulations last Friday, 20 October, designed to stop cattle grazing in the Alpine National Park. The federal Minister for Sustainability, Environment, Water, Population and Communities, Tony Burke, signed off on the new rules, which came into effect under regulation in October. ABC radio reported that:

Mark Coleman from the Mountain Cattlemen's Association told ABC Gippsland the new rules are a product of the Labor Party trying to appease the Greens, and he says the fight to keep cattle in the park isn't over yet.

Mark Coleman is reported as saying:

I think this might be just the start actually. What they're doing here, it is going to have ramifications not just for the mountain cattlemen, it is going to have ramifications for all bush users and that is Australia wide.

So unfortunately, we are the thin edge of the wedge with this.

The Minister for Environment and Climate Change, Ryan Smith, was reported to have said:

... the new rules are a stunt and Tony Burke's consultation process on the matter was a joke.

The first — —

Mr Leane interjected.

Mrs PETROVICH — I will get to the action in a minute, Mr Leane. The first in a series of reports of effective cattle grazing in terms of fuel and bushfire risk management in Victoria's high country released by the Department of Sustainability and Environment covers the first year of the trial. The action I seek is that the minister continue to pursue the delivery of this government's election commitment and use every fuel mitigation method available to us.

Youth: mentoring programs

Ms MIKAKOS (Northern Metropolitan) — My matter is for the Minister for Youth Affairs. I wish to raise my concern that the mentoring and capacity building initiative, a dedicated funding stream for 12 state-funded youth mentoring projects across the state, will end this December. This initiative was started by the previous Labor government in 2005 to help address disadvantage and make Victoria a fairer state. Funding of \$3.9 million was committed over four years to ensure that this program was able to be supported.

The initiative helped dozens of at-risk young people from 12 statewide youth mentoring projects every year. These projects are spread across metropolitan Melbourne, regional communities and regional cities. They seek to link up young adult mentors with young

people, to provide them with support, to build their self-esteem and confidence and also to assist them to re-engage with study or employment.

I had the opportunity to visit a number of these programs recently. I was very impressed by people's stories and the proven success rate of the programs. I particularly commend the programs at the Emerald Centre for Hope and Outreach, which I visited. I commend the Beyond All Expectations mentoring project, which is based in Emerald, the Jindi Woraback youth mentoring project run by Yarra Ranges Shire Council, which is based in Lilydale, and the Barwon Youth Big Brothers Big Sisters project. These are all excellent programs. I take this opportunity to congratulate the individuals involved.

All these programs have had huge success in having a positive impact on the lives of young Victorians. I encourage members to read the article in the *Herald Sun* of 21 October written by Susie O'Brien. Susie said if the government spent a little bit of money, it could have a preventive effect when it comes to juvenile offending. It is an excellent article, and she made comments about her own experiences as a mentor.

I encourage coalition members to speak to Dr Denis Napthine, the Minister for Ports, who I understand has been a mentor in the Big Brothers Big Sisters program. I call on the minister to restore dedicated funding to youth mentoring projects across Victoria and to provide more assistance to support our young people.

City of Brimbank: elections

Mr FINN (Western Metropolitan) — I wish to raise a matter for the attention of the Minister for Local Government. I am sure the minister would be aware, as would members of the house, of major concerns of many in the Brimbank area about what may happen in that municipality as a result of the return to elections in November next year.

I am sure I do not have to remind members of the house of the goings on within Brimbank City Council in recent times. I do not have enough time to remind the house of any of those details. We have seen corruption, we have seen factional brawling between various groups in the Labor Party — that is, the Suleyman empire versus the Seitz group — we have seen bullets in letterboxes, we have seen death threats and we have seen various degrees of violence. There is very real concern, as I have pointed out — —

Mr Barber interjected.

Mr FINN — Mr Barber should stick around. The Greens seem very concerned about this next election in Brimbank. I am not sure which Labor Party faction the Greens have jumped into bed with, and I will be interested to find out. Residents in Brimbank are concerned about what may happen as a result of what the Greens would refer to as a return to democracy. What democracy is in Brimbank is an interesting concept, to say the least!

What makes it even more interesting is an article written by Melissa Fyfe that was published in the *Age* of today's date which begins:

Police are investigating an alleged assault at a Labor Party branch meeting on Monday night involving the trouble-prone former member for Keilor, George Seitz.

That is the same George Seitz, a former member for Keilor in the Assembly, who is lining up to be the mayor of Brimbank after the council election next year. The story goes on:

The Keilor branch meeting descended into chaos as Mr Seitz and a Labor member allegedly tussled over the branch's official records. The member, Gail Cholosznecki, says she was assaulted by Mr Seitz, but the former MP insists he was the one left injured.

The alleged incident, which occurred at the offices of Mr Seitz's replacement, Natalie Hutchins, is being investigated by police, but detectives are yet to formally interview the former MP or Ms Cholosznecki, a staffer for the member for Macedon, Joanne Duncan.

I am glad to see that Ms Duncan, the member for Macedon in the Assembly, is doing something somewhere, because she is not doing it in Macedon.

I ask that the minister review these matters that are obviously of enormous concern to people who are worried about good governance in the Brimbank area. I ask her to take these latest revelations and developments, particularly if police charges result from them, into consideration in any discussions she may have about whether Brimbank City Council should be excluded from the election process next year.

Rail: Epping service

Mr BARBER (Northern Metropolitan) — My adjournment matter is for the attention of the Minister for Public Transport, and my request of the minister is that he enter into a public consultation process with commuters on the Epping line about a new timetable, which is urgently needed for trains on that line. There is an extraordinary level of overcrowding on the Epping line. In fact I have asked members of the community to keep records of how far it is out from the city centre

that they are unable to get a seat. In some instances in morning and afternoon peaks they are travelling all the way from Thomastown station to the city standing up.

We are told that the construction of the South Morang extension will be completed next year, and when it is completed thousands more commuters will be coming onto this line. However, there is still no information from the government or from Metro Trains Melbourne about any additional services. Just this week Mr Ondarchie put out a press release trumpeting the fact that on 28 November new stations will be opened at Keon Park and Thomastown. He told us that in some instances trains have to wait 7 minutes at Keon Park in some instances for an oncoming train due to the single-track section which has now been eliminated. What Mr Ondarchie's press release did not tell us, however, is whether trips would now be 7 minutes shorter. We are left to guess, because there is no timetable on Metro's website even though this imminent occurrence on 28 November is apparently going to make things better.

On any given day under the current timetable the trains in the outbound direction on that line spend a total of more than 70 minutes waiting. That is enough for one train to do an entire trip into the city and back out again. As a result of these new constructions, will we get an extra train in the morning and afternoon peaks? There is absolutely no commitment from the government on that. There will be more travellers on the line, no guarantee of a shorter journey time and no guarantee of any extra services. Before the government organises a grand opening of some new stations and pats itself on the back — —

Mr Ondarchie interjected.

Mr BARBER — New infrastructure is one thing, but actual services to run on that infrastructure are not yet forthcoming, despite the precipitous media release from Mr Ondarchie. It is classic spin to talk about infrastructure and to make no commitment to the community about additional services. If such services are forthcoming, I ask the government to talk to the community and show us a timetable that will reduce overcrowding.

Bushfires: Dandenong Ranges

Mr O'DONOHUE (Eastern Victoria) — I raise a matter for the Deputy Premier in his capacity as the Minister for Bushfire Response. We are now entering the time of year when bushfire risk increases, and I note that Fire Action Week is coming up — from 13 to 20 November. I recently joined with the Minister for

Bushfire Response to encourage the community to get involved in bushfire week activities.

In recent years my electorate has suffered significantly as a result of fire. From East Gippsland and Wilsons Promontory to the Latrobe Valley, Bunyip Park, Upper Yarra, Upper Ferntree Gully, the Mornington Peninsula and elsewhere, fire has significantly impacted on Eastern Victoria Region. Perhaps one of the highest risk areas is the Dandenongs, where public and private land, population density and significant vegetation all meet. In my dealings with constituents from those communities in the Dandenongs, I know that bushfire safety is a constant issue that is raised.

Given this context, I am very pleased that last week the government announced the Dandenong Ranges bushfire landscape plan, which is an innovative pilot program that is designed to increase bushfire preparedness. The Deputy Premier's press release of 20 October quotes him as saying:

The fire services commissioner will pilot a new integrated approach which aims to address existing gaps in fire management plans, and identify short and long-term issues and priorities to improve bushfire safety.

The press release continues:

The Dandenong Ranges pilot program will examine a range of issues, including:

- public and private land management;
- demographics and population;
- community planning and preparation; and
- understanding bushfire behaviour.

I look forward to this new pilot progressing and the learnings from it being released to the community, particularly the Dandenong Ranges community. I acknowledge the work of the local community in making this possible, including Country Fire Authority volunteers, Department of Sustainability and Environment workers, the Dandenong Ranges bushfire group and others. The action I seek from the minister is that as information and learnings become available from this pilot he make those available for public consumption and information.

Responses

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — Mr Lenders raised a matter for the Minister for Agriculture and Food Security with respect to the viticulture industry in relation to the issue of smoke taint and the scheduling of controlled burns

around the viticulture industry. I will pass that on to the minister.

Mrs Coote raised a matter for the Minister for Women's Affairs with respect to the Victorian Women's Honour Roll. She asked the minister to ensure that there be a widespread media campaign to attract a substantial pool of applicants for the roll next year.

Ms Broad raised a matter for the attention of the Premier with respect to the Snobs Creek Freshwater Discovery Centre, and I will pass that on to the Premier.

Mrs Petrovich raised a matter for the Minister for Environment and Climate Change with respect to the mitigation of fuel loads in the high country, and I will pass that on to the minister.

Ms Mikakos raised a matter for the Minister for Youth Affairs with respect to youth mentoring projects, and I will pass that on.

Mr Finn raised a matter for the Minister for Local Government with respect to concerns about the City of Brimbank, and I will pass that on to the minister.

Mr Barber raised a matter for the Minister for Public Transport with respect to the Epping line, asking the minister to undertake consultation with respect to timetabling on that line, and I will pass that on to the minister.

Mr O'Donohue raised a matter for the attention of the Minister for Bushfire Response in relation to pilot programs that are currently under way and requested the minister ensure that the outcomes of those are released publicly, and I will pass that on to the minister.

The PRESIDENT — Order! The house stands adjourned.

House adjourned 11.24 p.m.