

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-SEVENTH PARLIAMENT**

**FIRST SESSION**

**Wednesday, 30 October 2013**

**(Extract from book 14)**

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## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC

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## Legislative Council committees

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

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

## Legislative Council standing committees

**Economy and Infrastructure Legislation Committee** — Mr Barber, Mrs Coote, #Ms Crozier, Mr Drum, Mr Finn, #Ms Hartland, #Mr Leane, Mr Lenders, Mr Melhem, #Mr Ondarchie, Ms Pulford and Mr Ramsay.

**Economy and Infrastructure References Committee** — Mr Barber, Mrs Coote, #Ms Crozier, Mr Drum, Mr Finn, #Mr Leane, Mr Lenders, Mr Melhem, #Mr Ondarchie, Ms Pulford and Mr Ramsay.

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

**Environment and Planning References Committee** — Mr Dalla-Riva, Mr Elsbury, #Mr Finn, #Ms Hartland, Mrs Kronberg, #Mr Leane, Mr Ondarchie, Ms Pennicuik, #Mrs Peulich, Mr Scheffer, #Mr Tarlamis, Mr Tee and Ms Tierney.

**Legal and Social Issues Legislation Committee** — Ms Crozier, Mr Elasmr, #Mr Elsbury, Ms Hartland, #Mr Leane, Ms Mikakos, Mrs Millar, Mr O'Brien, Mrs Peulich, #Mr Ramsay and Mr Viney.

**Legal and Social Issues References Committee** — Ms Crozier, Mr Elasmr, #Mr Elsbury, Ms Hartland, #Mr Leane, Ms Mikakos, Mrs Millar, Mr O'Brien, Mrs Peulich, #Mr Ramsay and Mr Viney.

*# Participating member*

## Joint committees

**Accountability and Oversight Committee** — (*Council*): Mr P. Davis, Mr O'Brien. (*Assembly*): Ms Kanis, Mr McIntosh and Ms Neville.

**Dispute Resolution Committee** — (*Council*): Mr D. Davis, Mr Hall, Mr Lenders, Ms Lovell and Ms Pennicuik. (*Assembly*): Ms Allan, Ms Asher, Mr Clark, Ms Hennessy, Mr Merlino, Mr O'Brien and Mr Walsh.

**Economic Development, Infrastructure and Outer Suburban/Interface Services Committee** — (*Council*): Mr Eideh and Mrs Peulich. (*Assembly*): Mr Burgess, Mrs Fyffe, Mr McGuire and Mr Shaw.

**Education and Training Committee** — (*Council*): Mr Elasmr, Mrs Kronberg and Mrs Millar. (*Assembly*): Mr Brooks and Mr Crisp.

**Electoral Matters Committee** — (*Council*): Mr Finn, Mrs Peulich, Mr Somyurek and Mr Tarlamis. (*Assembly*): Mr Northe.

**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, Ms Crozier and Mr O'Brien. (*Assembly*): 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 Thomson, Mr Wakeling and Mr Weller.

**Independent Broad-based Anti-corruption Commission Committee** — (*Council*): Mr Viney. (*Assembly*): Ms Hennessy, Mr McIntosh, Mr Newton-Brown and Mr Weller.

**Law Reform, Drugs and Crime Prevention Committee** — (*Council*): Mr Ramsay and Mr Scheffer. (*Assembly*): Mr Carroll, Mr McCurdy and Mr Southwick.

**Public Accounts and Estimates Committee** — (*Council*): Mr O'Brien and Mr Ondarchie. (*Assembly*): Mr Angus, Ms Hennessey, Mr Morris, Mr Pakula 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 Dalla-Riva. (*Assembly*): Ms Barker, Ms Campbell, Mr Gidley, Mr Nardella, Dr Sykes 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

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**FIFTY-SEVENTH PARLIAMENT — FIRST SESSION**

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**Deputy President:** Mr M. VINEY

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**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

<b>Member</b>	<b>Region</b>	<b>Party</b>	<b>Member</b>	<b>Region</b>	<b>Party</b>
Atkinson, Hon. Bruce Norman	Eastern Metropolitan	LP	Lenders, Mr John	Southern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Lovell, Hon. Wendy Ann	Northern Victoria	LP
Broad, Ms Candy Celeste	Northern Victoria	ALP	Melhem, Mr Cesar <sup>2</sup>	Western Metropolitan	LP
Coote, Mrs Andrea	Southern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Millar, Mrs Amanda Louise <sup>4</sup>	Northern Victoria	LP
Dalla-Riva, Hon. Richard Alex Gordon	Eastern Metropolitan	LP	O'Brien, Mr David Roland Joseph	Western Victoria	Nats
Darveniza, Ms Kaye Mary	Northern Victoria	ALP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Davis, Hon. David McLean	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Davis, Mr Philip Rivers	Eastern Victoria	LP	Pakula, Hon. Martin Philip <sup>1</sup>	Western Metropolitan	ALP
Drum, Mr Damian Kevin	Northern Victoria	Nats	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Petrovich, Mrs Donna-Lee <sup>3</sup>	Northern Victoria	LP
Elasmr, Mr Nazih	Northern Metropolitan	ALP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Elsbury, Mr Andrew Warren	Western Metropolitan	LP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Ramsay, Mr Simon	Western Victoria	LP
Guy, Hon. Matthew Jason	Northern Metropolitan	LP	Rich-Phillips, Hon. Gordon Kenneth	South Eastern Metropolitan	LP
Hall, Hon. Peter Ronald	Eastern Victoria	Nats	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Tarlamis, Mr Lee Reginald	South Eastern Metropolitan	ALP
Koch, Mr David Frank	Western Victoria	LP	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP

<sup>1</sup> Resigned 26 March 2013

<sup>2</sup> Appointed 8 May 2013

<sup>3</sup> Resigned 1 July 2013

<sup>4</sup> Appointed 21 August 2013



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## Wednesday, 30 October 2013

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

**The PRESIDENT** — Order! I am advised that the Legal and Social Issues Legislation Committee will be meeting this day following the conclusion of the sitting of the Council.

### PAPERS

#### Laid on table by Clerk:

Alexandra District Hospital — Report, 2012–13.

Auditor-General's Reports on —

Clinical ICT Systems in the Victorian Public Health Sector, October 2013.

Implementation of the Government Risk Management Framework, October 2013.

Beechworth Health Service — Report, 2012–13.

Benalla Health — Report, 2012–13.

Calvary Health Care Bethlehem Ltd — Report, 2012–13.

Colac Area Health — Report, 2012–13.

Dunmunkle Health Services — Report, 2012–13.

East Grampians Health Service — Report, 2012–13.

East Wimmera Health Service — Report, 2012–13.

Echuca Regional Health — Report, 2012–13.

Gippsland Southern Health Service — Report, 2012–13.

Hepburn Health Service — Report, 2012–13.

Hesse Rural Health Service — Report, 2012–13.

Heywood Rural Health — Report, 2012–13.

Kerang District Health — Report, 2012–13.

Kooweerup Regional Health Service — Report, 2012–13.

Mansfield District Hospital — Report, 2012–13.

Maryborough District Health Service — Report, 2012–13.

Moyne Health Services — Report, 2012–13.

Parliamentary Committees Act 2003 — Government Response to the Public Accounts and Estimates Committee's Report on the 2011–12 Financial and Performance Outcomes.

Portland District Health — Report, 2012–13.

South Gippsland Hospital — Report, 2012–13.

Stawell Regional Health — Report, 2012–13.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule No. 130.

The Kilmore and District Hospital — Report, 2012–13.

Tweddle Child and Family Health Service — Minister's report of receipt of 2012–13 report.

Western District Health Service — Report, 2012–13.

Wimmera Health Care Group — Report, 2012–13.

Yarram and District Health Service — Report, 2012–13.

### NOTICES OF MOTION

**Notices of motion given.**

**Mr LENDERS having given notice of motion:**

**The PRESIDENT** — Order! I appreciate the spirit of the motion, but it was a frivolous one, and I will not accept it on the notice paper.

### MEMBERS STATEMENTS

#### Australian Greek Ex-Servicemen's Association

**Mr ELASMAR** (Northern Metropolitan) — On Sunday, 20 October, I attended a memorial service to commemorate the 73rd anniversary of the 28 October 1940 Greek Remembrance Day for World War II. The event was auspiced by the Australian Greek Ex-servicemen's Association, and it was held at the Axion Estin Greek Orthodox Church in Northcote. Along with others I laid a wreath in commemoration of those sad events. I commend the executive committee of the association for an extremely well organised event.

#### City of Darebin information session

**Mr ELASMAR** — Together with several of my parliamentary colleagues I attended Darebin City Council's government briefing, which was held on the evening of Wednesday, 23 October. The council gave a professional and interesting presentation.

**Mr Barber** interjected.

**Mr ELASMAR** — I know Mr Barber was also there. The presentation related to the council's future plans for the city's residents and ratepayers. I thank the council officers and councillors for organising this information session.

#### Anna-Teresa Fakhry and Haydar Wassouf

**Mr ELASMAR** — On Friday, 25 October, I was delighted to attend a very special graduation ceremony organised by the Antonine College. It was my pleasure

to present the Victorian certificate of education 2013 academic diligence awards to Anna-Teresa Fakhry and Haydar Wassouf. I established this award some years ago in an effort to encourage young students to aspire to academic excellence.

### Northern Victoria Region roads

**Mrs MILLAR** (Northern Victoria) — I am pleased to speak today on some of the infrastructure investments and upgrades in Northern Victoria Region which have been announced over the past few weeks. In so doing, I note that the coalition government is getting on with the job of fixing the problems left after 11 years of Labor mismanagement and is delivering the services and infrastructure our regional communities need. Without a plan of their own, those opposite say that building the major infrastructure that Victoria needs means rural and regional communities will miss out. Nothing could be further from the truth in northern Victoria.

Through the Transport Accident Commission Safer Roads Infrastructure program, an unprecedented \$1 billion investment is to be made over 10 years. That is an increase of more than 30 per cent a year on the previous road safety program. Last week I announced a \$1 million upgrade to Tylden-Woodend Road, just outside Woodend, which will improve road safety and which has been very much welcomed by the local communities of Woodend, Tylden, Springhill, Trentham and Glenlyon. This section of road has a history of crashes, with four serious incidents in a five-year period. One of those crashes resulted in a fatality.

On the same day I announced a \$1 million upgrade to the Lancefield-Tooborac Road just north of Lancefield. The safety improvement works include road shoulder widening and sealing, new guardrails, drainage works and some hazardous tree removal.

### Northern Victoria Region sporting clubs

**Mrs MILLAR** — I had the very great pleasure of joining the Minister for Sport and Recreation, Hugh Delahunty, to announce a \$59 000 upgrade of the courts and facilities of the Woodend District Netball Club and the Macedon Ranges Basketball Association last Tuesday. I was thrilled to see the excitement on the faces of the Woodend junior netballers and basketballers who joined us for this very welcome announcement. This state coalition government is delivering for regional Victorians and for northern Victoria.

### Barmah National Park camping fees

**Ms DARVENIZA** (Northern Victoria) — The introduction by the Liberal-Nationals state government of camping fees for the Barmah National Park is an ill-conceived notion that has not been thought through properly. Under the proposal, a camping permit system that requires visitors to the park to pay for the privilege of camping will be introduced. Victorian National Parks Association spokesman Nick Roberts recently told the *Shepparton News* that permits would be difficult to enforce at the Barmah National Park as there are 112 kilometres of river frontage within the park. Mr Roberts also questioned what people camping in natural bush would be paying for, as there are no facilities within the park. The Barmah National Park is public land which many argue is already maintained through taxpayer funds.

One of the risks is that the introduction of fees will keep people from visiting this wonderful park. A recent survey found that park users overwhelmingly support fees and charges, as long as the revenue is poured back into the parks and they can see a return on their money. The previous government looked at the issue of charging camping fees and found that it would cost more to collect and administer the fees than the amount that fees would bring in for the parks, and so it would do little to actually protect and develop our parks. This is just another revenue-making idea. It shows clearly that the Liberal-Nationals state government fails to grasp issues in rural and regional Victoria.

### City of Casey roads

**Mrs PEULICH** (South Eastern Metropolitan) — The coalition government is getting on with the job of fixing the problems left after 11 years of neglect of the south-east. In doing so it is delivering the services that communities need, as well as the infrastructure. This is particularly the case in the city of Casey, where the coalition government is doing its utmost to catch up on a significant backlog left by Labor in relation to road infrastructure.

Through the Transport Accident Commission Safer Roads Infrastructure program, an unprecedented \$1 billion investment is to be made in road safety over 10 years. That is an increase of more than 30 per cent on the previous road safety program. In Casey the coalition government is investing \$800 000 to improve road safety on the Princes Highway between Overland Drive and Webb Street. Another \$905 000 will be invested to deliver safety upgrades along Narre Warren-Cranbourne Road in Cranbourne East. Both of these projects have been identified by unacceptable crash data. In many instances, causality accidents have

occurred on these stretches of road. The coalition is making the investment required to ensure that the families of Casey remain safe on our roads. That is in contrast to the huge backlog that has been allowed to accumulate over 11 years of a Labor government.

### **Diwali festival**

**Mrs PEULICH** — I would also like to congratulate AIII on another successful staging of the Diwali festival at Sandown Racecourse. I congratulate in particular the board of trustees: Babu Akula, Vernon Da Gama and Yogan Lakshman. It was a wonderful event.

### **Marymede Catholic College world record**

**Mr ONDARCHIE** (Northern Metropolitan) — On Thursday, 24 October, Marymede Catholic College in South Morang attempted to break a world record. It was a world record for the most number of participants in what is known as the beep test, where they run between lines marking 20-metre zones in an accorded time schedule. Over 400 students at Marymede attempted the tests. On Thursday at 11.30 a.m. they started test 1. At that time the weather conditions changed. The temperature dropped and there were very cold winds, and 53 of the participants dropped out. Bless their little hearts; they tried really well, and I am appreciative of their efforts.

I was there in my capacity as the independent witness for the world record test. The second test began a little later, with 345 participants on the start line. Sixteen of those participants did not make it all the way through but did a wonderful job. In the end I, together with another independent witness, was able to confirm that Marymede Catholic College had met the requirements set down by Guinness World Records and had successfully completed the record attempt with 329 participants, therefore becoming — subject to approval by Guinness World Records in London — the new world record holder for the most participants performing a beep test in a single venue. I congratulate all involved. I particularly make special mention of the teacher who led the whole thing, Derek McConn, who did a wonderful job coordinating not only the participants but also the staff, the participating stewards and the 500 kids who sat around and watched and supported their school mates. I am very proud of Marymede Catholic College in South Morang.

**The PRESIDENT** — Order! Thank you, Mr Ondarchie. I am always interested in the Guinness book of records. In 1969 I was actually in the book as a world seesaw champion. I did it with a friend of mine for 91 hours to raise money for Freedom from Hunger, so we were in the Guinness book of records.

*Honourable members interjecting.*

**The PRESIDENT** — No, we are not still there. Someone else went 115 hours, but they took breaks, or added up their breaks. They had 5-minute breaks, and so they took some sleep. The reason we stopped at 91 hours is that I fell asleep and fell off the seesaw!

### **Mortlake Country Fire Authority brigade**

**Mr RAMSAY** (Western Victoria) — I would like to congratulate the Mortlake community, the Country Fire Authority (CFA) and the state government on working together to celebrate a new \$1.5 million fire station at Mortlake, which I had the pleasure of opening last Sunday. Not only did the brigade under Captain Ray Edwards receive a new state-of-the-art fire station, but it also celebrated its centenary, ably captured in a book launch by Craige Proctor. Craig Lapsley, the fire services commissioner, was in attendance. It gave me an opportunity to congratulate and to pass on our thanks to the Country Fire Authority volunteers who helped their New South Wales colleagues in fighting the fires in the Blue Mountains of New South Wales and to pass on our thoughts and best wishes to the communities and firefighting volunteers impacted by the fires.

Despite the sabre rattling, misinformation and distress being caused to volunteers by the United Firefighters Union and its executive, led by Peter Marshall, and aided and abetted by Labor and the Greens, the Napthine government is committed to providing our firefighting volunteers with resources — be it new fire stations, appliances, training or safety equipment — and committed to fuel reduction burns, reducing fire risk and providing a safe working environment for firefighters and communities alike. This is despite the Greens environmental policies that are endangering life and their insensitive and outlandish self-serving claims of blaming the carbon tax policies of the coalition for the ferocity of the fires. They should hang their heads in shame for their political bastardry.

### **Ron Yeates**

**Mr P. DAVIS** (Eastern Victoria) — I take the opportunity to pay tribute to a great East Gippslander, Mr Ron Yeates. Mr Yeates was a Walkley award-winning journalist who had a stellar career as a journalist, editor and managing director of the East Gippsland Newspapers group. He was a very active community citizen and member of two Rotary clubs in the Bairnsdale area: the Rotary Club of Mitchell River and the Rotary Club of Bairnsdale. He was recently recognised as a Paul Harris Fellow. Those who are connected with Rotary would know that is a singular honour.

Ron was active in the East Gippsland Historical Society, the Victorian Eastern Development Association, the Mitchell Gardens Holiday Park, the East Gippsland water security working party, the Mitchell River Water Utilisation Committee and Bairnsdale Adult Community Education. He was also vitally engaged in the development of the Beaufort Gardens as a memorial to the 191 servicemen and 1 servicewoman who died in the Second World War during training at East Gippsland RAAF bases.

Ron Yeates was also my electorate officer for six years. He provided great advice to me and represented the views of East Gippsland throughout the community. I was much saddened to give the eulogy for him last Friday.

### LeadWest

**Mr ELSBURY** (Western Metropolitan) — I would like to take this opportunity to highlight the fact that members of local advocacy group LeadWest will be in the Parliament today meeting with members of the cabinet. LeadWest is led by its new CEO, Craig Rowley, who takes over from Anton Mayer. Members of the Wyndham, Hobsons Bay, Melton, Brimbank, Maribyrnong and Moonee Valley councils will be in attendance to discuss issues that are important for Melbourne's west.

### Movember

**Mr ELSBURY** — I would like to warn members of the house that I will be committing a further offence against grooming and good fashion sense by participating in this year's Movember. I ask that members donate and give support to this great cause. As someone who lost his father as a result of prostate cancer, this is an issue that is close to my heart.

### Glenroy Private

**Mr ELSBURY** — I would like to congratulate Glenroy Private Islamic college on establishing a new campus in Glenroy. This campus will cater for the needs of people in the Glenroy area who want their children to undertake values-based education. I was able to join with members of the Glenroy Private Islamic college on Sunday at the Moslem Welfare Trust in Victoria's Multicultural Eid Festival and Fair, which was held on the grounds of the college.

### Macedonian Food Festival

**Mr ELSBURY** — I would like to congratulate the organisers of the Macedonian Food Festival, which was held in Williamstown on Sunday. It attracted thousands of visitors to the region across the day.

## World War I centenary

**Ms CROZIER** (Southern Metropolitan) — As the Anzac centenary commemoration nears, many Victorians have discovered the enormous commitment to World War I made by their ancestors. The commemoration has enabled Victorians to share their ancestors' stories and experiences on the official website, Anzac Centenary 2014–18 — Sharing Victoria's Stories.

At Princes Pier last week I joined with the Minister for Veterans' Affairs, the Honourable Hugh Delahunty, the former Premier and member for Hawthorn in the Assembly, Ted Baillieu, and my colleague Mrs Coote, a member for Southern Metropolitan Region, to mark the countdown towards the Anzac centenary. We were there with some of the descendants of the many servicemen and women who left Port Melbourne bound for Gallipoli on HMAT *Orvieto*. There were 1457 servicemen and women who formed one of the largest troopship contingents to leave Victoria for overseas service. Amongst them were five nurses. At the commemorative event a photo of the five women was displayed. In attendance representing the RSL nurses was Colonel Jan McCarthy, herself a returned nurse who served in Vietnam from 1968 to 1969. We spoke of her experience and the experiences of the many nurses who served alongside the thousands of Australian troops in World War I.

The *Oxford Companion to Australian Military History* states that:

In the First World War, nurses were recruited from both the nursing service and the civilian profession and served as an integral part of the AIF. They served in Egypt and Lemnos during the Gallipoli campaign, in England, France and Belgium in support of the fighting on the Western front, and in Greece Salonika, Palestine, Mesopotamia and India. At least 2139 nurses served abroad between 1914 and 1919, and a further 423 worked in military hospitals in Australia, while 29 died on active service.

I am sure that over the next year much will be said about the extraordinary dedication and service by many during World War I. I am very pleased that our Australian nurses will be amongst those recognised for their service.

### Lesley Hall

**Ms HARTLAND** (Western Metropolitan) — Yesterday I had the honour of attending the memorial service for Lesley Hall. Many people may know Lesley as a fierce warrior for people in the disability community. Lesley had lived with a lifelong disability that she never allowed to get in her way.

It is a week now since Lesley died very suddenly and unexpectedly, and in remembering her I kept thinking about an amazing photo, which I will just hold up; people can come and have a look at it later if they want to. Lesley was one of those disabled women who challenged Yooralla in the early 1980s over the issues of the Miss Victoria beauty quest. She was the bold woman who stood on the stage and forced Yooralla to actually look at the way they were treating disabled people. She has been pivotal in advocacy for the national disability insurance scheme.

Yesterday's service was really beautiful. Lesley had been very strict in her instructions about how it would be conducted. There was to be no music and no overwhelming and soppy speeches. Everybody stuck to what Lesley wanted because we all knew that if we did not do exactly what Lesley said, she could possibly come in and whack us at any moment with her sticks. My condolences go to her family and particularly her huge range of friends who were there yesterday. There were 400 or 500 people there yesterday to celebrate Lesley's life and all her amazing achievements in her 57 years.

### Monbulk regional soccer hub

**Hon. E. J. O'DONOHUE** (Minister for Liquor and Gaming Regulation) — It was a great pleasure on Monday to join the member for Evelyn in the other place, Mrs Fyffe, and the Premier to announce \$650 000 to develop stage 1 of a new \$9.8 million regional soccer hub on Emerald Road in Monbulk. In addition to the state government funding that was announced by the Premier on Monday, the Shire of Yarra Ranges is contributing \$7.1 million and the commonwealth government \$2 million. It is a fantastic project that has been through a lengthy planning process. I pay tribute to Lisa Doolan and the 600-member strong Monbulk Rangers Soccer Club for their dedication and perseverance in working through all the processes to see this project come to fruition. It is exciting that now, with the state government contribution, the project will start construction in early 2014. It is a very exciting project.

### Ron Yeates

**Hon. E. J. O'DONOHUE** — Like my colleague Mr Philip Davis, I was privileged to be at the memorial service last Friday for Ron Yeates, a former newspaper editor, a journalist, a Walkley award winner, a community volunteer across a range of different groups, a passionate East Gippslander and a man of integrity, intelligence and humility.

### Coimadai Primary School

**Mr KOCH** (Western Victoria) — On Saturday, 19 October, I was pleased to represent the Minister for Education, the Honourable Martin Dixon, at a commemorative ceremony for the 150th anniversary of the Coimadai Primary School. The school is about 10 kilometres north-east of Bacchus Marsh off the Gisborne Road, overlooking Lake Merrimu, and is in the heart of the local rural community. Facilities include a heritage building, an art room and two modern classrooms. The school's motto, 'The rural school that works', is supported by strong values of respect, honesty, caring and citizenship.

Coimadai Primary School has a proud and long history of education, commencing in 1863 with a head teacher and 60 students. Originally named the Pyrete Common School, the name was changed to Coimadai Primary School in 1867. In 1869 the school closed due to the lack of a teacher but reopened in 1870. In the 1920s the school was rebuilt and a cloakroom added, and in 1963 extensive work was undertaken in preparation for the school centenary. Further refurbishments have been carried out in the past five years. Since 1977 the school has had two or more teachers. Enrolments peaked in 2002 with 97 students, and today there are 62 students. My congratulations go to the 250 in attendance on this day, including the school community, past and present teachers, students and parents, who celebrated the wonderful achievements of 150 years of quality education at Coimadai Primary School.

### MANUFACTURING SECTOR EMPLOYMENT

**Mr SOMYUREK** (South Eastern Metropolitan) — I move:

That this house —

- (1) notes that total manufacturing employment in Victoria fell by 7.8 per cent (23 900 jobs) over the 12-month period ending 31 August 2013; and
- (2) condemns the coalition government for failing to utilise the policy instruments it has at its disposal to drive the Victorian manufacturing sector, thereby contributing significantly to its decline.

Over a number of years I have talked in this place about the importance of the Victorian manufacturing sector to the health of the economy, and I will continue to introduce motions such as this until the government gets serious about fixing the plight of the state's manufacturing sector.

Australian Bureau of Statistics data, which is included in the motion, clearly states that 23 900 jobs were lost

between the August quarter 2012 and the August quarter 2013. In other words, in the space of one year 23 900 Victorians working in the manufacturing industry lost their jobs. I admit that the enormous loss of jobs is not entirely the fault of the state government. I concede there are other external factors at play, which this government cannot influence. I understand that the Minister for Manufacturing, the Treasurer and the Premier do not have access to the macroeconomic levers of our national economy — —

**Mr Barber** — Joe Hockey does.

**Mr SOMYUREK** — Indeed he does. I understand they do not have enough influence with the Chinese government to suggest that it floats the yuan, and they cannot do much about demands in the international marketplace. I understand all of that. However, there is a lot more the state government could do. It has policy instruments at its disposal to drive the economy and the manufacturing sector, and it can drive productivity, which it believes is a panacea for all that is wrong in the economy and in manufacturing, but I will talk about what it can do a little later in my contribution.

Our manufacturing sector is facing serious challenges. We have had a mining boom triggered by the booming Asian economies and their demand for our natural resources, and although the mining boom has tapered off and is going through the next phase, the Australian dollar, although currently just below parity, is still very high. This means that in a decade mining has increased from representing 5 per cent of our national economy to representing 10 per cent. In approximately the same period manufacturing has decreased from around 20 per cent of our national economy to 10 per cent. Therefore, both the manufacturing sector and the mining sector are producing the same output for our national economy.

However, there is one problem with that, which is that the mining sector employs 200 000 Australians and the manufacturing sector employs 1 million Australians. The phenomenon of the Australian dollar going up — the value of our currency increasing — is in turn having a deleterious effect on the manufacturing sector. We call it the two-speed or patchwork economy; international economists refer to it as the Dutch disease. No matter what label you put on it, our manufacturing sector is going through some very tough times at the moment, and it is during these tough times that governments need to show leadership and inspire confidence in the business community and the workforce, as well as potential investors. Governments need to utilise the policy instruments they have at their disposal to drive the sector and cushion it against external matters.

When times are tough, I believe governments need to be interventionist. If the economy is going gangbusters, it is quite reasonable for the government not to intervene and to let market forces dictate what is produced. Under those circumstances government intervention causes inefficiencies. But when things are going bad in the economy or in certain critical sections of the economy there is room for government to intervene strategically to assist and thereby save jobs. That is lost on the Baillieu and Napthine governments.

To back up what I have been saying about government intervention, there are the examples of policies during the global financial crisis affecting the situation in Australia. The Rudd government injected an immense amount of stimulus funding into the economy, as did the Brumby government on a smaller scale, and compared to similar nations the Australian economy did marvellously well. We did not technically go into recession. In Victoria we came out of that period with our economy intact when measured against the economies of comparable nations throughout the world.

The same approach should apply to the crisis in the Victorian manufacturing sector. We have a sector that is under siege, and jobs are being lost. As I said, 23 900 jobs have been lost in the space of a year. It is clear that the manufacturing sector is under siege. The government, rather than being non-interventionist, as it has been, needs to get active, become galvanised, roll up its sleeves and be creative in order to start to drive the manufacturing sector, and indeed, the whole economy, and I will go through some of those drivers shortly. The government needs to do all those things because the alternative of not driving the economy and the manufacturing sector by cushioning the sector against the deleterious effects of those externalities is that there will be huge economic and social costs, which could result in our manufacturing sector going to the wall.

How important is the manufacturing sector to the economy? It is still the largest employer of Victorians in full-time positions. There are 244 000 Victorians employed full time and 40 200 Victorians employed part time in the manufacturing sector. In total that equates to 284 200 Victorians employed in the Victorian manufacturing sector. That equals 10.7 per cent of Victoria's workforce and 31.8 per cent of the national manufacturing workforce; and, for good measure, 25 000 manufacturing businesses operate in Victoria.

I have just given some data explaining the importance of the Victorian manufacturing sector to this state. After coalition members had heard Labor members, read

*Hansard* and got an understanding of how important and critical our manufacturing sector is to the prosperity of our state and the jobs of tens of thousands of Victorians, it was an absolute disgrace that the coalition came into government with no manufacturing plan or policy. Because the coalition had no plan or policy, one of the first things it did was to call on the Victorian Competition and Efficiency Commission (VCEC), a body within the department that the coalition had bagged on a number of occasions. The coalition then decided to become a convert to VCEC and asked the commission to hold an inquiry into the Victorian manufacturing sector.

I have to say that was strange and wasteful. It was wasteful because a similar inquiry had already been undertaken for two years. As you would know, President, some very good people worked on that parliamentary committee inquiry. The Economic Development and Infrastructure Committee had some very high profile and smart members from both sides of Parliament. It was one of the best parliamentary committee reports I have ever read. It was very informative and made some relevant and robust recommendations. That report was two years in the making, and committee members had to travel to various places overseas to more closely examine what was happening. Judging from the report, it was all worthwhile. It is one of the best manufacturing reports that has been handed down in this place. That report was handed down in about August 2010. The Labor government was thrown out in November 2010, so it did not get to respond to those recommendations.

I would have thought, coming into government, not having done the hard policy work but having this great resource in front of it with all these recommendations, the coalition would not choose to do a manufacturing report itself. However, the coalition decided to go down the costly and time-wasting path of calling in VCEC to do another manufacturing report. You can see it from the number of submissions. The Economic Development and Infrastructure Committee inquiry into manufacturing received around 100 submissions, but when VCEC did another manufacturing report a few months later it received only 20-something submissions. People were basically saying, 'Why are we doing this? We have already submitted'. It was a waste of time.

It took VCEC about six months to come up with a draft copy. It took further submissions based on that draft copy, and then that went to government for a response. Finally, the government came up with what it called a manufacturing policy. It is a bit rich calling the document it presented a manufacturing policy. It was a

glossy 20-page panacea for the manufacturing sector, with all the sector's ills appearing to be productivity. I will talk about that a bit later. In other words, it was a waste of time for VCEC and a waste of money.

As time was being wasted the Australian dollar reached the historically high level of US\$1.11, and in the meantime the government went off and gave VCEC an inquiry. It thought that it did not have to answer any questions because the matter was being investigated by VCEC. It decided it would form its own policies, and would decide on those policies when the VCEC process was finished. That is fine. That is a good cop-out; that is a good handball. The problem was that the Australian dollar during that time went up to the historical high US\$1.11. As a result jobs were being lost left, right and centre. There were jobs being lost en masse — National Foods, Bosch, Ford, Viridian, Heinz, SPC Ardmona, BlueScope Steel, Toyota, Shell, Alcoa et cetera. The management of all those companies had lost confidence in the leadership of the Victorian government and decided to either shut down operations altogether or close down parts of their operations. In doing so, they retrenched thousands of Victorians employed in the Victorian manufacturing sector.

Reading between the lines, it is obvious that the government has been having to sit back and blame external forces. I am not saying that the external forces are not there; external forces have contributed in a big way to the plight of our manufacturing sector, but the government has been hiding behind that. External forces are one thing, and the high Australian dollar, the lack of demand in the international marketplace, the yuan not being floated et cetera are all problems that have contributed to the problems our manufacturing sector has been going through, but the fact of the matter is that this government sees itself as being an impotent observer. It seems not to believe in itself. It seems to think that it has no control over the economy at all. It is no good the government throwing up its hands and asking what it can do about it because it is merely a state government and all it does is provide services. There are policy levers it can pull. There are buttons it can push. There are things that can be done. These policy instruments are at the disposal of the state government, but it seems not to want to use them.

The policy instruments I have been talking about are also the drivers of the manufacturing sector, and they are as follows: investing in infrastructure; investing in skills, education and training; investing in innovation and research and development; investing in targeted industry assistance; and maximising local content in government procurement. The first three — investing in infrastructure, investing in skills, education and

training, and investing in innovation and research and development — are key drivers of the economy and key drivers of productivity.

The government likes to wax lyrical and lecture members in this place about productivity. By and large productivity is a matter for CEOs, not ministers. Ministers can influence productivity by investing in the right infrastructure and by giving Victorian businesses a better skilled, educated and trained workforce, which also happens to be one of the drivers of the economy and the manufacturing sector. Government members eternally debate productivity among themselves but, as I have just outlined, there are only certain things a state government can do about productivity.

This government has failed to deliver on the five key areas which are the drivers of manufacturing. The government has failed to invest in infrastructure. As I said, infrastructure projects are the key drivers of not only the manufacturing sector but of the state's economy. The government has been in office for three years, and while we have seen nation-building-type plans — I will give it that — the fact is that after three years there has been no economic activity. There are no infrastructure projects being carried out at the moment, and the only projects that have been carried out are the unfinished projects left by the Brumby government. As a result, during these tough times our small and medium enterprises (SMEs) have been disadvantaged compared to other states and provinces internationally where governments have engaged in big nation-building projects and small to medium enterprises have reaped the benefits. Our SMEs have not been so fortunate and are therefore retrenching Victorians.

Investing in skills, education and training and investing in innovation and research and development critically important to the future of our manufacturing sector and to our economy. The manufacturing sector has almost completed the transition from being a mass production, low skill and low-tech sector to being a niche production, high skill and high-tech sector. In other words, the sector has not been able to compete with low-cost economies, particularly in our region, and in order to survive it has had to move up the value chain. That is the future of manufacturing and it is where we are at the moment.

Why am I telling members? As I said, we have had to move up the value chain because we could not compete with low-cost competitors. In order for us to be able to compete internationally with other comparable advanced economies also being squeezed out of the mass-production, low-cost, low-tech markets, we need

to make sure our competitive advantages in skills, education and training and in innovation and research and development are maintained.

When our firms go out into the international marketplace they need to know they have access to the best skilled, trained and educated workforce, because that is their competitive advantage. That is the advantage they have over competitor SMEs in the international marketplace. When our SMEs are competing against foreign-made products in the international or local marketplace they need to be able to call on innovation and research and development. Traditionally Victorian governments have been very good at giving assistance in terms of research and development and innovation, and we need to keep that up because that is a key competitive advantage for our firms, which are doing it tough at the moment.

Investment in industry is another issue. Investing in industry gets a bad rap in the community. The tendency of those on the other side is probably to think it is a dirty word, but no-one can criticise well-targeted industry assistance when it is attached to key performance indicators which bring about good outcomes. We are not the only ones who provide industry assistance. Every serious advanced economy that wants to retain its manufacturing sector assists its industry in some shape or form.

What has this government done in these areas? In skills, training and education what has it done? Rather than committing funding to skills, education and training it has ripped out \$90 million from the TAFE system. This does not help our SMEs when they are competing in the international global marketplace. In the areas of research and development and innovation, what have the Liberals done? Liberal members mouth platitudes about how we need to move on from being low cost to high tech et cetera. Essentially what they say is right, but unfortunately what they do is in complete contrast to what they say about how we can improve the Victorian manufacturing sector. They talk about us going up the value chain, having to be a lot more innovative and a lot more clever and not being able to compete in making low-cost, mass-produced goods in our region. They are saying all the right things, but when it comes to implementation clearly their actions do not match their rhetoric.

In innovation and research and development, for example, they have ripped a billion dollars out of the biotechnology grants programs and refused to fund the synchrotron. You cannot talk about advanced manufacturing, about making Victoria a clever state, about value adding and manufacturing higher-end

products and then go off and defund the biotech programs and refuse to fund the synchrotron. That just does not match.

In terms of industry assistance, which I just mentioned the importance of, I take the house back to what I was saying about governments essentially needing to stay out of the economy when it is going well. I gave the example of former federal and state Labor governments, the Rudd and Brumby governments, essentially saving the Australian economy during the global financial crisis. Let us face it: as a nation we dodged a bullet in terms of the economy. Tens of thousands of Australians and thousands of Victorians would have lost their jobs, perhaps hundreds of thousands of Australians might have lost their jobs, so my point is this: when things are going badly in the economy there is a role for government to intervene, but when things are going well the government should get out and let the market do its thing.

Clearly because of externalities things are going badly at the moment in one section of the economy in particular, and that is the manufacturing sector. I have just talked about how targeted industry assistance can be a driver of manufacturing. In this environment with the dollar at US\$1.11, a historically high level, what did the government do? It decided to rip \$60 million annually out of government assistance for industry. By doing that the government was essentially saying it was not interested in the Victorian manufacturing sector. In effect it cut loose the Victorian manufacturing sector, and we are seeing the consequences of that now. That is why we are here debating this motion, which points out that 23 900 Victorians have been left without work in the space of a year.

Maximising local government procurement is another significant driver of the manufacturing sector and the economy. The Victorian state government is an important purchaser of goods and services. It purchases \$15.2 billion worth of goods and services per annum. This important spend should be harnessed to drive the local manufacturing sector by maximising local content in these purchases and in doing so give a bit of a push to and support for our small and medium size enterprises.

Unfortunately for the manufacturing sector, when the Baillieu government came to office one of the first things it did was do away with local content targets. As a result we have a manufacturing sector that is under siege and fighting for its life. This sector is the biggest full-time employer of Victorians. In the second year of the Baillieu government the Australian dollar went up to US\$1.11, which was a historical high, and under the

Baillieu government — in this climate, in this milieu — for some bizarre reason thousands of jobs were lost. The Baillieu government cut assistance to industry, cut back on training, cut back on innovation and research and development, and did not instigate any infrastructure projects. I am not sure how inaction is supposed to help the manufacturing industry when it is in such a terrible condition.

Procurement is obviously an important area. When in government the opposition did some work in relation to procurement. Clearly it is an underutilised and critical area, and we think more should be done. We recognise the importance of government procurement. In fact we believe it is so important that we have made it one of the six sections of our jobs and growth plan. As outlined in our jobs and growth plan, we aim to undo the damage done by the Baillieu government by emphasising the importance of the Victorian industry participation policy (VIPP) and by reinstating local targets. The Baillieu government's move to do away with local targets was not a benign decision, and it did not go unnoticed by industry. This move was a signal to industry that the Baillieu and Napthine governments were not interested in helping to save the Victorian manufacturing sector. It was taken as a sign that the Baillieu government was going to cut the manufacturing sector loose. Now, a year or two down the track, we are seeing the damage that decision has done to the Victorian manufacturing sector.

We aim to undo that damage by reinstating local targets. We will introduce a formal weighting system for the evaluation of local content, including a minimum weighting of 10 per cent for all VIPP projects. Further, we will lower thresholds for strategic projects and refocus the calculation of local content based on up-front costs rather than whole-of-life costs. Previously, elements of projects such as digging holes and doing maintenance work would be added to their overall cost. Clearly that work has to be done, but it should not be categorised as local content, because local content has to have been produced in Australia.

**Mr Barber** interjected.

**Mr SOMYUREK** — There were problems with VIPP at its inception, but over time we got it right. As Mr Barber said, the Labor Party introduced VIPP in 2001, and since then it has facilitated the employment of more than 27 000 Victorians and facilitated average local content of 85.7 per cent.

Our proposed reforms will further strengthen VIPP. The coalition government is welcome to take on these reforms. We have released them so they can help to

arrest the tide of jobs being lost in the Victorian manufacturing sector. Our reforms will further strengthen VIPP and ensure that local jobs remain in Victoria rather than being exported overseas. Besides strengthening VIPP, we have mandated that all sections of the Victorian government, including all departments, agencies, statutory bodies and local government authorities, purchase locally manufactured vehicles. At the moment, 59 per cent or so of Victorian government purchases are local, and an average of 23 per cent of Victorian local government purchases are also local.

The Victorian government's purchasing of locally manufactured vehicles is very good compared to other states, but we need to understand that this state's economy relies on the auto industry. Victoria is essentially the hub of the auto industry, and we need to do much better than the other states. Quite frankly, places like Queensland are pathetic and un-Australian. They are the worst; they are not interested at all.

**Mr Ondarchie** — Tell Anna Bligh that.

**Mr SOMYUREK** — Both sides. Neither Labor nor Liberal have done us any favours. Component manufacturers do operate in Queensland. Maybe there should be more. Maybe that state would then be a little more sensitive to what we are saying. When we talk about local jobs and local production we are not just talking about Victoria, we are talking about all of Australia and New Zealand. Let us get this right.

We have also made a commitment for our rolling stock industry, as Victoria is home to some of the most innovative and significant rolling stock manufacturers. I hope the things we have put out there in the procurement space will galvanize the government into action. I do not want the government to feel that it is ethically precluded from adopting these policies because we have put them up, or that it would be in any way wrong to do so. I encourage the government to adopt these policies because they will drive the Victorian manufacturing sector, and in doing so cushion that sector from the deleterious effects of the externalities that are currently at play.

I will conclude with a few words about our jobs and growth plan, since I have touched on it. For the last couple of decades, Victoria has been the jobs creation engine room of the Australian economy despite the fact that we are not blessed with the natural resources that other states have. When I say 'the last couple of decades', I include the Kennett government in that. However, since the advent of the coalition government the Victorian economy has stalled. Our export industries are under pressure, state infrastructure

projects are at a standstill — I know that will change when the \$8 billion tunnel gets going — and our building and construction sector is on the verge of collapse. The consequence is that unemployment has been rising and our manufacturing sector and various others, such as the service sector, are under siege.

I call on the Victorian government to do more. I understand there are strong pressures, with 23 900 Victorian manufacturing jobs lost in a year. I am fair; I understand that it is not all due to the negligence of the government. I understand the high Australian dollar. I understand that the government does not have access to the macroeconomic levers of this country. I understand that it does not have a direct line to the Chinese government to float the yuan. I understand that it does not have any control over demand in the international marketplace. What I also understand is that while this government thinks it is impotent, it is not; it is defeatist. This government has policy instruments at its disposal to enable it to drive the Victorian manufacturing sector, and in driving that sector it will drive the Victorian economy, and guess what? It will actually drive productivity as well. With that I conclude my short contribution.

**Mr ONDARCHIE** (Northern Metropolitan) — What a delight to follow Mr Somyurek this morning and to speak on his motion regarding manufacturing in Victoria. I concur with Mr Somyurek's opening statement, in which he said that it is not the state government's fault. He talked about international influence. He talked about the fact that the Aussie dollar ebbs and flows very close to parity, trading at just over US95 cents this morning off US96.05 cents yesterday. It dropped back to about US95.2 cents when the Reserve Bank governor, Glenn Stevens, talked about the fact that it was likely to depreciate over the forward period. It was only a week ago that the Australian dollar was trading at US97.45 cents, and it has now dropped back to its current level of about US95.005 cents to US95.009 cents this morning. Against the pound sterling it is trading at about 59 British pence, and against the euro it is trading at about 69 euro cents today.

It is a fluctuating high Australian dollar, and it does put pressure, as Mr Somyurek well recognises, on a company's profit and loss account. To be fair to Mr Somyurek, he understands what the key economic drivers are for companies to be successful in manufacturing, and he recognises that not all of them are controlled by the state of Victoria. I thank him for that recognition this morning.

I try to visit at least one manufacturer or business every week, and I spend time with a business leader at least every week to try to glean what is happening out there. I would concur that manufacturing is a major contributor to the Victorian economy. It attracts investment and it generates jobs. Currently it employs about 284 200 people, or about 10 per cent of the state's workforce, and contributes \$27.2 billion, or 8.3 per cent of gross state product, to the Victorian economy. However, Victorian manufacturers face serious challenges due to the strength of the high Australian dollar, the carbon tax, the inflexible workplace laws put in place by the Rudd-Gillard-Rudd federal governments, and intense global competition.

There was no clear and coherent strategy by the previous government to support a productive and competitive manufacturing sector. That is why this coalition government, when it came to office in November 2010, had a clear policy commitment to revitalise manufacturing. We delivered that with our manufacturing strategy in December 2011. That strategy is based on sound economic fundamentals, and it has been informed by discussions with Victorian manufacturers — lots of them.

As Mr Somyurek pointed out today, we also had the Victorian Competition and Efficiency Commission conduct a wide-scale review into the state of manufacturing to inform and guide our policy development. The \$58 million Victorian manufacturing strategy includes the \$24.8 million Investing in Manufacturing Technology program, which to date has awarded a total of \$6.6 million in grants to 40 businesses to support investment in new technology, processes and equipment, resulting in the creation of new jobs.

In my contribution today it is timely that I talk about jobs. The Napthine coalition government is all about creating jobs. Therefore it saddens me that the state opposition is not getting behind one of the big job creation programs in this state — the east–west link. I wonder why Daniel Andrews, the Leader of the Opposition and member for Mulgrave in the Assembly, is not behind the east–west link when all his union mates are? The Construction, Forestry, Mining and Energy Union is saying this is a good project for Victoria and it will create jobs; the Australian Workers Union has said this is a good project for Victoria and it will create jobs. Mr Melhem was behind the east–west link project — —

**Mr Melhem** interjected.

**Mr ONDARCHIE** — But now that he has come to Parliament he is not behind the project any more. The Electrical Trades Union is behind the project. The Victorian Employers Chamber of Commerce and Industry is behind building the east–west link; the Australian Logistics Council is behind building the east–west link; the Australian Industry Group is behind the east–west link; and Infrastructure Partnerships Australia is behind the east–west link.

This is a good project for Victoria. It will move people around Melbourne and the regions much more efficiently. Parents of, let us say, children from Ivanhoe Grammar School might find it easier to go about their business by using the east–west link from time to time. But the state opposition is against this major game changer for Victoria. It is all about putting politics over people. The Master Builders Association of Victoria is behind the east–west link; the RACV is behind the east–west link. David Purchase and his team at the Victorian Automobile Chamber of Commerce are behind this project. The Committee for Melbourne is behind this project, and even the Committee for Gippsland understands how important this project is to the regions.

Previously the Honourable Bill Shorten, MHR, Leader of the Opposition in the federal Parliament, said the east–west link was a good project. As I indicated, Mr Melhem was a fan of the east–west link in his previous life; the member for Williamstown in the Assembly, Wade Noonan, was behind it; Adem Somyurek was behind it; and the member for Footscray in the Assembly, Marsha Thomson, was behind it. There are loads and loads of people behind this project. Why is Daniel Andrews not behind the east–west link? It will create thousands of jobs for Victoria — more than 3200. It is a job creation project, and the Australian Labor Party is standing against it. Why is that? Because it is more about politics than it is about the people.

Our strategy includes manufacturing productivity networks, for which \$7.5 million has been allocated to undertake productivity enhancing activities which are expected to assist the productivity and competitiveness of around 636 businesses and which to date have awarded 20 applicants for business network projects; a \$13.7 million specialist manufacturing service to help manufacturers overcome market failures and barriers and raise productivity and competitiveness; and \$9 million for the Building Innovative Small Manufacturers initiative to provide more targeted assistance to small manufacturers through specialised workshops. This is about improving productivity, this is about making Victorian business more efficient and

innovative, and this is about creating jobs. The strategy includes a program to manage transition for retrenched workers. An amount of \$3 million has been allocated to reduce the adverse effects of retrenchments.

We know it is tough out there. We know it is tough for Victorian manufacturers. They have had to contend not only with a high Australian dollar but with the job-eliminating carbon tax — a carbon tax put in place by a Prime Minister who said there would never be a carbon tax under a government she led. Does the Labor Party have any credibility at all? It has driven down jobs in this country.

**Mr Ramsay** — Driven out jobs.

**Mr ONDARCHIE** — It has driven jobs out of this country, as my colleague Mr Ramsay says. Last night in this Parliament, the people's place, members opposite had the opportunity to join with the Napthine coalition government in condemning the carbon tax and calling for it to be abolished as soon as possible. What did they do? They stood up and supported the carbon tax — politics over people; politics over jobs; politics over working Australian families; politics over the manufacturing sector; politics over ordinary people going about their daily lives trying to retain their jobs. Members opposite chose to support the carbon tax.

The Napthine coalition government is committed to a strong and successful manufacturing sector for Victoria. Today this sector remains the state's single largest full-time employer and a significant source of exports and investment. But we know times are tough for this sector. I am aware of the August quarterly data released by the Australian Bureau of Statistics, which shows the challenges facing manufacturing. I spoke about that earlier. The Australian Bureau of Statistics data also shows that Victoria remains the leader for manufacturing employment in Australia. I will not talk down manufacturing in the state, but we do get some of that from those opposite. To be fair, Mr Somyurek did not do that today.

The Australian Industry Group recently issued its performance of manufacturing index for the month of September. The latest seasonally adjusted data for the performance of manufacturing index improved by 5.3 points in September, rising to 51.7 points. The headline for the performance of manufacturing index results for September was 'Manufacturing expands in September'. The same report also showed expansion in our food and beverage sector, which is one of Victoria's fastest-growing export sectors, so it is not all doom and gloom.

The *Australian* newspaper reported on 1 October that Australian Industry Group chief executive Innes Willox said the lift in manufacturing was welcome news for a sector of the economy that has been under pressure from a high exchange rate and high energy cost as a result of the carbon tax. He went on to say that the clear outcome of the federal election, along with the easing of the dollar and low interest rates, was lifting business sentiment. Furthermore, the *Herald Sun* reported on the PMI results, saying there has been a lift in services, manufacturing and confidence.

Those opposite can dwell on the negatives if they choose to, but Victorian manufacturing is showing great strength and resilience in a very challenging economic time. With commitment and vision, we can secure and strengthen the state's prosperity and produce jobs and opportunities for the future. The Victorian coalition government is building for growth. Victoria is now the only jurisdiction in Australia forecasting a budget surplus for every year over the forward estimates period. As a result Victoria's public finances are now the strongest in Australia. This is reflected by Victoria holding its AAA credit rating with a stable outlook from both major international credit rating agencies. It is the only state in Australia to do so. The government's commitment to a strong financial position provides a foundation for ongoing investment in Victorian infrastructure.

It is worth noting that the budget surplus in 2012–13 was \$316 million. That is \$139 million higher than the revised 2012–13 estimates of \$177 million, which were published in the budget. The Napthine coalition government also delivered on its commitment to prudent expenditure and restraint. Expenses growth was 2.1 per cent for the financial year. This is the lowest annual growth rate since 1998–99. It contrasts with an increase in expenses of 8 per cent over a decade of Labor in office from 1999 to 2010. The net investment in infrastructure by the general government sector of \$5.2 billion in 2012–13 was equal to 1.5 per cent of GST. Net debt for the general government sector of \$19.8 billion, as at 30 June this year, was in line with the revised budget estimates that we had produced.

After 11 years of Labor's mismanagement the budget is now under control. The Labor Party showed no credibility in managing Victoria's finances or in managing budgets. Under Labor the state budget showed an annual average growth rate of 8 per cent in expenses but only 7.3 per cent growth in revenue. We can do the math — 8 per cent growth in expenditure but only 7.3 per cent growth in revenue. You would not run your household budget that way. Why did the Labor Party run the state that way?

The coalition government has put in place a number of initiatives to grow jobs and opportunities. This year the Urban Development Institute of Australia said the boost that we put in place for the first home owner grant — focused on new construction — would maximise employment potential of the industry at a time when every new job counts in the Victorian economy. The Urban Development Institute of Australia has supported the government's initiative. The Housing Industry Association has supported the strong focus on improving and developing road, rail and community infrastructure. Housing Industry Australia Victorian executive director Gil King has welcomed the government's 2013–14 budget and recent announcements around housing for first home buyers and road, rail and community infrastructure. It supports what this government is doing. It also welcomes funding announcements for East Werribee, Frankston, E-Gate and the east–west link project.

This government has set record numbers for trade and investment missions across the globe: to China, Japan, South-East Asia, the Middle East and India. There have been record numbers of trade missions led by premiers and ministers accompanied by Victorian companies seeking trade and investment opportunities that result in jobs. The Labor Party should sit and watch, because this is leadership. Business confidence is up.

Business has reacted very well to the new planning blueprint for Melbourne for 2050 called Plan Melbourne. This is a strategy projected to accommodate growth and integrate housing with jobs, investment and transport. It is also planning to redirect growth to regional Victoria, strengthening our regions and protecting our state's heritage, environment and livability. The key aspects of Plan Melbourne include fixing a defined urban growth boundary to prevent continued sprawl and protecting much of Melbourne's residential land from high-rise development with the neighbourhood residential zone. It is creating — and the Minister for Planning is to be commended for his stewardship on this — a state of cities by unlocking the growth potential of regional Victoria with improved transport and communication links and by opening up greater employment opportunities and lifestyle options. It is going to expand Melbourne's CBD into Australia's largest jobs centre, with urban renewal precincts like Docklands, Fishermans Bend, E-gate and the Arden-Macauley structure plan. It is about creating jobs.

To pick up Mr Somyurek's question in the house today — what is the government doing to create jobs? — this is what we are doing. Plan Melbourne has been developed with extensive community consultation

led by a ministerial advisory committee. People have had a chance to have their say, and they can still have their say by going to the Plan Melbourne website and making a contribution before 6 December.

Mr Somyurek talked about training, or skill development, and its relationship to industry. This government, under the stewardship in this particular area of the Minister for Higher Education and Skills, Peter Hall, has done an amazing job in collaborating and consulting with industry. As he has talked to industry regularly in his strategy of meeting the market, Minister Hall has been able to develop with his portfolio a sector that is creating skills and training to meet jobs. We are redefining the way we train and educate people in Victoria to make sure that there is an end result for them — that there is a job at the end. We are taking the outcome and working backwards here so that there are jobs for people.

When we talked to industry representatives they identified a number of key challenges. They identified skill shortages in occupations like aircraft maintenance engineering, avionics; aircraft maintenance engineering, mechanical; and aircraft maintenance engineering, structures. They identified shortages of bakers and pastrycooks, locksmiths, cabinet-makers, general electricians, metal fabricators and sheet metal trades workers. These challenges mean that significant structural adjustment is required in industry, including technological advancements. The ageing workforce means that industry requires some pretty rapid cross-skilling and some upskilling in new manufacturing techniques and equipment.

Another challenge identified for industry is the high cost of equipment and facilities required for training in manufacturing, because this can act as a deterrent to the training provision. And of course, as I outlined earlier in my contribution, the high Australian dollar puts some pressures on competitiveness within the Victorian manufacturing industry and creates a need for more innovative and adventurous skill development. We also need to improve the quality of training and apprenticeship programs available to industry. Through his extensive consultation Mr Hall has put things in place, and it is working.

According to the *Victorian Training Market Quarterly Report Full Year 2012*, the one I have at hand, a total of 41 800 government-subsidised enrolments were reported in the manufacturing sector in 2012. Government-subsidised enrolments in 2012 had risen by 24 per cent since 2011. TAFE fee-for-service enrolments made up 14 per cent of all enrolments within the manufacturing industry and rose by 20 per

cent over 2011–12. Some 51 per cent of enrolments in this particular industry were for apprenticeships and traineeships. In 2012, 8800 government-subsidised enrolments, or 21 per cent, were in occupations identified as having skill shortages. That was up 20 per cent on the previous year, and 11 per cent of enrolments, 4800, were in occupations categorised as specialised. Sheet metal trades workers, an employment category which I identified earlier as being one of the challenges for industry, were almost half of those specialised enrolments. We are building a system that meets the market.

If we look at the Napthine coalition government's investment in vocational education and training, we see that it is at record levels. There was a 57 per cent increase in government-funded enrolments to 670 000 in 2012; a 7 per cent increase in TAFE enrolments, plus a 20 per cent increase in TAFE fee-for-service enrolments; a 26 per cent increase in adult and community education enrolments; a 209 per cent increase in private enrolments; a 90 per cent increase in enrolments of unemployed students; a 48 per cent increase in enrolments of students reporting a disability; a 29 per cent increase in enrolments of Indigenous students; a 79 per cent increase in enrolments of culturally and linguistically diverse students; a 6 per cent increase in apprenticeships; and a 55 per cent increase in trainees.

The quality of our training is very high. The data indicates that 88 per cent of employers are very satisfied with the training that has been delivered. As I mentioned, most of the enrolments are in areas of skills shortages and high industry need. Enrolments were up from 49 per cent to 65 per cent in 2012, and there is now a high demonstrable correlation between employment and training delivery in Victoria's largest industries. In health care and social assistance, which is Victoria's largest employing industry, enrolments are up by 69 per cent. Construction enrolments are up by 22 per cent, manufacturing enrolments are up by 54 per cent, transport enrolments are up by 122 per cent, retail enrolments are up by 54 per cent and agriculture enrolments are up by 24 per cent.

If Mr Somyurek were to suggest that there is no correlation between the training effort in Victoria and jobs, he would be wrong. The Australian Labor Party has to go away and think about what it is doing to support Victorian manufacturing. Despite the tough conditions of the high Australian dollar and the tough competitiveness that our manufacturing industry is facing, the government is supporting Victorian manufacturing.

Mr Somyurek talked about Australian manufacturing being more competitive and efficient, and one of the ways that is done in a price-driven market is by ensuring that its costs are as low as possible, but the Australian Labor Party does not care about that, because it continues to support the carbon tax, as do the Australian Greens. They talk about supporting Australian jobs, yet they will not speak against the carbon tax, which is one of the biggest anti-job strategies ever seen in this country.

Last night opposition members had the opportunity to denounce the carbon tax, but they failed to stand up for Australian workers, Australian jobs and Australian families, because they put politics over people. It is high time they stopped the rhetoric and got behind Australian jobs. If they are true to their word about supporting Victorian workers, they will get on the phone today, ring 'Electricity Bill' Shorten and say, 'Mate, get rid of this carbon tax. It's not only hurting us politically' — which is one of their key concerns — 'but it's hurting Victorian families, it's hurting Australian jobs and it's hurting mums and dads'. The government opposes Mr Somyurek's motion, and I condemn the opposition's strategy in continuing to support this job-killing tax.

**Mr BARBER** (Northern Metropolitan) — I was listening carefully to contributions from both Mr Somyurek and Mr Ondarchie, except for a brief 10 minutes when I was out in the foyer of Parliament having a very interesting discussion about the need for state taxation reform and the impact that might have on the competitiveness of the Victorian economy — but I intend to return to that point in a moment.

Whatever it was that Mr Somyurek was putting forward, I do not think it will go down in history alongside the Button plan. The Somyurek plan is unlikely to have its own Wikipedia article anytime in the future. The initial proposition he put forward was that when the economy is going gang busters, the government should chill out and let the free market do its thing; alternatively, when things are bad — and he said things are bad now — that is when the government should intervene. That is not a proposition we should all subscribe to. In fact we hope there are long periods of prosperity in Australia, but we do not want a government that takes its eye off the ball and forgets about structural reform when bad economic headlines have temporarily receded. They seem to come around with increasing frequency these days, and when you allow for the lags between the changes of government — between state and federal, Labor and Liberal and the inevitable blame-shifting exercise that happens every time the government changes — the

conclusion is that there is no good time to sit back and relax on economic reform.

Mr Somyurek referred to a parliamentary committee inquiry into economic development and the fact that it took a number of overseas trips and came up with a number of relevant recommendations. I had the opportunity to scan those dozens of recommendations, and nothing jumped out at me, with the exception of a few small matters that Mr Somyurek raised in his supposed plan. One of those related to local content. There has been some progress in this area when it comes to government procurement and the amount of local content, typically of heavy rolling stock for public transport. However, if Mr Somyurek or the current government wants to improve things further, the easiest way to do that is not simply with a tweaking of local content guidelines but rather with an announcement of a plan for the future growth and development of Victoria's public transport system and then a commitment to stick to that plan.

At the moment the metropolitan public transport plan from Public Transport Victoria has no costing, no funding, no time line and not even an official endorsement from the government, and the V/Line version of the plan is a secret development plan — or at least it was secret until I obtained it under the Freedom of Information Act 1982 and put it on my website. If there could be a government commitment and a long-term investment in the growth and development of public transport, the local content issues would virtually take care of themselves. The difficulty with obtaining local content is that the Victorian government never seems to get serious about a long-term pipeline of investment in rolling stock and therefore large parts of our rail carriage construction — tram and train for both city and country use — have tended to come in from overseas factories where, like in Europe, development of rail is continuous.

I visited the Bombardier factory when it was delivering some rail vehicles for the V/Line network. At that point, a few years ago, it was producing about one a month. When I asked what its development capacity would be if it were given the orders, the answer was about one a week. Local industry just cannot survive and be competitive on a random drip-feed of investment from the state government.

On tram procurement, which is happening right now, under the government contract we were promised 6 trams prior to last Christmas, a period of testing and then 10 new trams a year for five years. In fact that has been delayed. We have a few trams being tested on the network, but what we need is a commitment from all

parties that we are going to continue to roll out new trams to meet the need for increased frequency due to the massive overcrowding on our tram networks, never mind the legal requirement under the federal Disability Discrimination Act 1992 for transport vehicles to meet a certain standard. It is a target that the previous Victorian government failed to meet, and a target the present Victorian government is failing miserably to meet.

Mr Somyurek also made the statement that Victoria is not blessed with natural resources. I think he was referring to iron ore and heavy minerals. There is no doubt that we have a huge amount of coal, but it is so polluting and of such poor quality that nobody wants to buy it from us, let alone there being any opportunity for the so-called clean coal industry to ever become a serious proposition here in Victoria.

**Mr Ramsay** — Timber?

**Mr BARBER** — On timber, as Mr Ramsay points out, we are blessed with a huge plantation estate, and in many areas, particularly around plantation pine, there is a value-added manufacturing industry that goes with that. For native forest logging there will never be such an industry. Even the Maryvale pulp mill, which takes some native timber component, has rapidly been increasing its plantation component in recent years.

If you want investment in value-adding manufactured wood products, you need a secure, reliable and affordable supply of timber. You will never get that from native forests. Native forest wood is highly subsidised, it is expensive and dangerous to harvest, and it has huge environmental downsides. When you look at the manufacturing of wood products or even manufacturing of preprepared building products, such as frames that are manufactured in factories and delivered to building sites, you see that it is all based on our plantation base here in Victoria. It is the growing segment of the wood products industry.

Victoria is blessed with natural resources, which is contradicting what Mr Somyurek said. They are our renewable energy resources such as solar, wind, geothermal down the line, tidal and even bioenergy from our agricultural sector. The policy settings to develop an industry, not only in energy production but in the manufacturing that goes along with it, are just dead wrong. With the total hostility of the state and federal governments to wind farm development, it is going to be a long time before there are secure manufacturing jobs based around the components of a wind energy industry.

**Mr Ramsay** — It is not the state government; it is about finance. They cannot get finance.

**Mr BARBER** — Mr Ramsay says it is because they cannot get finance. They cannot get finance because the renewable energy target, which used to be a bipartisan target, has been under constant attack from the loopy, anti-environment end of the Liberal Party. If I were a bank looking at investment in the renewable energy industry and I read the loopy statements that come from certain Liberal MPs and considered the fact that they have just been elected as part of the federal government, I would be saying that we need to wait and see. That is the highly effective and pernicious nature of the anti-wind lobby. They are deliberately targeting investor confidence at the same time as they are increasing red tape. They are targeting investor confidence and they are increasing red tape.

The Liberal Party loves red tape. It has stopped wind development, and in the process has destroyed energy and manufacturing jobs that could be rolling out in Victoria, and all because of the weasel words coming from the mouth of the federal Minister for the Environment, Greg Hunt, that he supports a renewable energy target of 20 percent by 2020. In fact we have never had a target that is denominated in 20 per cent units. The denomination for the production of energy that is to come from renewable sources is in the form of terawatt hours. When Mr Hunt says he is going to support 20 percent by 2020, what he is actually saying is that he supports cutting back the renewable energy target. It is that clear message that has scared investors from going into the wind industry for the present time.

**Mr Ramsay** interjected.

**Mr BARBER** — Which has allowed Mr Ramsay's crew, the anti-wind lobby, to run in there and create its scare campaign, its anti-science campaign, to scare people into believing that their property values will drop.

**Mr Ramsay** — True!

**Mr BARBER** — False, Mr Ramsay. Most recently we saw another screaming headline about the loss of property values that was based on a survey of just three properties, one of which was adjacent to a wind farm. A valuer claimed there had been a 30 per cent drop in the value of that particular property. It turns out that the property in question is swampy, badly fenced, next to a giant highway and has two 220-kilovolt powerlines running across the top of it but does not have its own residential power connection. Yet it must be the proposal for the wind farm that has caused the value of

that property to drop. Nonsense! It has been proven time and again by official reports and even the survey I did using published data on land value — —

**Mr Ramsay** — How many wind farms around your house in Melbourne?

**Mr BARBER** — Mr Ramsay wants to know how many wind farms are near my house in Melbourne. The answer is, just one, and it is the wind turbine that has been at the Centre for Education and Research in Environmental Strategies, known as the CERES environmental park, for about 30 years. You would not be able to build it today under Mr Ramsay's rules, because a whole heap of town houses look straight onto that wind turbine. With the assistance of Mr Ramsay I have just proven my point. Coalition members will throw any argument they can at this. It really does not matter what the argument is, provided it creates a lot of noise — 'Where there is smoke, there is fire'. It scares the hell out of everybody who does not have the time to run down these crazy claims and check them for themselves.

At the same time it is absolutely clear from the words of Greg Hunt, the federal Minister for the Environment, that he is in favour of cutting back the renewable energy target. There is plenty of industry analysis out there that shows the direct impact that will have on wind farm development, and it is quite likely that another project will not get up and running in the next five years as a result. There are no immediate prospects for the development of a new industry to take advantage of the natural resources that we are blessed with here in Victoria.

We then move to the government's response on the question of what to do about manufacturing. Not surprisingly, the government speaker wanted to blame the carbon tax and labour laws. I think the labour laws in this country are a pretty good balance, in particular when we are talking about the types of challenges that manufacturing enterprises face. Enterprise bargaining is a model that allows workers and enterprise owners to sit down and bargain over productivity to keep that enterprise afloat.

I do not know what the government's preferred alternative is. Perhaps it is individual contracts for every worker who would have to come in, sit down and sign their contract, and if they do not, they are out the door. It does not sound like a recipe for industrial harmony or even good dialogue between workers and managers to change and modify over time the work practices in a given manufacturing operation that may be unique to that operation, that market, that product

and that time period. Government members should have a look at the other countries whose economic performances we aspire to. If they look at other countries that we might see as our economic competitors, or perhaps the countries that have already lapped us in the economic race, they will see that is exactly how those countries approach it. Hairy-chested warfare, coming from either side, is not going to help us address the real challenges of the manufacturing sector, or subsectors within that, and of, in certain cases, individual product markets.

Then there is the carbon tax, the government's favourite. I do not know what government members will do when it is gone. No doubt they are keen to get in a few more whacks at it before it disappears, because once they are in charge at state and federal levels with no-one else to blame, they may need to come up with some answers.

In all the talk of manufacturing this morning I did not hear much about the question of our manufactured food products. Australia, as I understand it — and I have not run down this statistic yet — feeds two other Australias with the output of our farms. One of the biggest parts of our manufacturing sector in Victoria, up there with steel, aluminium and cars, is manufactured food products. Those manufacturers are really suffering. One of the problems they are suffering from is cheap imports from countries where there are subsidies, many of them hidden. It makes it almost impossible for Australian food manufacturers to compete in our domestic market, let alone get out there in the world.

That is why both sides of this debate, the Labor and Liberal parties, ought to get behind the Greens plan for country-of-origin labelling. So far both major parties have been unable to form a view on that, even though the Greens have put forward a very clear, simple and effective model, and practically everybody I speak to says they are in favour of it. Last week I was at a dinner with the owner of a fast-growing wholesale manufactured food products company; I think Mr Elasmarr was at the same dinner. The owner was very keen to hear what the Greens had to say about promoting Australian content in food manufacturing. That is from a business that is growing very fast and providing manufactured food products, mostly desserts, into the Australian market but that is already looking for export markets.

That would then bring you to the issue of the transport logistics chain between a Melbourne-based business, a country-based food manufacturing business or a country-based food producer and the port of Melbourne. We know that there has been little action to

promote rail and develop the system and catch up with the results of the years of neglect in Victoria. We are now coming up to another grain harvest season. It will not be a record season but it certainly will be a high yield one. The government has very little to point to in what it has done over the past three years to take out the biggest bottleneck in the whole chain, which is rail itself.

The Premier, Dr Napthine, was good enough to admit some years ago that it was probably a mistake to have flogged off the V/Line system under Jeff Kennett. Recognition is good but that mistake has not been corrected, and the neglect for many years under private company Pacific National has not been corrected. The debate that has been put forward today has been highly selective. Members of the Labor Party talked a little bit about local content, but they did not want to talk about the massive neglect of the public transport system over their years in government. Members of the Liberal Party like to talk on their favourite topics, labour relations and the carbon tax, but they could not talk about anything else that might be a barrier to a local manufacturer.

Members heard that the state government is running a tight balance sheet. That is a good thing to have, but not if in the process the government is running down the very basis of the economy. Members heard that government members have been on a lot of overseas trade missions. I have seen some of the Premier's holiday snaps, including those of him clowning with Japanese tourists in a subway. He has not been talking about what this matter means to him. He has been the guy to announce good news overseas, but he is not prepared to talk about what the challenge is back at home.

We heard that Plan Melbourne, the urban development plan for Melbourne, has apparently got something to do with the transport logistics chain. At the moment it is a plan for endless sprawl, with vehicles clogging up our roads. There is no hope that commercial vehicles will get more space on the roads because they will fill up with commuter cars, which is the inevitable result of an endlessly sprawling city.

On skills development, the government speaker certainly had some helpful contributions to make. He pointed out the rapid growth in enrolments in the skills system. That is common ground. What is not common ground — that is, where the Greens differ from the Labor and Liberal parties — is the method of both planning for and providing those future skills needs. In Victoria we had a very good system by which representatives of industry and unions and other

interested parties could get around a table and talk about the challenges for industry and future skills needs. It almost sounds like something that Senator John Button, as the then industry minister, might have thought up when the federal Labor government saw itself as having a continuous role in helpful interventions in the manufacturing sector. Members heard from Mr Somyurek that that is not something that is worried about during the good times. The Brumby government abolished that system to replace it with a laissez-faire system under the invisible hand of the market, hoping that it would all work out well in the end.

Mr Ondarchie quoted big numbers of growth in the skills sector. I absolutely concur with him when he said that the economy and this particular part of it, the manufacturing sector, will be sucking in huge numbers of skilled workers. It will need even more workers and the skills level required of those workers will grow and grow. Once upon a time the manufacturing sector would have been the home of the unskilled worker, such as the assembly line worker who learnt on the job. These days, when you look at who in the manufacturing sector is getting a big pay rise, you see that it is the people who are adding to their skills base. Clearly, if individual firms value a person's skills enough to pay them extra to obtain them, then the economy as a whole must value those same skills. It is probably the case — I would say it is certainly the case — that we are not yet investing enough in skills development. It must be the single biggest lever of policy that we can use to boost our skills-based, our knowledge-based, our learning-based manufacturing sector.

Then there is the topic that nobody mentioned — that is, tax reform and its impact on the Victorian manufacturing sector. Victoria is widely recognised — I think by even the Victorian government — as having the most inefficient set of state taxes of any Australian state. We are the worst performer and report after report after report has come out saying this. Probably the worst tax of all is stamp duty on insurance. As a member of the house informed us last night, you either tax something to encourage people to use less of that thing, in which case your tax base starts to be eroded and your economic base starts to shift, or you tax something that people cannot avoid producing or using, in which case you have a sustainable tax base.

Consider, then, the impact of putting stamp duty on insurance policies. Insurance is not something we want people to avoid; insurance is something we want people to embrace. Having insurance is not an economic bad; if anything, we would subsidise insurance for people.

We have already set up statutory schemes for WorkCover and road accidents, so it is completely illogical that we put tax on insurance.

The government — I will give it credit — took the fire levy off insurance and put it on to a property-based tax. We need to do the same with stamp duty. About \$1 billion on insurance policies is raised here in Victoria, and it should clearly be put onto other forms of state taxation. At one point it was talked about as a state-federal reform. You would think that with a Liberal federal government and a Liberal state government this would be the ideal time for such a reform to commence. I predict it will never happen under those circumstances, because both the Liberal federal and state governments will hide in the bushes and throw rocks at other people's proposals rather than take on that serious reform.

There might be some possibility for a state going it alone and reforming its own taxes within its own revenue base and needs. Victoria, with the worst and most inefficient state taxation base, would be the ideal candidate. In fact I think it was the Victorian Competition and Efficiency Commission which argued that Victoria's inefficient tax base was reducing our state gross domestic product by the equivalent of 0.4 per cent annually. By any standard that is a rather large economic dividend to be harnessed if a state government were willing to pick up and run with that particular reform agenda.

At the other end of the spectrum there are taxes which are considered to be quite efficient, at least when they are well designed. No. 1 amongst them is land tax, and the Henry review proposed a broadbased land tax. This government has gone a slight step in that direction by levying the fire services levy across most properties in Victoria. What is really needed with payroll tax is a redesign. Some people say payroll tax is a job stopper, but the alternative argument is that if it is sufficiently spread across a good part of our employment base, then it acts more like an income tax, and an income tax is considered to be quite an efficient tax — for example, a worker is unlikely to change states so as to avoid the payroll tax that is put on them. What we need, of course, is similar payroll tax systems across all states, in which case there would be no incentive for industries to move from state to state.

We should also avoid state governments doing special secret deals with businesses in order to reduce payroll tax or land tax in return for them moving to one particular state. It might be tempting for state premiers to want to offer those concessions, but overall it is a loss to the economy because it simply encourages

people to gain different tax rates in different states. Most state premiers are Liberal now, and pretty soon close to all of them will be Liberal, perhaps when Mr Somyurek raises this matter for debate again in another six months. That would be the chance for a courageous federal Liberal government to get together with the Liberal state premiers to reform the state taxation system, to harness an immediate economic dividend that would particularly go to the manufacturing sector. Report after report to a whole series of governments, Labor and Liberal, have said the same thing — economic opportunities are being lost by the failure to address the ad hoc tax system. I am mighty surprised that no speaker from either the Labor or Liberal parties even dared broach the topic of state taxation reform.

**Mr Ramsay** — We haven't finished yet.

**Mr BARBER** — Mr Ramsay says, 'We haven't finished yet'. Yes, but we are running out of time, because we are facing an election in 12 months.

**Mr Ramsay** interjected.

**Mr BARBER** — Let us not waste any more time. Let us hear from Mr Ramsay about his government's secret plan for state taxation reform, because at the end of it I may actually be in a position to say that we endorse it, that we should go forward and work together. I know Mr Ramsay has some understanding about this area of policy. We could work together to take on the big reforms that could have a big and long-lasting impact and would be to the benefit of our manufacturing sector.

**Mr DRUM** (Northern Victoria) — This is an interesting motion which has been put forward by Mr Somyurek. He would have us believe that the house is condemning the coalition government for failing to utilise the policy instruments it has at its disposal. It is quite amazing that Mr Somyurek would go down this path when you consider that in government the Labor Party did not have a minister for the manufacturing portfolio.

The last time the Labor Party saw fit to allocate a portfolio to manufacturing in this state was when it appointed André Haermeyer as Minister for Manufacturing and Export. It is somewhat surprising that in the four years leading up to the 2010 election the then Labor government thought manufacturing was not an important enough sector in this state to have its own portfolio and its own minister. Talk about political opportunism. Talk about political selective memory. Labor was in government for 11 years, decided the

manufacturing sector was not important enough to have a portfolio and a minister and then lost government. All of a sudden it was critical of the new government that immediately acknowledged the importance of the sector, gave that sector its own portfolio and its own minister and allocated hundreds of millions of dollars to it — \$58 million alone was directed to the Victorian manufacturing strategy. Again, the hypocrisy of these Wednesday morning motions that come before this house is quite staggering.

We all acknowledge that manufacturing in this state is going through a reasonably tough time. There are serious challenges arising at the moment, and they are largely to do with the very high Australian dollar and some extremely rigid workplace laws that really do impact on our competitiveness. This is an issue that we must acknowledge whether we like it or not. Anybody who wants to argue against the serious impact of those two issues on our manufacturing industry is not looking at this with any sense of reality at all. Certainly we understand the critical importance of the manufacturing sector and what a significant historical role it has played in making the state what it is today. We also understand how diverse and varied the manufacturing sector is. As I said, a \$58-million strategy has been put in place by this government, and within that strategy there are a range of initiatives that are already achieving results.

I spoke only last week to a group of Bendigo manufacturers who are looking to take advantage of the \$7.5 million available through the Manufacturing Productivity Networks program, including Andy's Earthmovers, Australian Turntable Company, B. Keogh & Sons, Bendigo Engineering Services, Hofmann Engineering Pty Ltd, Industrial Conveying Australia, Keech, Mancala Pty Ltd, McCullochs Hydraulics Engineers, Motherson Elastomers, Southern Shorthaul Railroad, Spoutvac Australia, UME Australia and Universal Manufacturing Australia. So it goes to show: we have a situation where 14 of the biggest employers in the city of greater Bendigo are coming together to look at ways to increase their capacity and are working together on potential joint ventures to be able to secure some serious tenders. They can see that this sector has a very bright future. They know that if their businesses are to continue to grow at the same rate, they are going to have to find ways to feed off each other and work in cooperative opposition to each other — that is, they will work together as a cooperative, then they will work individually to get their piece of the pie. It is another example of businesses in the regions across Victoria working in conjunction with this government to access a large part of the funding that has been made available to them.

As part of that strategy there is also \$13.7 million for specialist manufacturing services to help manufacturers overcome specific market failures and \$9 million for building innovative small manufacturers. There is a range of businesses also looking to form joint ventures and cooperatives in order to take advantage of the \$630 million Bendigo Hospital project — again, they are working together to win those tenders.

There is no doubting the government's commitment to the manufacturing industry. If opposition members want to question that commitment, they need only look at the Regional Growth Fund. The food manufacturing industry has also benefited from serious financial assistance we have poured into the fund. One example of a company that has benefitted from the Regional Growth Fund is True Foods, which has recently relocated to Maryborough. True Foods brought 30 to 50 of its own workers from Bayswater to Maryborough and has also employed close to 200 additional workers to drive its productivity forward. It is certainly an outstanding success for the town of Maryborough. The company was able to move into the old Nestlé site, and it has been going ahead in leaps and bounds, all thanks to the investment by this government in the food manufacturing sector. This coalition government really is committed to a strong and successful manufacturing sector here in Victoria.

We understand the problems, and we understand the challenges. The Australian dollar, even though it is fluctuating as we speak, is still extremely high by historical standards, and we understand that is going to cause a problem. We understand the added expense associated with the carbon tax and what that has done to a whole range of jobs within the manufacturing sector. But again, we never get any sense of an understanding of those added costs when we hear from Labor or the Greens. We never hear Labor or the Greens talk about the damage of the carbon tax to the motor vehicle industry, where jobs have been lost and will be lost into the future. Ford has in effect foreshadowed that it will pull out of this country, and that is certainly going to do damage to Geelong and Broadmeadows. But the price of the carbon tax and the price of high wages in this area never makes it to the front pages.

Before finishing my contribution I want to reinforce a point that I find totally unbelievable. The Labor Party was in government for 11 years. In that time, from 2006 through to 2010, it did not have a manufacturing minister and refused to have a manufacturing portfolio. Within six months of finding itself in opposition it wants to know why all of a sudden there are certain indicators suggesting that this sector may be facing

some challenges. Those challenges are very real. We do not resile from that fact, although we understand there have been recent positive developments, such as the rapid growth in new opportunities for Victorian automotive companies represented by Ford's Asia-Pacific supply chains.

I also mention the myriad trade missions this government has led overseas. If there is one direct action that any government can take it is to try to assist in the creation of new markets, whether they be in the food and fibre or the manufacturing sector. We know that the Minister for Manufacturing, Mr Hodgett, has recently returned from meeting with a range of Asian governments. He has been looking at ways we can increase our sales into those areas. The Premier has visited Toyota's manufacturing plants looking at ways we can secure Toyota's ongoing operations in Victoria. Employment in regional Victoria has increased over the last three months.

There have been some very strong indicators that positive things are going on in the manufacturing sector. The government is committed to the sector, as opposed to the previous government, which did not even see fit to have a portfolio or a minister for this important area. It is incredibly hypocritical of Labor to bring this sort of motion before the house today, and Labor should be condemned for taking pot shots at a government that is at least in there allocating funds from Victorian taxpayers, allocating ministers and allocating departments to try to grow this sector, that is taking trade mission after trade mission into these new markets, creating the one-on-one relationships that are needed to increase the markets and to open up new options for our manufacturing sector, a government that is putting its money where its mouth is. That is what this government is doing. The previous government is full of talk now, but when it had the opportunity to do this, it was nowhere to be seen. With those few words, I indicate that I oppose this motion.

**Business interrupted pursuant to standing orders.**

## QUESTIONS WITHOUT NOTICE

### Brunswick terminal station

**Mr TEE** (Eastern Metropolitan) — My question is to the Minister for Planning. I refer to the minister's approval of amendment C140 to the Moreland planning scheme on 3 February to enable a fourfold expansion of the Brunswick terminal station. As the minister knows, the community was anxious about this project and was concerned that the process, including the failure to have an independent panel, would result in a deficient

outcome. I ask the minister: is C140 incomplete and inadequate, and as a result have works on the site ceased?

**The ACTING PRESIDENT (Mr O'Brien)** — Order! There may have been more than one question there, but I will let the minister answer in the way he sees fit.

**Hon. M. J. GUY** (Minister for Planning) — Mr Tee might be aware that it is SP AusNet which owns the site and is the proponent. I am not SP AusNet, and I am not responsible for its construction, so maybe his question is actually directed to the wrong person.

*Supplementary question*

**Mr TEE** (Eastern Metropolitan) — SP AusNet and others wrote to the minister in July and in June, asking him to amend the planning scheme, C140, because they said the minister's planning scheme was inadequate — and I have got the letter here if it would assist — that it was incomplete and that as a result works on the site would have to stop. As the minister knows, the provision of an independent panel process could have avoided this deficiency. My question is: in view of community concerns, will the minister appoint an independent panel to consider this request by SP AusNet, CitiPower, Powercor and others?

**Hon. M. J. GUY** (Minister for Planning) — Even Mr Tee's mediocrity is mediocre.

**Mr Tee** — I've got the letter for you.

**Hon. M. J. GUY** — Mr Tee might have the letter. Good for him!

**Mr Tee** — What do you need? They have asked you to amend it. Will you refer it to a panel?

**Hon. M. J. GUY** — The guidelines that were met on the initial amendment through the first process actually met those of the federal Labor government, so if Mr Tee has a problem with guidelines that were set by the previous federal Labor government — —

**Mr Tee** — It is the planning scheme.

**Hon. M. J. GUY** — Mr Tee did not say that. It is okay to come in and give a tenth of the story or to come in and give a hundredth of the story. If they met the guidelines of the federal Labor government — and the former federal member from across the river, Mr Ferguson, was the energy minister at one time — I am quite surprised that Mr Tee would try to lay the blame, saying that it is all the Victorian government's

fault, when he has not even looked at the conditions of the federal government at the time. If any material comes to me, I will respond to it at a time that is appropriate.

**Health sector information and communications technology**

**Mr O'BRIEN** (Western Victoria) — My question is to the Minister for Health, the Honourable David Davis. I ask: will the minister update the house on the government's concerns about large and expensive ICT projects that have not been delivered to the level promised?

**Hon. D. M. DAVIS** (Minister for Health) — I thank the member for his question. I note that yesterday in this chamber I was also asked a question about ICT, and at that time I indicated that the state government had released its ministerial review of HealthSMART and related matters and, if I can describe it as such, the way forward. Today I was very pleased to see the release of the Auditor-General's report *Clinical ICT Systems in the Victorian Public Health Sector*. I thank the Auditor-General for this report and for the work he has done. The government has been very respectful of the work done by the Auditor-General in this area both recently and back in 2008 and also the work done by the Ombudsman in unscrambling the HealthSMART omelette.

This system has been a disaster for Victoria; it has not delivered the value it should have delivered. Hundreds of million dollars were spent by the previous state government on the system. In 2003 the HealthSMART project went forward. About \$300 million was allocated to complete a series of clinical rollouts and other ICT projects, and after 10 years the ICT money for HealthSMART has run out. What I can say also is that the project is not even remotely finished, and the Auditor-General makes that very clear in his report, as does Dr Perrignon in his review which was released in recent days.

It is very clear that there are significant challenges for ICT into the future. The government is determined to put in place a proper governance panel that will ensure solid business cases are in place, unlike the previous system where the former finance minister, who later became Treasurer, ticked off on hundreds of billions of dollars of ICT spending without even having a business case. I have to say it — what a clown!

Before 2010 the then health minister worked furiously to try to unscramble this. I have the notes he made as he went through the documentation week after week and

month after month trying to work out what was happening. Clearly he did not understand what was happening or how to manage the project. He has to take a fair bit of responsibility. He was the Parliamentary Secretary for Health from December 2002 all the way through to when he became the Minister for Health.

**Mr Drum** — Who?

**Hon. D. M. DAVIS** — Who was it? It was Daniel Andrews, the member for Mulgrave in the Assembly, who became the health minister. He was trying to work his way through what to do with this system and how he was going to get a grip on it — —

**Mr Lenders** — On a point of order, President, Mr Davis, if I understood him correctly, said he had the notes, which he was quoting from, of a previous minister relating to a project. It is unusual, because under the Westminster conventions, every cabinet-in-confidence document from a previous government is secured. I ask the minister to table that document in order to assure me and the house that he is not in breach of Victorian law.

**Hon. D. M. DAVIS** — On the point of order, President, there is no requirement to table such documents, but I can tell the member that it was an FOI — —

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

**Hon. D. M. DAVIS** — I am happy to be quite clear that this was an FOI request made in 2009. There is no breach of any convention. There is in fact no requirement to table documents in that way.

**The PRESIDENT** — Order! I must admit that when the minister referred to having notes from a member of the executive of the previous government, I was also concerned about where it was leading, because there is a need for ministers to tread warily when it comes to referring to documents that may well be cabinet in confidence or working notes that could be taken out of context. This is a fairly dangerous area to be entering into. I heard from the Leader of the Government that the notes he referred to were obtained through a freedom of information application, and therefore they have been released, presumably to the minister or certainly to somebody in the then opposition on that FOI application, and therefore the documents can be referred to in this instance.

At the same time I caution ministers about material they refer to that comes from previous governments. Clearly there are opportunities to consider and reflect on

decisions that have been made and to reflect on documentation that may have supported those decisions, but we also need to be mindful of cabinet confidentiality, and we particularly also need to ensure that matters that are referred to are placed in their proper context. All of us have working notes that might fall into other hands and be subject to reference out of context by other members of Parliament, the media or such like, and that can place a very different complexion on what may have been the actual circumstances at the time they were created.

I ask members to exercise some caution in this matter. In that sense I shared some of the surprise of the Leader of the Opposition in the remarks made by the Leader of the Government. Nonetheless, as I said, in this instance if I take the assurance of the Leader of the Government that these documents were released under FOI, then I assume they are documents that the Leader of the Government has the prerogative of referring to. But I request that he refers to them in a way that conveys their proper context and that the documents are not referenced in a way that is subject to debate in answering the question as distinct from perhaps providing some factual support to the comments he makes.

**Mr Lenders** — On a point of order, President, could I take up the minister's offer for the documents to be tabled and request that he leave them with the Clerk for other members and me to peruse at the end of question time?

**Hon. D. M. DAVIS** — On the point of order, President, I am not going to be verbally by the Leader of the Opposition. I do not intend to table these documents. There is no principle of requiring the tabling of documents. Mr Lenders will just have to guess what is in them.

**The PRESIDENT** — Order! In my hearing the Leader of the Government did not offer to table the documents. That was certainly the request the Leader of the Opposition made, but it was not a request that was agreed to by the Leader of the Government. There is not a requirement for a document to be tabled as such. A minister is able to indicate that he is not prepared to table a document, but in my view there is a requirement for a minister to accurately reference where that document has come from — in other words, the source of the document, be it a newspaper article or be it particular notes. It might be helpful if the minister were able to give a time frame for when those documents were created without having to table those documents. That would certainly suffice in terms of providing the

opposition with some opportunity to check that reference.

**Hon. D. M. DAVIS** — I am very happy to indicate that these documents are FOI documents from the pre-2010 period. They relate directly to the activities of the then Minister for Health, Daniel Andrews, and his hopeless attempts to try to get a grip on the HealthSMART system as hundreds of millions of dollars of government money flooded out and the former government could not deliver the system. I can tell you that it is still not delivered because the scoping was wrong in the first place. Who was the finance minister — —

**Mr Jennings** interjected.

**The PRESIDENT** — Order! I am concerned that the minister is debating the answer, and I am concerned that Mr Jennings is really cheering in a way that would be best reserved for a Victory football match rather than for this place. The minister, without debating, to continue the response.

**Hon. D. M. DAVIS** — I note that this is a matter of some importance because the ICT systems in hospitals have a very important role. What is clear is that over the period of the last government there was no proper scoping, no proper business case and no proper baseline assessment of the ICT projects. The Auditor-General gave a warning in 2008, which was clearly not heeded by the then government. We have come to government to inherit a system that we need to work with. The fact is that the significant expenditure that has been put into the system did not deliver even remotely the original scope.

### Reg Geary House

**Ms MIKAKOS** (Northern Metropolitan) — My question without notice is for the Minister for Ageing. Last Friday, 25 October, residents and their families and staff at Reg Geary House were called to a meeting and advised by Western Health that this 30-bed high-care facility in Melton South will be closing in June next year. This is the seventh closure of a public aged-care facility to occur under the minister's government. I understand that at Friday's meeting Russell Harrison, on behalf of Western Health, was asked what other options were looked into aside from closing the facility, to which he responded, 'None'. Did the minister or his department give approval to Western Health for the closure of Reg Geary House — yes or no — and were any alternative options considered to keep this important facility open?

**Hon. D. M. DAVIS** (Minister for Ageing) — I thank the member for her question. I can indicate to the house that Western Health wrote to the government telling us that it intended to take this step. It had looked at a number of different options for the future of Reg Geary House. As I understand it, there are around 28 residents currently at Reg Geary House. Western Health made an announcement to staff on Friday and also to residents that it would, over time, close the service. It has made a number of commitments to the residents, most importantly that each of those residents would be provided with assistance for alternative placements. I am informed that there are a number of alternative placements possible in the near vicinity.

**Mr Jennings** — The staff don't matter?

**Hon. D. M. DAVIS** — I am coming to the staff now. I indicate that the government is confident that Western Health has a satisfactory plan to ensure that the residents of Reg Geary House are in fact going to be provided with a better quality service. One of the problems with the service is that there are multiple people in some rooms, and there is obviously a problem with the quality of the fabric of the facility in the longer haul. If I go a little bit further to explain the commitments that were provided to us by Western Health about the staff, I understand that every member of staff will be offered alternative employment within Western Health and that there will be jobs available for those staff members. I have spoken directly to the CEO, Professor Cockram, about my concern to see that all staff were offered alternative employment.

**Ms Mikakos** — All the staff?

**Hon. D. M. DAVIS** — That is what I am informed. I am telling you what I have been informed. I have asked the question directly and personally of the CEO of the health service. I understand that through the period of the last few days there have actually been a number of contacts by Professor Cockram with the department to confirm those points and to provide assurance that each of the residents will be given a satisfactory alternative location. I can also indicate that in my conversation with Professor Cockram she assured me that local MPs have also been informed of relevant changes. The chair of the board, Ralph Willis, has made those calls so that people are very aware and fully in the picture of Western Health's plans for Reg Geary House. A proper process has been put in place. I understand that the member is trying to make something from this where there is nothing unreasonable to be made of it. Western Health has obviously made a — —

**Ms Mikakos** — On a point of order, President, the minister is setting out some information relating to the closure which may well anticipate some further questions that I may have had, but it is not pertinent to the question that he was specifically asked. The minister was specifically asked whether he or his department approved the closure and whether alternative options were considered to keep the facility open. The minister has alluded to the fact that Western Health had considered alternative options. He has not indicated whether those options were discussed with him or his department or what those alternative options were. I ask that the minister actually address the questions that he was specifically asked.

**The PRESIDENT** — Order! Ms Mikakos was actually quite specific in seeking a yes or no answer and in asking about options, so I accept the context in which she has raised the point of order. I am obviously not in a position to direct the minister on how he should answer the question. He still has 58 seconds in which to address what Ms Mikakos would see as the key element of her question. But certainly the minister has been providing some helpful context. He has indicated to the house that he has a good understanding of the circumstances leading to this. Perhaps the minister is also trying to explain the respective roles of the health agency and his own powers, or jurisdiction, if you like. He has gone to that matter, and he has 58 seconds in which to continue to address those points.

**Hon. D. M. DAVIS** — Obviously a decision by a health service to close one aspect of its operation, in this case an aged-care facility — which, as I understand it, last Friday had 28 residents in the facility — is driven by a number of factors. The key factor, as it has been put to me, is the fabric of the building and the long-term viability of that facility. Western Health has obviously made that decision. It has informed the department. I have, in a sense to ensure that there is a good outcome for the residents, made a number of contacts with Western Health, and I can assure the member that the indications given to me are that it has a very clear plan to ensure that each resident is provided with a satisfactory outcome.

*Supplementary question*

**Ms MIKAKOS** (Northern Metropolitan) — I refer the minister to comments made by his spokesperson reported in yesterday's *Melton Weekly*:

Western Health have made decisions that are clearly in the best interest of the residents and the government will not stand in its way.

One could understand from this that he is but a mere bystander in the public aged-care system. In his response he indicated that Western Health looked at different options. Will the minister commit to raising these various options in discussions with Western Health, to work through these options to keep Reg Geary House open, which is in fact in the best interests of the residents?

**Hon. D. M. DAVIS** (Minister for Ageing) — The member asserts that something is in the best interests of the residents, but I accept that the health service is actually better placed to work out what is in the best interests of the residents than the shadow minister. I can indicate that I am satisfied that the health service has gone through a diligent process. As I say, I have made direct inquiries to ensure that there is a satisfactory process in place for each and every resident, and I am satisfied that that is the case. I am satisfied that the board has examined this closely and that the board has actually come to a sensible decision. I understand from the CEO that there is a plan in place to ensure that everyone is properly and safely placed.

Equally, I understand the guarantees that have been provided to staff that they will be offered alternative positions within Western Health. I am satisfied that the best outcome for the residents and for the service long term is to ensure that there is a proper process in place.

**Questions interrupted.**

**DISTINGUISHED VISITORS**

**The PRESIDENT** — Order! It is my pleasure to bring to the attention of the house some guests in the public gallery today. They are part of a delegation, led by Mr Suzuki, of members of the Aichi prefectural government in Japan — Aichi Prefecture, of course, is our sister state in Japan. Mr Suzuki leads a very distinguished delegation, which includes a number of party leaders from various parties within the prefecture. They are visiting Australia on an official delegation and have included Victoria in their visit. We certainly extend a very warm welcome to them on this occasion.

**QUESTIONS WITHOUT NOTICE**

**Questions resumed.**

**Parole reform**

**Mr ONDARCHIE** (Northern Metropolitan) — My question is to the Minister for Corrections, the Honourable Ed O'Donohue. Northern Metropolitan Region has been tragically affected by the passing of

Jill Meagher. I know that this house and the community that I share with Mr Guy have been quite moved by what has happened, as all Australians have been. Can the minister update the house about the reforms the coalition is undertaking to the Adult Parole Board of Victoria?

**Hon. E. J. O'DONOHUE** (Minister for Corrections) — I thank Mr Ondarchie for his question about what is a most serious and important issue. In May this year I commissioned former High Court judge Ian Callinan to conduct a thorough review of the parole system and the operations of the parole board in Victoria. In August the Premier and I released the report that Mr Callinan had written, including the 23 measures, as he called them, or recommendations for reform of the parole system in Victoria. On that day in August the Premier told Victorians that the culture of parole in this state must change.

I am very pleased to update the house and say that cultural change is well under way. As stated previously, the government accepts the thrust and tenor of the 23 recommendations made by Mr Callinan. Yesterday the house passed the Corrections Amendment (Parole Reform) Bill 2013 — another key piece of legislation as part of the government's parole reforms. This legislation implements a number of Mr Callinan's recommendations, perhaps principally of enshrining in law that community safety is the paramount consideration in all parole decisions. It was most distressing and most disturbing that Mr Tee would refer to that as a glib matter.

The legislation also paves the way for the chair of the Adult Parole Board of Victoria to be a full-time position; it mandates that registered victims be given at least 14 days notice of a prisoner's release on parole; it introduces a nine-year limit for adult parole board members; and it increases transparency by requiring the board to detail in its annual report serious violent offences committed by people while on parole.

In addition to those changes which this house passed yesterday, I am pleased to report on further recommendations the coalition has implemented from the Callinan review. These include: approving a 10-year exemption for the adult board from the Charter of Human Rights and Responsibilities Act 2006; increasing the adult parole board's full-time membership from 2 to 4 and increasing the number of funded employees from 22, under Labor, to 31 now — an increase of 40 per cent; increasing the budget of the adult parole board from \$2.5 million to \$3.2 million; continuing implementation work on a new IT system;

and providing a police presence at the parole board on sitting days.

On this side of the house we recognise and hear the grave concerns the Victorian community has held about the adult parole system. We have acted swiftly to introduce laws to make our parole system the toughest in Australia. We have passed cancellation of parole legislation so that a serious violent or sex offender who is convicted of further similar crimes while on parole goes straight back to jail. This is the kind of approach that Victorians and the broader community expect.

These reforms have been undertaken on the principle that parole is a privilege, not a right, and that community safety must be the first consideration in parole matters. Community safety is of the utmost importance to this government, and that is why we are taking the necessary action to keep Victorians safe. I call on members of the opposition to approach these matters in a bipartisan way.

**The PRESIDENT** — Order! I indicate to the house that clarification was sought from me from one member as to whether or not there were any concerns with respect to the anticipation rule, given that the question related to a bill that had been before the house yesterday. For clarification purposes, I indicate that where a bill has been dealt with and dispatched by this house by way of the third reading, I believe the anticipation rule is satisfied. I refer to the fact that our message may not have been considered by the Assembly or that the bill might not have been signed off at this stage by the Governor.

Was that a flash from the gallery? Photographs are not allowed to be taken. I told our Japanese guests photography was not allowed, and then someone from the other side has taken photographs.

Referring to the fact that the Governor may not have signed the legislation at this point, the fact is that it has passed this house on the third reading. This house has made its determination on the legislation, and therefore there is no problem with that anticipation rule.

**Ordered that answer be considered next day on motion of Ms PENNICUIK (Southern Metropolitan).**

### **Reg Geary House**

**Ms MIKAKOS** (Northern Metropolitan) — My question is to the Minister for Ageing. I again refer the minister to the announced closure of Reg Geary House in Melton. I specifically refer to comments reported in yesterday's *Melton Weekly* by Mr Joe Coyne, whose

86-year-old wife with severe dementia is being cared for at this facility. The proximity of the facility to Joe's home allows him to visit his wife twice a day. The information sheet Western Health provided to residents on Friday stated:

Western Health will ensure that every resident has a suitable relocation option with the choice of a number of new facilities in the area.

Western Health's other public aged-care facility has also closed under the minister's watch, and it will no longer have a public aged-care facility. It is my understanding that the alternative private aged-care facilities in Melton do not have sufficient capacity to accommodate all these residents — for example, Trinity House has a waiting list of 30. Given his earlier response that he is not prepared to assist residents to stay at Reg Geary House — —

*Honourable members interjecting.*

**The PRESIDENT** — Order! Thank you, Ms Mikakos.

**Ms MIKAKOS** — Will the minister guarantee Joe's wife and other residents — —

**The PRESIDENT** — Order! Ms Mikakos! Particularly as Ms Mikakos persisted with her question, I rule the question out.

### Plan Melbourne

**Mrs PEULICH** (South Eastern Metropolitan) — My question without notice is directed to the Minister for Planning, Mr Guy, and I ask: can the minister advise the house what action the government is taking to give the community and councils a say on Plan Melbourne and its implementation?

**Hon. M. J. GUY** (Minister for Planning) — I thank Mrs Peulich for her important question in relation to the community consultation that has occurred leading up to Plan Melbourne and what is happening now that Plan Melbourne is available for public comment until 6 December. The government is proud of the level of community engagement and discussion around the principles that have built Plan Melbourne around a state of cities, urban renewal, strategic sites, complementary regional growth plans and how this city is planning for the long term.

It is not a new concept that we need to be smarter about how we are building and planning our state into the future. Indeed one of the key aspects of the Plan Melbourne document, as many would know, is around the concept of building a state of cities. The coalition

government has been exceptionally focused on ensuring that we are putting in place planning policies for the future that build a sustainable city of the future. A document I read this morning reflects interestingly on this matter. I will read some comments from June 1976, when I was only two years old. It says:

... Melbourne's rapid growth has still produced disadvantages such as a backlog of uncompleted community services, housing shortages, inadequate open space and severe transport problems. As a result, people now living in Melbourne may not wish to do so. Surveys show that many of Melbourne's residents would consider Victoria's country towns and cities a preferable alternative if employment were available.

Too true. It also states:

There is a definite need for decentralisation because the problems we are trying to solve are not produced by population growth alone. More important are considerations of population density and location ...

That was from a very wise man, the then Minister of State Development, Decentralisation and Tourism, Mr Digby Crozier. He was a very wise man indeed — and the genes obviously run strong! As the minister responsible for state development and decentralisation he made some important points around building the concept of a state of cities way back in the 1970s. The concept that was put forward by the Hamer government and included in planning schemes in regional Victoria since the 1970s has now been put forward by this government through the Plan Melbourne document and the metropolitan planning scheme. What Mrs Peulich asks about is very important. It concerns the consultation discussion that has led up to Plan Melbourne and what is happening until 6 December.

I encourage all Melburnians, and indeed all Victorians, to be a part of this discussion, whether it is at Werribee, Frankston, Ringwood, in the city or online. They should be part of the Plan Melbourne discussion about the document that will be in place by 1 January 2014. It will guide strategic principles, building on principles of the past, whether these are around a growth boundary, strategic sites or, as Digby Crozier said in 1976, around decentralisation and regionalisation to make sure that we are building a livable and sustainable state. I encourage all Victorians to be part of that conversation. I thank Mrs Peulich for what is an important question, not just for the south-eastern suburbs but for all Victoria.

### Dairy industry vocational training forum

**Ms TIERNEY** (Western Victoria) — My question is to the Minister for Higher Education and Skills, Mr Hall. Yesterday, in response to a question from

Mr Philip Davis, the minister outlined what Gippsland's dairy industry has told him that it needs in the way of TAFE training. What has western Victoria's dairy industry told him that it needs in the way of TAFE training?

**Hon. P. R. HALL** (Minister for Higher Education and Skills) — I thank Ms Tierney for her question. If she goes back and carefully reads my answer in *Hansard*, she will find that the answer contained advice I received from the dairy industry across the state. Dairy Australia convened the forum, and indeed the majority of contributors were from Ms Tierney's electorate in the western part of the state. I was pleased to receive feedback from a number of dairy farmers and from people located in western Victoria. As I said yesterday, it was a very positive discussion. The work that was undertaken between Dairy Australia and the National Centre for Dairy Education in conjunction with GOTAFE was very positive. I welcome the feedback that I received at that meeting from dairy farmers and dairy manufacturers from across Victoria.

*Supplementary question*

**Ms TIERNEY** (Western Victoria) — I thank the minister for his answer and the comments that he made yesterday as well as today. However, in particular I am interested in the specific needs and requirements that western Victorians farmers have laid out to him. My supplementary question is: given that South West TAFE's position is well known in the media, will the minister now direct it to reverse its decision to cease training at Glenormiston?

**Hon. P. R. HALL** (Minister for Higher Education and Skills) — I am not sure that the supplementary question relates directly to the original question, but let me say this: present at that forum I had with the dairy industry were people who were involved with WestVic Dairy, and they certainly informed me of needs in the area.

With respect to whether I am directing South West Institute of TAFE to reconsider its decision to discontinue training at Glenormiston College, let me say to Ms Tierney that in relation to its training operations, particularly in the agricultural sector, the vast majority of the programs that South West currently delivers at the Glenormiston site will continue to be delivered at locations in western Victoria where that training is needed. I have no hesitation and no doubt in saying that. I think that of the 18 courses that are likely to be discontinued, 12 of those have had less than five enrolments.

**Koori vocational education and training**

**Mrs MILLAR** (Northern Victoria) — My question is also to the Minister for Higher Education and Skills, Mr Hall. Can the minister update the house on any recent events that have celebrated Koori achievements in vocational education and training?

**Hon. P. R. HALL** (Minister for Higher Education and Skills) — I thank Mrs Millar for her question. I think all members would be very interested to learn about the achievements of Koori people and their levels of participation in training and indeed in all forms of education in Victoria. I think the opposition would be particularly pleased to learn of this, given that last Thursday night I had occasion to go to Northcote town hall as a guest of the Victorian Aboriginal Education Association Incorporated, hereafter referred to as VAEAI, to celebrate the Wurreker awards. The Wurreker awards are an outcome of the Wurreker strategy, a strategy that is now celebrating its 10th anniversary. It was implemented in 2002 by the then Minister for Education and Training, Lynne Kosky. She originated this particular strategy, and I give credit to her for that initiative. I have been pleased to continue the support of the current government for that excellent partnership which the department enjoys with VAEAI. Therefore there is an opportunity annually to celebrate the achievements of the Wurreker strategy.

Members would be interested to know some of the training participation rates of Koori people in Victoria. Koori enrolments have increased by 42 per cent since 2008, and equally pleasing is that in 2012 half of the course enrolments undertaken by Koori students were at certificate III and IV levels or above. That is a really good outcome. There are a number of other features to note. Koori enrolments in vocational training have increased by 42 per cent, as I said, and many of those are in areas such as health care and social assistance, building and construction, and transport. Those three areas coincide with areas of greatest employment opportunities in Victoria, so this is relevant training that will lead to some good outcomes.

It is also interesting to note that Koori students are choosing to study with private and community providers in almost equal numbers as those choosing TAFE providers. The level of enrolments with local providers has increased by 35 per cent since 2008. Some of those outcomes are exceptionally good, and they are something we continue to be pleased to support and encourage. I remind members that part of that encouragement is achieved through a 50 per cent subsidy loading for Koori students enrolled in training

programs throughout the state. I think that has been of significant benefit.

While this not directly part of the Wurreker strategy, I might also add that the government is also making strides in other areas of education. In early childhood education, for example, the participation rate for Koori four-year-olds rose from 59 per cent in 2007 to 73 per cent in 2012. The completion rates for the Victorian certificate of education and the Victorian certificate of applied learning by Koori students have also shown significant increases in recent years.

That is not to say that there is not work to be done. We are always looking to help those groups that seem to participate in education at lesser rates or have particular needs in terms of participation. In particular, we will be working with VAEAI and other organisations to try to increase participation rates in the area of higher education as well. The outcomes of that strategy have been positive. It was nice to sit down with VAEAI and its membership last Thursday to celebrate some of those successful outcomes of the Wurreker strategy.

#### **TAFE Transition Taskforce consultant**

**Mr LENDERS** (Southern Metropolitan) — My question is also to the Minister for Higher Education and Skills, Mr Hall. I refer to yesterday's media reports in the *Australian* and the *Age* that the Ombudsman is investigating the \$1 million TAFE consultancy of Marianne Lourey, which I have asked about in this house on a number of occasions, and to the minister's statement expressing full confidence in the Secretary and the deputy secretary of the Department of Education and Early Childhood Development. Is it now government policy to pre-empt the findings of an Ombudsman's inquiry?

**Hon. P. R. HALL** (Minister for Higher Education and Skills) — What a cheek of the Leader of the Opposition to ask such a question! Government policy, in particular our government's policy, is that we comply absolutely and totally with any investigation being undertaken by the Ombudsman or indeed any organisation charged with responsibilities for investigations here in Victoria. Comments are certainly not designed to circumvent or influence any of those outcomes at all.

Mr Lenders asked whether my comments suggested a change in policy about pre-empting outcomes. If Mr Lenders wants to see pre-empted outcomes, I suggest he look back to the *Age* of Monday, 28 October — just this week — which quotes a spokesman for the opposition, the member for Eltham

in the Assembly, Steve Herbert. Mr Herbert likes to comment publicly about matters and to inform us that he is the one who has referred this matter to the Ombudsman, but he also throws mud. He has thrown mud at a very fine bureaucrat, Kym Peake, a deputy secretary of the department, impugning her in some way or implying that she is biased or shows favouritism towards her former employer, KPMG.

This is disgraceful behaviour by the opposition, which seeks to besmirch the character and reputation of good people who have served all sides of politics extremely well in their roles as public servants of the state. I am happy to put publicly on record, whether it be to a newspaper or in the chamber, that I am extremely well served by and have confidence in the people who work in my department, particularly Mr Bolt and Ms Peake, who are public servants.

I might add a personal view. Ms Lourey was the right person for the job. She is doing a fine task as a contractor to the department in the work that her employer, ACIL Allen, has undertaken her to do.

#### *Supplementary question*

**Mr LENDERS** (Southern Metropolitan) — I thank the minister for his answer and his confidence in the secretary and deputy secretary, but my question was about government policy on commenting on Ombudsman reports. The Minister for Local Government, when asked about the former Mayor of Casey, Lorraine Wreford — now the member for Mordialloc in the Assembly — said it was not government policy to comment on an Ombudsman's report, that it was inappropriate. My supplementary question to the minister, therefore, is to ask him to affirm whether it is government policy to comment on the outcome of an Ombudsman's report — yes or no?

**Hon. P. R. HALL** (Minister for Higher Education and Skills) — First of all, the commentary on this particular matter is that contained in the *Age* of last Monday, and it was from the opposition. I have always said that we cooperate with reports of investigatory bodies like the Ombudsman's office and others, and that will continue. My comments about being well served and having confidence in the ability of public servants in no way go to a commentary on a particular matter that I understand the Ombudsman is investigating. It is simply a matter of an expression of view about the quality of the people who serve me, and I do not back down from that. They are good people who do not deserve to have their reputations besmirched by the opposition.

### Biotechnology sector investment

**Hon. R. A. DALLA-RIVA** (Eastern Metropolitan) — My question without notice is to Mr Rich-Phillips, the Minister for Technology, and I ask: how is the Victorian government assisting the biotechnology industry to attract investment in Victoria?

**Hon. G. K. RICH-PHILLIPS** (Minister for Technology) — I thank Mr Dalla-Riva for his question and his continuing interest in biotechnology in Victoria. Biotechnology is one of the great success stories of the Victorian economy. It is a sector which now has around 170 individual enterprises employing around 22 000 people in Victoria. Considering some of the large-scale enterprises that operate in biotechnology and life sciences in this state, it is not surprising that the market capitalisation of that sector in Victoria is around \$35 billion. It is a very substantial sector of the Victorian economy and one that the government is committed to see growing further in the future.

It is not by accident that biotechnology and life sciences are so strong and regarded as so significant in Victoria. At a time when hubs in other jurisdictions are talking about their investment in biotechnology, such as Boston and the investment of \$1 billion over 10 years through the Massachusetts Life Sciences Center, we see that successive Victorian governments over the last two decades have invested more than \$1.8 billion in infrastructure and programs to support the development of our life sciences sector. We have a good story to tell around our capability and some of the innovations being created in life sciences in this state.

However, the challenge is getting visibility for our sector in an international market, and particularly one focused around Boston in Massachusetts. We have been seeking to create those opportunities. One of those opportunities was through the Building Global Bridges program, which pairs Victorian companies with companies in Massachusetts to provide opportunities for interaction and exchange of intellectual property, and to give exposure to Victorian companies in that market.

On Tuesday I was pleased to open the Australian Biotech Invest 2013 conference, which was an opportunity for international and interstate investors to meet with Victorian and Australian biotechnology companies in Melbourne to look at investment opportunities. As part of that conference I was pleased to join AusBiotech in launching the new *Guide for Life Science Company Directors*, which has been put together by AusBiotech, supported by the Victorian

government and endorsed by the Australian Institute of Company Directors to ensure that those companies seeking engagement with international financiers do so in a way that reflects best corporate governance. We accept that our biotech companies are very strong in research and development, but the big challenge is when they are seeking to commercialise.

The Guide for Life Science Company Directors program will give companies the skills and knowledge to bridge the gap between their profession in research and development, particularly in the medical field, and give them the skills they require to interact and engage with the corporate sector and demonstrate the types of skills that the corporate and investment sectors are looking for when they are investing in biotechnology companies. It joins a guide released earlier this year, the *Code of Best Practice for Reporting by Life Sciences Companies*, which is targeted at creating and encouraging life science companies to put in place the types of reporting structures which are recognised by the investment community, to give confidence to the investment community that we have a rigorous framework for corporate governance and corporate reporting in our life sciences sector, and ensure that we get the overseas investment and the interstate investment we need to continue to grow our life sciences sector in Victoria.

#### **Ordered that answer be considered next day on motion of Mr LEANE (Eastern Metropolitan).**

**Ms Mikakos** — On a point of order, President, I refer you to my second substantive question earlier. I want to make it clear that it was not my intention to speak over you. In fact I was trying to speak over the interjections that were coming from the other side of the house, so it was not clear to me whether the time had run out on the clock. I certainly would not be taking the interjections from Mrs Peulich or any other government member's word for that. I just wanted to make that clear and seek an opportunity to rephrase my question to the minister.

**The PRESIDENT** — Order! I thank Ms Mikakos for her explanation. I can understand that that may well have been the case, but one of the issues involved — and I have touched on this before — is that when certain members run a fair amount of commentary as part of the context for their question, they run the risk of being beaten by the clock, and I think that was the case today. Irrespective of whether you were upset in terms of your ability to put the question because of the interjections — which were significant but not over the top compared with some other occasions — the fact is that you had tried to cram too much into that question.

My concern was, as a matter of principle, that where I was suggesting that time had elapsed, you continued to persist in trying to put that question. I understand that might have been because you were unsure of what was happening as a result of the interjections, but on this occasion I felt it was important to uphold that principle. Today I am not prepared to accept a rephrase of that question, but I thank Ms Mikakos for her explanation.

## QUESTIONS ON NOTICE

### Answers

**Ms Mikakos** — On a point of order, President, I have a number of questions on notice that are overdue.

**The PRESIDENT** — Order! There are a number of answers to questions to be tabled today, as I understand it, so let us go through that process first. I am not sure how deft Ms Mikakos will be on her feet in terms of picking up whether some of her questions are covered today.

**Hon. D. M. DAVIS** (Minister for Health) — I have the following answers to questions on notice: 9199, 9287, 9336, 9472, 9484, 9511, 9562, 9582, 9590–783, 9789–93, 9807, 9808, 9838. I do not have the details, but it is possible that answers to Ms Mikakos's questions are included. I know that some of them are in train.

**The PRESIDENT** — Order! The standing orders for Wednesday allow Ms Mikakos to ask about outstanding answers to questions. A substantial number of them may well have been answered, but I will allow Ms Mikakos to pursue her query.

**Ms MIKAKOS** (Northern Metropolitan) — Those answers only relate to questions on notice for the Minister for Ageing. I ask the Minister for Children and Early Childhood Development about a number of outstanding answers to questions on notice, which are: 8476–84, 8591, 8595, 8596, 8993, 9285, 9286, 9464, 9521–25, 9551–58 and 9840. I ask the minister to provide an explanation as to when the answers might be received.

**The PRESIDENT** — Order! Ms Mikakos, have you written to the minister to follow-up those questions and again seek responses, indicating they have not yet been received?

**Ms MIKAKOS** — No.

**The PRESIDENT** — Order! I ask the Minister for Children and Early Childhood Development, as a matter of courtesy, if she would give Ms Mikakos a

response to those outstanding questions, but members need to understand the process. If there are outstanding questions, they should write to the minister or advise the minister's office that answers to questions have not yet been received. In the event members do not get a satisfactory response, it is quite in order to raise it in the house. Standing order 8.12(8) states:

A member intending to ask for an explanation as to why an answer has not been provided in response to a question should acquaint the minister or his or her office of that intention the day before failure to supply an answer is to be raised in the Council.

Is the minister in a position to reply?

**Hon. W. A. LOVELL** (Minister for Children and Early Childhood Development) — Thank you, President, for your comments on that standing order. Notwithstanding that, if the member supplies me with the list she went through, I am happy to follow them up for her.

**Mr Lenders** — My point of order, President, is on your interpretation of the standing order you quoted. There have been a number of occasions when members on this side of the house have provided a minister with a request — from the Labor Party and the Greens; I am speaking for the Greens because Ms Pennicuik is nodding — and there has been no response. President, is your interpretation of this standing order that if there is no response this week, then the following week I would have to re-issue requests for outstanding answers to questions on notice?

Hypothetically, if I lodge a question this week with Mr Rich-Phillips, who has actually been quite a diligent minister in replying, and if he does not reply, then the following Wednesday I would need to write to him again. I put it to you, President, that on numerous occasions that is what has happened with three ministers. An opposition member has asked a minister for an answer to a question, there is no reply and then the following week when we ask again, we are then being told to resubmit the request. I ask you to take that on notice, but I put it to you, President, that it is an abuse of process.

**The PRESIDENT** — Order! The Leader of the Opposition raises a valid point, and in fact, our process for answers to questions is a matter that has been referred to the Standing Orders Committee for consideration as to whether or not we need to have a tighter standing order that meets the expectation of the house in terms of responses to questions that have been asked. What I would say to Mr Lenders, because it is a valid point, is that it could well be an abuse of process

if a member was unreasonably required to continue to alert a minister's office without getting a satisfactory response, either by way of explanation perhaps on the occasion when the minister's office was contacted or subsequently when the minister responded in the house as to the reason why an answer had not been given.

My position, as Presiding Officer, would be that I would have a judgement of what is reasonable in that respect. I take the view that at least on the first occasion, provided the request was made in accordance with the standing orders, it would be reasonable to expect that if the answer was not provided in that week, and was subject to an explanation in which a minister said they would follow it up further, that perhaps for two or three further sitting weeks that initial process would cover what I believe to be a reasonable response period. Subject to that, perhaps members who are in some difficulty could contact me and we could discuss the process going forward to try to get some satisfaction for members.

**Hon. D. M. Davis** — Further to the point of order that was raised, President, and the relevant matters that have just been discussed, we would certainly agree with your view that reasonableness is a good test. It is a little rich to hear the Leader of the Opposition's comments when I have details from 31 October 2010 listing unanswered questions including a question from Mr Dalla-Riva on 31 October 2007, which was still unanswered after three years. I think reasonableness is a good test, but there is some practice to this issue, and as far as I understand it, there has been no change of substance in the standing orders from the last Parliament to this one in that regard.

**The PRESIDENT** — Order! That was not a point of order; we will treat it as a matter of information to the house. At any rate, I propose to use a test of reasonableness, and I hope that that will at least be sufficient for members and that they will have confidence in that test at this point. As I said, the Standing Orders Committee has been asked to consider this matter.

**Mr Lenders** — On a point of order, President, I was going to take the option under the standing orders of taking note of Minister Davis's statement to the house, only to make two points. Firstly, there has been a discussion in this place over reasonableness in asking questions on notice. At the risk of embarrassing another minister by praising him, Mr Hall drew the attention of this house, probably a year and a half ago, to the thousands of questions on notice that the opposition was putting. As a response to that, on the opposition side we undertook not to duplicate questions across

both houses and to try to reduce the number of questions so that we could get responses from the government. I put on the record in terms of the reasonableness test that this side of the house has delivered on that.

The second thing I would say in noting the minister's answer is that if he says in opposition he wants a better standard and he does not apply it in government, it is a fairly feeble response to wave a notice paper from the last Parliament and say, 'You should have done something else'. People have been elected on a promise of being different, and all that this side of the house is asking is for those people to deal with the issue. The third point I would make in noting the minister's statement is that if he is so concerned about Mr Dalla-Riva's question on notice not being given an answer, the minister of the day, if he wishes, can answer Mr Dalla-Riva's question now and discharge it from the notice paper.

**Sitting suspended 1.04 p.m. until 2.07 p.m.**

## MANUFACTURING SECTOR EMPLOYMENT

**Debate resumed.**

**Ms DARVENIZA** (Northern Victoria) — I am very pleased to rise and make some comments on Mr Somyurek's motion that we have before the house. It deals with a very important issue, which is jobs in manufacturing and industry, or rather the lack of jobs, when you look at what is happening in my electorate of Northern Victoria Region and in fact right across the state. We have grave concerns in northern Victoria about the number of jobs that are being lost from the manufacturing sector, particularly in food production, whether that be in our canneries, our cheese and milk production facilities or companies such as Heinz.

One of the things we know about this Liberal-Nationals government is that although it talks a lot about jobs and the way it cares about and looks after rural and regional Victoria, in fact we find that talk is cheap and that action on the ground is pretty thin. We have seen numerous job losses, particularly around the Goulburn Valley, which has been touted by governments both at a federal and state level as being the food bowl, providing food not only for our own nation but also food that will help feed the world. Not only are we able to produce enough food for Australians, but we are also able to process enough food to be able to export around the world, which we have done for a very long time.

In northern Victoria the manufacturing sector plays a very significant role in our local economy, and job losses are keenly felt not only in agriculture and the food processing sector but also right across all businesses. If those sectors are failing and on a downturn, then every other business, no matter what that business is — no matter whether it is a business in the high street that is selling groceries, clothing or footwear or whether it provides a service — will experience a downturn. Everyone will experience a downturn in their business if the agricultural sector and the food production sector are experiencing a downturn. Everything in rural and regional Victoria is related to everything else. If you feel the pinch in one place, you are going to feel it in the next place of business. It is very keenly felt when there are job losses because people do not have disposable income. If they are not able to get out and spend their money in local businesses and avail themselves of local services, the whole community suffers.

All members would have heard of the manufacturing company SPC Ardmona, not only from the numerous statements I have made in this house regarding the challenges facing that company and the assistance the community around the Goulburn Valley is seeking from both federal and state governments, but also because all members at some stage would have partaken of some of the products produced by SPC Ardmona.

**Mr Barber** interjected.

**Ms DARVENIZA** — There we go! Many of us were raised on it, and all of us at some stage would have eaten tins of fruit or vegetables produced by SPC Ardmona. The company has a very strong, long and proud history in Shepparton, and it is facing a very bleak future if it cannot secure state and federal funding. I have to say that no-one from the state government or federal government has been very forthcoming with the \$50 million that is needed by SPC Ardmona to secure its future. In fact the situation is so dire that Peter Kelly, chief executive of SPC Ardmona, said:

I can't see a viable way for SPC to keep operating in the future if we don't invest this money. I can't say it any clearer than that.

It is a dire situation we are facing in the Goulburn Valley. The *Weekly Times* recently revealed an Essential Economics Pty Ltd report that said that the Goulburn Valley would lose more than 2000 jobs and \$155 million a year from its economy if the Shepparton cannery closed. That is a very significant amount of money. It is a blow to all those businesses in the

Goulburn Valley. No regional town can sustain that kind of loss. It is a very desperate situation if the state and federal governments do not put their money where their mouths are and support jobs and industry in rural and regional Victoria.

The report by Essential Economics was commissioned by the Greater Shepparton City Council. It reveals that unemployment in the area would rise from 8.6 per cent to 11 per cent and that the council's rate base would take a hit of \$700 000 a year. That is \$700 000 out of the council's coffers — \$700 000 out of its budget. That is money that would not be going into the city of Greater Shepparton to provide the services the community needs. That community cannot afford to take that sort of hit at its rate base. It is \$700 000 a year.

It is not good news for a region that already has a higher than average welfare payment rate and a high unemployment level. This is a community that is ill equipped to take such a hit; it is not starting at a high base. A large percentage of the population are welfare recipients, and the unemployment rate is already higher than the state average. The Goulburn Valley and the Greater Shepparton area will be severely hit if the Liberal-Nationals state government and the Abbott federal government refuse to put any money into supporting SPC Ardmona.

**Mr Ramsay** interjected.

**Ms DARVENIZA** — I know members on the other side do not like to hear about this. They use strong rhetoric when they say they are going to stand up for people in rural and regional Victoria. They say they are about jobs for rural and regional Victoria; they say they are about education and health care and services for rural and regional Victoria. But what have they done? They should take a look at the city of Greater Shepparton and the hits it has received. The government has simply stood by and let it happen. It allowed the Heinz factory to close with the attendant loss of jobs. That was another hit to businesses as the unemployment rate grows, but this government stood by and let it happen.

**Hon. W. A. Lovell** interjected.

**Ms DARVENIZA** — Rather than screaming at me across the chamber, government members should be screaming at members on their own side of the house. They should be screaming at the Treasurer to make \$25 million available to support SPC Ardmona and support the jobs, businesses and community in the Goulburn Valley. When they have done that they should head up to Canberra and talk to their mates in

the Abbott government and get them to put in \$25 million as well to meet the commitment that the federal Labor government made before the last election. Labor made a commitment to support SPC Ardmona and to support those jobs, businesses and communities. This Liberal-Nationals coalition government has done nothing to support jobs in rural and regional Victoria.

In the last two years of the Labor government 44 600 jobs were created in rural and regional Victoria alone, and 39 000 of those were full-time jobs. What has this lot done? From August 2012 to August 2013, 23 600 workers in manufacturing alone have lost their jobs. The government needs a jobs plan. It needs to get behind people in rural and regional Victoria. It needs to be supporting those rural and regional communities, not just in northern Victoria but right across the state.

**Mr RAMSAY** (Western Victoria) — I thank my parliamentary colleague Mrs Peulich for allowing me the opportunity to briefly speak to Mr Somyurek's motion. Listening to Mr Somyurek's presentation in relation to his motion I was confused about what exactly he was seeking by putting this on the notice paper, because it made no sense to me. Equally, the contribution from the opposition made no sense to me except as a series of rants blaming the state government for all the ills of manufacturing in Victoria. We know that manufacturing is facing significant challenges, but it has nothing to do with state governments. It has everything to do with the global financial economy, the price of the dollar, the cost of labour and competition in the marketplace. The only solution that opposition members have offered is that the state government should be giving these companies more money. That is not my understanding of the request from SPC Ardmona or the other companies that are facing similar challenges.

I want to talk about some of the good things that are happening in manufacturing in my own electorate of Western Victoria Region. However, before I do I would like to respond to Mr Barber's comments on this motion. Predictably he sought to confuse the issue, as he did last night when he decided to debate climate change instead of the issue being debated, which was the impact and cost of the carbon tax on health services. Last night he managed — ashamedly — to conflate his climate change ideology to the bushfires in New South Wales. He went so far as to draw parallels to Black Saturday and the unfortunate deaths as a result of those fires. The whole bizarre contribution from Mr Barber last night was a low point in this chamber, certainly since I have been here.

Another thing Mr Barber predictably wanted to mention was the state government's new guidelines in relation to planning permits and wind farms. It is interesting to remember that when I first came into this place I was accused of having some conflict of interest in relation to the proposed new guidelines because of the fact that I live close to a proposed wind farm that held a permit under the old planning regime of the then Minister for Planning, Rob Hulls. I look at where we are now, two and a half years later. Acciona, the holder of that permit, and the previous tenants of the permit from nine years ago, came to this house to request an extension of the permit from the minister, which was granted on the basis that construction would start. The only thing that has actually happened in relation to that particular planning permit is that four portables have been placed together with a wire fence around them, but there is absolutely no signs of construction.

While Mr Barber sheds crocodile tears in this place in relation to the state government's wind farm permit guidelines stemming the growth of the wind farm industry the fact is that there is nothing stopping the erection of over 1200 turbines, because they are all sitting under existing permits. The issue of course is the viability and profitability of wind farms, even though they are heavily subsidised by the renewable energy target that requires 20 per cent of energy to come from renewables by 2020. What a leg-up! What more could any industry possibly hope for? The wind industry, as a renewable energy source, has got a fantastic subsidised leg-up and yet it is still unable to provide any sort of viability of supply.

While I am on the subject and I have the opportunity, I note that we have seen more childish and puerile activity from Mr Barber in relation to a relocation of office notification through the parliamentary email system. He has seen fit to respond to the email in his normal childish and puerile manner by making the sort of derogatory comments that we expect from his normal social media activity — which is an issue I will take up at another time and place.

Returning to the motion, which really has little relevance to manufacturing; it is more an opportunity to have a bit of a rant against the state government during opposition business.

**Mr Barber** — State taxation reform?

**Mr RAMSAY** — I am going to get to that, Mr Barber.

The manufacturing industry is a major contributor to the Victorian economy, attracting investment and

generating jobs. Manufacturing is also central to innovation, accounting for over one-quarter or over \$4.8 billion of all business expenditure in research and development in 2010–11. In Geelong and Ballarat we are well represented within various industry sectors and companies, including Ford, Shell, Alcoa, Alstom in Ballarat, AME Systems in Ararat, Keppel Prince Engineering in Warrnambool, and CMI Industrial to list a few.

The emergence of carbon fibre manufacturing in Geelong is particularly interesting. It is being driven by Carbon Nexus, a Deakin University initiative, which has been supported by both state and federal governments. It is creating an international centre of excellence for fibre science, materials and manufacturing research and enhancing Australia's capacity in the carbon fibre industry. I know that recently the industry has fallen on hard times with a decrease of 7.8 per cent in manufacturing jobs over the last 12 months. However, based on the figures released in the 2012–13 budget I have confidence that things are improving. In fact the team at Deakin University that operates the Carbon Nexus program with other local partners is undertaking talks with international carbon fibre manufacturer DowAksa about a \$220 million project, which would create up to 250 production line jobs and 1000 other jobs in the city of Geelong.

One of the key findings of the Treasurer's 2012–13 financial report was that employment is growing, inflation is low and the unemployment rate, while having increased slightly over the past year, remains at historically low levels. This is good news for our manufacturing industry, which as at March employed approximately 941 400 people. The state government has a number of initiatives set up to support the manufacturing industry, such as Support for Advanced Manufacturing; the Victorian Centre for Advanced Materials Manufacturing; the Australian Carbon Fibre Research Facility; the Advanced Centre for Automotive Research and Testing; the Geelong Advancement Fund and the Industry Innovation program — all of which offer help to improve manufacturing processes and practices, technology, education, finance, renewable energy and partnerships. Further, a ministerial task force was established to look at manufacturing opportunities in Geelong.

The state government has also shown its support with its contribution to the bailout of Ford in July this year in a bid to save 440 jobs, as well as with support provided to Alcoa in June 2012. It is important to note that Victoria is not the only state to experience job losses in the manufacturing industry. With the world economy

still recovering from recession, this is a far-reaching issue which has affected a number of people globally.

The carbon tax, which was introduced under the Labor government, has also played its role in the drop in manufacturing due to increased production costs. This year a number of Australian-owned companies have been forced to close or make significant redundancies due to the carbon tax. The last wholly Australian-owned cannery, Cowra's Windsor Farm Foods factory, was placed into voluntary administration with 70 jobs lost. CSR's Viridian put off 150 jobs and iconic soup manufacturer Rosella shut down with the loss of 70 jobs. Amcor announced that over 300 jobs would be lost and Penrice Soda announced that it would cease soda ash production and cited the carbon tax as having had a big bearing on its decision. Boral announced job losses of 790 jobs, as did BlueScope Steel, which had to cut 170 jobs. This is just a short list of companies affected by the carbon tax that had to either close or make significant redundancies.

As it has done in the past, the Victorian state government will continue to provide support to the manufacturing industry. Despite the rhetoric of the opposition in this chamber in relation to difficulties at SPC Ardmona — which I might add was owned by members of my extended family when it first started — it is not the fault of the state government; it is in fact due to global competition, the cost of labour and the high Australian dollar. It is that which is having a significant impact on SPC Ardmona rather than any of this government's policies.

I want to touch on three things. One is the trade missions, which have been hugely successful — and I speak from personal experience. A number of members who represent western Victoria were involved in the Premier's super trade missions — those of both former Premier Ted Baillieu and current Premier Denis Naphthine. A number of agricultural representatives from Warrnambool accompanied the Minister for Agriculture and Food Security, Mr Walsh, on one of the trade missions, which resulted in significant contracts written to provide food and fibre into the international marketplace. A lot of business has been written on the back of the success of the trade missions.

I will signal a couple of concerns I have. There is no doubt that food processing companies around Victoria are facing huge challenges, and SPC Ardmona is certainly one of those companies. However, there are a number of processing facilities that are facing significant challenges moving forward, and we have to plan how we will deal with the stability and viability of our food processing industries and food production as a

whole. I am somewhat concerned that some municipalities are developing food plans that have no real cohesion with any state-based plans that deal with the continued profitability and viability of food production. We need to ensure that we have a cohesive state approach rather than a municipal one in relation to our supply chain industries, such as our processing industry and potentially our export markets.

Another issue I want to raise is tax reform. Mr Barber touched on this issue in his contribution.

**Mr Barber** interjected.

**Mr RAMSAY** — I have to say to Mr Barber that over the last 24 hours there has been very little in anything he has contributed in this chamber that I would agree with, but I have some sympathy in relation to his commentary around tax reform. I am pleased to see that the government has taken a significant step in relation to the fire services property levy. There are opportunities to continue with some significant tax reforms in the future, but where there is a loss of revenue over the displacement of a tax, there needs to be a recompense through other opportunities for revenue. I will raise the issue of payroll tax, and I am only speaking personally here. Business owners have come to me saying that the threshold in relation to payroll tax for small companies is a significant impost on their businesses. I am yet to understand from a philosophical point of view why a government would tax businesses on the people they employ. However, I fully understand that state governments have very limited opportunities to gain revenue through taxes; those opportunities for revenue are getting smaller and smaller, and it does worry me that we are becoming more dependent on what I would call non-core tax revenue — —

**Mr Barber** interjected.

**Mr RAMSAY** — Yes, parking fines, speeding fines and others. We need to take a more holistic approach in relation to how the federal government provides the state government with supplementary funding so that we can alleviate some of the bureaucratic costs and taxes associated with running a small business. That will support the manufacturing sector.

We have a good future in manufacturing in Victoria. The state government has been a very strong supporter of manufacturing. There are a number of challenges within the sector that are outside the control of the state government. We look forward to ongoing significant investment in research and development, particularly, but we also look forward to planning for the future of a

sector that is very dear to me — the food production and agricultural sector.

**Debate adjourned on motion of Mr LEANE (Eastern Metropolitan).**

**Debate adjourned until later this day.**

## MAJOR HAZARD FACILITIES

**Mr TEE** (Eastern Metropolitan) — I move:

That this house —

(1) notes —

- (a) the increased inner urban housing development in Melbourne close to major hazard facilities (MHF) including hundreds of new dwellings in the inner western region of Melbourne within 300 metres of a MHF;
- (b) that since the 2005 explosion at a MHF in Buncefield, UK, where more than 40 people were injured, some seriously, thousands of people were evacuated, and property damage was recorded several kilometres from the scene, there has been increased recognition of the need for buffers for residential and other developments;
- (c) that there is only limited guidance from WorkSafe Victoria to help planning authorities assess the risks of new residential developments close to MHFs and that this material does not consider the risks associated with shipping, including the discharge and loading of vessels at MHFs, such as Point Gellibrand in Williamstown;
- (d) that the Hobsons Bay City Council, covering at least eight MHFs, has stated, 'There is no clear state government planning policy around MHF in Victoria', and has asked for an urgent risk assessment;
- (e) that at least one MHF operator has raised concerns regarding the issues of people safety in relation to hundreds of new dwellings planned within 300 metres of Mobil's Point Gellibrand MHF; and
- (f) the local community, local councils, MHF operators and others are concerned about the adequacy of existing regulation concerning the risks imposed by housing developments close to major hazard facilities; and

- (2) requires the Economy and Infrastructure References Committee to inquire into, consider and report by 11 March 2014 on the adequacy of existing planning and other regulations in Victoria to safeguard and protect residents living near major hazard facilities, including recommending any changes and improvements to buffers and other legislative and regulatory changes.

I note that this is a referral motion to the Economy and Infrastructure References Committee.

**Mr Barber** interjected.

**Mr TEE** — Yes, it will give the committee something to do. The original date for the committee to report back was December 2013, and I have taken the liberty of pushing that back to March 2014. That minor change is reflected in the motion.

The matter the motion seeks to address is important. When it comes to the issue of the siting of housing developments near major hazard facilities, what is remarkable is the recognition across the board that there is very little that we should be debating. The community, businesses and even the Minister for Planning have all at some stage acknowledged that we need to reconsider our approach to planning and the way in which we are allowing housing to encroach on areas close to major hazard facilities. No-one disputes that. Everybody acknowledges that we need to have another look at the encroachment of housing on areas near major hazard facilities. Between the minister and his department, it is difficult to find anyone who has a contrary view. What is of concern is that while the minister has acknowledged the problem and has promised to do something about it, he has not lifted a finger. He has not done one thing to address this very critical issue.

As we saw in the United Kingdom with the Buncefield explosion, this is a serious issue. Major hazard facility operators have written to the minister urging him to act. Local communities are anxious about developments abutting major hazard facilities. Local councils have put forward discussion papers, alternatives and proposals to try to get the minister to engage with this issue and to get some traction with him, but all that anyone has had over a number of years is a wall of silence. The minister has acknowledged there is a problem, he has said there is an issue, he has said there is a deficiency and he has said he is working on it, but literally years have gone by and nothing has been done. The community is increasingly concerned that in the minds of this minister and other members of this government, those living in the west simply do not matter. The pleas, concerns and arguments of those people are completely irrelevant for this minister, who has done nothing to protect the health and welfare of people living near major hazard facilities.

The approach of the Minister for Planning contrasts starkly with that of the member for Williamstown in the Assembly, Wade Noonan, who has been a tireless advocate for his community on this issue. With his local community he has campaigned single-handedly to get this government to show some degree of concern, to get it to engage and to get it to act. I want to thank him

and acknowledge his actions in this regard. This is an important issue. It is important in the west, but it is also important in many other parts of Melbourne. We have some 41 registered major hazard facilities in Victoria. At least 21 of those facilities are very close to large population centres. We are increasingly seeing development and population encroachment on areas close to those major hazard facilities. The work those facilities do is incredibly dangerous. They handle, store and process large quantities of hazardous materials.

We on this side think there is a compelling argument for taking the views of the community seriously; for listening to local councils and the operators of those major hazard facilities; for taking into account the views of the Environment Protection Authority (EPA), WorkSafe and indeed the Department of Transport, Planning and Local Infrastructure; and for putting together a package of planning guidelines and a planning framework that gets the balance right, making sure we put the safety of the community first. What we have here is a time bomb and a risk, and certainly we on this side believe that something needs to be done before it is too late. Really the motion is a plea to those opposite to stand up for the west and for people who are living closer and closer to major hazard facilities. It is a plea to look in a dispassionate way at all these issues and come up with a common-sense way forward.

As I said, many have tried. WorkSafe, to its credit, understands that there is a problem. It has provided various advisory notes and put out maps with buffers. But in these circumstances it is not a referral or planning authority. It does not have the power or the expertise to regulate what housing ought to go where when it comes to these facilities. Whilst I acknowledge its efforts in trying to step into the gap that the government has created, its efforts alone cannot be enough.

We have seen evolving through the Victorian Civil and Administrative Tribunal (VCAT) a sort of piecemeal approach. VCAT has done its best to address the policy vacuum that this minister has allowed. On some occasions we have seen it reject applications for development. There was one in particular at Yarraville which was rejected because it was too close to the Mobil terminal there. But while we recognise the value of VCAT, it too lacks the overarching powers and expertise that are needed.

It is interesting to have a look at another example of a development that is, or will be, very close to a major hazard facility, to see how authorities are trying to grapple with this issue and the minister's failure to provide any support. Take, for example, what happened

at the Port Phillip Woollen Mills site, which is the site of a major residential development that will be within 300 metres of WorkSafe's recommended buffer at Mobil's Point Gellibrand facility.

There was a panel that had a look at the issue — the Former Port Phillip Woollen Mills Advisory Committee. It did not have access to the documentation from Mobil and so it did not understand the nature of the risk, but it did its best to grapple with the issue. What it recommended in terms of the proposed development at the Port Phillip Woollen Mills was that low-rise buildings be constructed of a strength to be able to withstand a cyclone. Such was its concern for people living within that 300-metre radius that it recommended that the towers that were to be part of that development be moved out and that there be only low-rise development within that 300-metre buffer. This is a panel, without access to WorkSafe information or to the information from Mobil, which is doing its best in the circumstances to do the right thing by the community and by the families that are going to live in that area. I take my hat off to that panel for attempting to do what it did in the absence of any support from this minister or this government.

It does raise the issue of how the community can be confident, in the absence of these guidelines, that decisions like that made about the woollen mills site are the right ones to keep our community safe. When the panel considered the issue of development at the woollen mills site it made a number of quite clear statements about gaps in our planning system and in the regulation. It noted, for example, that when it comes to developments close to a major hazard facility WorkSafe is not a referral authority. It said that this was curious. The committee's report reads:

Such status is common in flood-prone areas and in bushfire-prone areas. It seems to this committee that there is a gap in the planning process if the agency that is responsible for something as serious as a potentially life-threatening event is not required to be informed.

What we have with the woollen mills is a panel doing its best with one hand tied behind its back. It acknowledges that there is a problem in our planning system where developments can be approved right up to and abutting major hazard facilities and authorities such as WorkSafe, which might be able to assist, are not even required to be advised. The woollen mills case is a real example of deficiencies in our system.

It is worth reflecting on the views of Mobil. It is absolutely critical that we look at this from the perspective of people who live close by major hazard

facilities. Their lives are literally at stake. It is their health that should be paramount, but clearly it is not.

Another part of this equation involves the operators of the major hazard facilities. As well as it ignoring the local community, the inaction of this government and the minister has meant that it has also been ignoring the operators of facilities like those of Mobil. In relation to the woollen mills development, in a letter Mobil said it was:

... objecting to such a substantial and dense residential development in close proximity to our storage facility at Point Gellibrand and the associated petroleum shipping activities which take place at Gellibrand Pier.

**Mr Elsbury** — That is very selective, Mr Tee.

**Mr TEE** — I am more than happy for Mr Elsbury to look at the letter from Mobil of 25 May 2011. It is very clear that as the operator there it is concerned about this development. That is its view set out in writing in a letter to the planning minister in May 2011. As I said, the concern we have is that notwithstanding the views of the community, the views of the developer and the views of industry, absolutely nothing has been done.

Mr Elsbury raised the selective quoting around this issue. But it is also worth looking at another letter Mobil wrote on 31 August 2011 about this issue. It is worth taking time to look at the views of industry and not just of the community. In that letter Mobil said that it had a refinery at Altona that had been operating since 1948, and that this facility:

... supplies almost half Victoria's petroleum fuel needs (including jet fuel to Melbourne Airport); it provides direct employment for around 350 people (many of whom live nearby in the western suburbs of Melbourne) and generates thousands of additional jobs through the wider community. Over recent years Mobil has spent over \$200 million per year at Altona refinery to enable it to remain competitive and sustainable.

I say to Mr Elsbury that what I said is that because of this government, operations like this are at risk. It said that its industry is in a very competitive market and it has fears. Perhaps I will just read for his benefit the letter Mobile wrote on 31 August — —

**Mr Elsbury** — Which year?

**Mr TEE** — It was 2011. This issue has been around since 2011, and nothing has been done. It said:

One thing that Mobil would encourage governments at all levels to be sensitive to is the need not to impose additional, unnecessary restrictions and regulation and costs on local industries such as ours ... One such area of current focus around Mobil's and Esso's operations in Victoria is the increasing encroachment of potentially incompatible land

uses around our facilities and in proximity to interconnecting pipelines.

Mobil said it was a major player and a major supplier of critical fuel needs, both for Victorian families and the airline industry for jet fuel. An issue it was concerned about as a result of this minister's inaction was increasing encroachment and the imposition of costs and restrictions on its business, and that those restrictions were occurring in a very competitive market. As I said, that letter is now two years old, but still we have not seen one response — not one thing — from the minister.

In its letter of 31 August Mobil went on to identify a number of the sorts of things it thought would be helpful to try to address this issue. It said:

Mobil is interested in seeing planning controls strengthened around major hazard facilities ... such as ours, so as to more effectively manage interfaces with more sensitive land uses, such as for residential purposes.

**Mrs Peulich** interjected.

**Mr TEE** — It was asking, Mrs Peulich, two years ago for some action in this space. It was asking for some support to get rid of the regulation and the restrictions that are threatening its business and the 300 direct jobs that it provides at Altona. It said it was:

... seeking to prevent any future new residential development within the buffer distances around Mobil's facilities — for instance, the EPA buffer distance around the refinery and the WorkSafe buffer distances around tanks associated with our operations at Yarraville terminal and our marine berth at Point Gellibrand. Mobil is constantly fighting against new development that continually encroaches upon the refinery, Point Gellibrand and our Yarraville terminal.

It was a plea from this major hazard facility that has, for two years, gone nowhere. Mobil stated that it:

... would like to see both the EPA and WorkSafe buffer distances be given more statutory weight and significance, similar to the way in which buffer distances around other critical infrastructure, such as airports, are managed.

What it was saying was that, rightly, you protect airports and you protect ports, but it is a major employer and a dangerous operator, in the sense that the chemicals it handles are very dangerous, and it does not get any of the support that it should and that it needs.

It is also worth looking at the correspondence that has been provided by a Captain Korevaar, who has also written to the government. He is a master mariner with some 30 years of industry experience and work on firefighting emergency and support vessels. He was looking at it from the perspective of these ships coming

in and delivering and pumping some 80 000 to 100 000 tonnes of crude oil each visit through Point Gellibrand to Mobil's refinery in Altona North. He said there was inadequacy around the firefighting capabilities in case something went wrong. Captain Korevaar advised the government that tugs were not properly equipped or considered safe to respond to hydrocarbon fires and that they do not comply with Australian standards. He identified two tugs in that category. He had a clear concern about what would happen if there was a major fire incident involving dangerous goods at the port, particularly when those facilities were so close to housing.

The point was made that the port of Melbourne and the Metropolitan Fire Brigade no longer have binding service agreements in place for the availability of adequate firefighting support vessels for the port in accordance with good practice and Australian or other appropriate recognised industry standards. Of interest is that not only is there the storage and handling of some very dangerous chemicals but that large ships are coming up and transferring their crude oil.

That plea to the government in relation to safety in those circumstances has again fallen on deaf ears. I note also that the local council, the City of Hobsons Bay, has passed a number of resolutions on this issue. It too has written to the Minister for Planning. It put out a discussion paper in June in a desperate attempt to get some response, some traction or some attention from the minister. I will quote from the executive summary of the council's discussion paper:

... there is a gap in the current planning policy and planning scheme controls relating to the encroachment of residential and other sensitive uses close to MHFs and other industrial land uses.

As I said, when you go through it, concerns about this policy vacuum have come from councils, the industry and operators.

On 5 April 2011 the Minister for Planning wrote a letter to the member for Williamstown in the Assembly, Wade Noonan, in which he said:

The preservation of safe buffer areas to protect residents from adverse impacts, while protecting port operations from the encroachment of sensitive uses, is of utmost importance.

I have asked my department to raise issues relating to major hazard facilities and appropriate distances between new residential developments with the EPA which is responsible for policies and guidelines that relate to appropriate buffer distances.

In April 2011, which is more than two years ago, the planning minister acknowledged that there was a

problem. He said, 'I have asked my department to raise issues ... with the EPA'. Two years later we have heard nothing. On 5 April 2011 the minister said the preservation of safe buffer distances was of utmost importance and that he had asked his department to have a look at the issue. However, coming up to the third anniversary of that letter, not one thing has been done. There has not been one iota of action.

The Environment Protection Authority has also engaged on this issue. On 29 August 2011 it said:

EPA understands DPCD —

as it then was —

will shortly commission a discussion paper about the application and operation of land use buffers. The discussion paper will recommend planning and legal principles that should be applied to the planning system to establish and protect buffers.

We know that in August 2011 a discussion paper was being mooted. However, two years later we have seen absolutely nothing, and the community is no better off. Its concerns have been heightened by the fact that the minister acknowledges that this is an issue of utmost importance, and its fears have been heightened by the fact that he does nothing about it. We are told that the Department of Planning and Community Development, as it then was, intended to put out a discussion paper, but two years later we cannot even get a discussion paper. A real vacuum has been created by this government's inaction. I do not know what it will take to get some action from this minister. We are talking about the health and safety of the Victorian families who are living in those communities.

The motion today is an attempt to address this policy vacuum. It is an attempt to pull together the pieces, whether they be the views of the council, WorkSafe, the EPA or the department, have a discussion and create a constructive process so that we can come back with the ideas that we need to address the issue. The motion acknowledges the push for greater urban development near major housing facilities. It also talks about the UK experience. It refers to the limited material that is available from WorkSafe. As helpful as that is, it is limited. As we have seen in the woollen mills case, the role of WorkSafe is limited. The motion talks about the concerns of councils that there is no clear government policy in this space. It also talks about the concerns of at least one major hazard facility operator, which is Mobil, and I have taken the chamber through Mobil's concerns about the lack of policy in this space.

The motion tries to bring together the views of the council, the community, the operators and others who

are concerned about existing regulations. It does not prescribe an outcome. It says, 'Can we get everyone together? Can we finally have a sensible discussion? We all acknowledge there is a problem. We all know that something needs to be done. Can we pull it together and come back by March next year with recommendations on how we can improve buffers or make other legislative and regulatory changes?'. The motion is not prescriptive. The discussions might come back recommending no recommendations for changes, but the motion is a plea for a frank discussion about the issue and a bipartisan approach to try to reach a conclusion that says, 'These are the improvements that are needed' or indeed, 'These are the improvements that are not needed'. It is an opportunity to have a look at this issue with fresh eyes. It should not be a difficult issue for us to consider, and I urge the house to support the motion.

**Ms HARTLAND** (Western Metropolitan) — The Greens absolutely support this motion. It makes total sense to refer this particular issue to a committee. I would like to go back a little bit, though, to when Mr Tee said that this needs to happen now and that the government has neglected this issue. I would not mind giving a little bit of a history lesson. For 25 years there have been calls for buffer zones from residents groups in the western suburbs. I know that because I am one of the people who have been calling for them. I am hoping the government will accept this motion. Clearly the government does have concerns about buffer zones, because it has created buffer zones for wind farms. I would have thought it was slightly more dangerous to have a major hazard facility next to your house than a wind farm.

Mr Tee talked about the number of major hazard facilities in Victoria. I would like to point out that 13 of these are in the western suburbs. Australian Vinyls Corporation is at 65 Leakes Road, Laverton; Caltex Australia is at 411 Douglas Parade, Newport; Dow Chemical Company is at 541–583 Kororoit Creek Road, Altona; FBT Transwest is at 1 Amanda Road, Tottenham; and the Mobil tank farm is at 29 Francis Street, Yarraville. In terms of buffer zones, I remind people that the Yarraville site is approximately 10 metres from the nearest house. There are also Mobil refineries at Millers Road, Altona North, and Nelson Place, Williamstown, which is the site near the woollen mills. Momentive Specialty Chemicals is at 765 Ballarat Road, Deer Park; Orica is at 215–219 Dohertys Road, Laverton North; Qenos is at 471 Kororoit Creek Road, Altona; and Shell is in Spotswood.

Obviously Coode Island is the one I know best, because for 17 years I lived 500 metres from that site. In those years we repeatedly asked the Cain and Kirner governments for buffer zones, then the Kennett government and then the Bracks and Brumby governments. We were always ignored. We were always told that Coode Island was safe — even after it had blown up, even after there was an extensive inquiry into the circumstances of that explosion and even when that report said that either the facility needed to be moved or a buffer zone needed to be created. Those recommendations were ignored. In fact the population is now even closer to Coode Island because of the build-up at Docklands. It is roughly a quarter of a kilometre downwind from Docklands.

Governments have repeatedly ignored the issue of buffer zones. I find it really quite amazing that in this day and age we still allow either major hazard facilities to be built next to residential areas or residential areas to be opened up next to major hazard facilities. It does not make sense. Industry and residential areas are simply not compatible. I think this is a logical reference to send to a committee, and it is my understanding that the Economic and Infrastructure References Committee does not have a reference at the moment and has not had one for quite some time. It would seem a very simple thing to send this reference to that committee. Then we would see whether the government has a commitment to buffer zones. It certainly has buffer zones for wind farms. Maybe it is time it had them for people who currently live next to major hazard facilities or who may live near major hazard facilities in the future because there are no enforceable buffer zones.

**Mr ELSBURY** (Western Metropolitan) — This afternoon we heard a very contrite shadow Minister for Planning explain to us his reasons for bringing this motion to the house. Almost holding hat in hand he put to us the grave concerns of the community that have driven him to come here today. He then went on to remind us that we are approaching Halloween with a lovely smattering of the scaremongering that comes through about major hazard facilities.

We do live with a bit of history with regard to these facilities. To start with, many of these facilities were built over 50 years ago. In those times it was very difficult for people to get transport to those facilities, so residential zones were established rather close to them. People had to walk to get to work. A lot of workers from the Altona refinery actually lived not that far away — across the bridge over Kororoit Creek in a small estate in Altona, in the Seaholme area. It was within walking distance, and it was not hard for people to get to. Even before that there was the Esso refinery

on Millers Road. There is a history of different refineries in that area. The Esso refinery does not exist anymore. The only remnant of that is a bridge across Kororoit Creek behind what is now a Mobil service station. We have a legacy, by need, of having residential zones so close to factories and what are now major hazard facilities.

However, the crux of this motion is the example that Mr Tee continued to raise during his speech — that is, the Williamstown woollen mills issue. That is the whole reason for this motion being put. There is no reason at all that I can see why he would raise this case so many times in his contribution other than to prop up the member for Williamstown. He commended the member for Williamstown for going out single-handedly to fight for his community. He certainly was single-handedly fighting for his community at the time when the Labor Party rezoned the land that we are talking about.

At the time that the member for Williamstown was in his community he had the ear of the then Minister for Planning, Justin Madden. However, instead of listening to the concerns of the member for Williamstown, in April 2010 the minister chose to rezone the land from industrial zone 1 to residential zone 1. That was done under amendment C 75 to his powers.

The rezoning was not supported by the council because it did not think a residential development was the right way to go. Instead it put forward a mixed-use proposal — something that Mr Madden ignored outright. I admit now that the member for Williamstown was not on his own. He had the support of one Joan Kirner — a slight luminary among Labor Party circles, and I am saying that tongue in cheek — and the former Premier, Mr Bracks, was also involved. But somehow the minister did not exactly pick up — and he is a slow guy at the best of times — that perhaps there was something in this that needed to be dealt with. Instead he took away the council's planning rights on this issue. Possibly one of the better things he did was to put in place an advisory committee for the site so that there would be an opportunity for people to discuss the issues and flesh them out as they saw them around this woollen mills site. Even a broken clock is correct twice a day, so he proposed the advisory committee. It was probably fortunate that the 2010 election occurred, because the advisory committee was able to report to a minister who was competent and chose to listen to the concerns of the community and who was willing to make amendments to what was being proposed.

Mr Tee raised the fact that in May 2011 Mobil had concerns about the original proposal for a multistorey

development across the entire site, which is what was first proposed by the developer. It was concerned about the number of people who would be placed in proximity to that hazardous facility. So for him to suggest that that is still the case and we still have this major problem does not recognise the fact that the new Minister for Planning, Mr Guy, took on board what was put forward by the advisory committee and reduced the density of the development by one-third of the block, such that almost one-third of the block has had its height reduced and is no taller than three storeys.

This is being done in an effort to reduce its profile should there be an incident at the major hazard facility, and also to reduce the number of people who would be exposed to such an incident should one happen. These measures are practical. To reduce the number of people who potentially would be exposed to any possible incident at the site is the wise thing to do, and then to bring in the requirements for suitable construction in the area also makes sense. It will not be possible to build a structure that will withstand every conceivable event in the world, but if you can build a structure that will take the brunt of an event such as a category 5 cyclone, it will allow people time to vacate the area either while the incident is developing or when the incident has occurred.

I have been talking to members of the community who are concerned about the development. Some people in the Williamstown area are quite against the development going ahead because it is not in keeping with the amenity of Williamstown.

**Mr Tee** — What's your view?

**Mr ELSBURY** — I believe that the woollen mills, as they stand, are an eyesore because the area has been left to do nothing. In fact the Former Port Phillip Woollen Mills Advisory Committee report highlights the fact that this is a derelict area and that it does not bring any amenity to the Williamstown area or the Point Gellibrand region in particular. I will read from the committee's report, which states:

The committee accepts that the proposal is consistent with this direction as it is located near an activity centre, within proximity of public transport, and proposes development within the council-designated redevelopment area.

So there was support for a redevelopment to occur there, but we had a Labor planning minister who was fixated on Melbourne 2030, which proposed high-density development absolutely anywhere you could place it and took no notice of local communities. The local communities thought that Melbourne 2030 would create concrete boxes right across our city. Even

the people in Ascot Vale knew it, because the Labor Party was trying to plonk a five-storey concrete monolith right in the middle of an area where I could count the number of double-storey homes on one hand. It was going to do that on the old TAFE site on Military Road, so obviously it did not care much for the people in that part of the world.

It was not until the former Attorney-General and member for Niddrie, Mr Hulls, began to feel a bit of heat that withdrawal of the proposal was even talked about. We also have concerns coming from the Moonee Valley City Council about the development along Keilor Road in Niddrie and in Essendon North, but again Melbourne 2030 promoted that sort of development constantly. One after another, dirty great big buildings were chucked in the middle of suburbs. We have been left with the legacy of Melbourne 2030 because basically we had to use it as the template policy for the woollen mills site. We could not just say, 'Melbourne 2030 has gone', and then get asked, 'What have you got to replace it with?' and say, 'Well, nothing'. We had to come up with a policy to replace it. So we have gone from Melbourne 2030, which was just helter-skelter development everywhere, to new planning policies which are promoting a state of cities right across our state rather than just developing until there is nothing more to develop.

That was almost definitely the approach taken concerning the woollen mills when it was first proposed to the Minister for Planning at the time, Mr Madden. He supported the idea of high-density development on that site and the large towers being proposed across the entire site, not just in the areas that now have some high rises. Incidentally, I have been informed just today that the developer has removed another two storeys from the tower, and that advice came from the mayor of the Hobson's Bay City Council, Angela Altair, through a conversation I had with her earlier today.

It is a much smaller proposal than anything that was being put forward by the initial proponent of this development. I quote again from the Port Phillip Woollen Mills final report:

Given its site context and zoning, the committee strongly supports the residential redevelopment of the site. The site is an ideal urban renewal and urban consolidation opportunity. It presently suffers from making little or no contribution to the fabric of Williamstown. That said, the site is unusual in the high number of abutments that are sensitive in differing ways. Any redevelopment has to take account of its proximity to a state supported shipyard, to crude oil storage facilities which support about half of all Victoria's petrol requirements, to low-rise heritage building stock, to an attractive coastal setting and to a location that is steeped in history.

If you listen to the locals, they will tell you that it was actually Batman's first landing site. It was as far as he could get his boats into the bay before he encountered marshland and could go no further. It was not until many months later that they reached Freshwater Place on the Yarra River. I can assure members that Freshwater Place is very different now, and Batman would not recognise it today. There used to be a waterfall there, hence fresh water was available and a settlement could be established there. The report goes on to say:

... the panel does not consider this development to be intrusive or inappropriate for the local area in which it sits.

The panel says that this is an underutilised area, it currently does not give any amenity to the Williamstown area and the proposal is in keeping with what needs to be done in the way of a proper redevelopment. As I stated earlier, a third of the site now has height restrictions on development in the area, and there are specific planning restrictions on the types of dwellings that can be built and the standards to which they must be constructed.

The report also says:

In a character sense, the committee strongly endorses development with at least a three-storey (about 10-metre) podium base so long as it tapers to the south near the Cecil Street properties. Higher elements up to 13 metres (four storeys) are appropriate as part of this 'podium' (on Nelson, Kanowna and Aitken) so as to introduce some variety.

The committee accepts that some degree of greater height can be accommodated above this podium level but such a height must maintain the 'horizontal' characteristic of the Williamstown built form. In the view of the committee, this evaporates at about 25 metres.

As I said, another two storeys have been taken from a building that is already below that level, so we are looking at a very reasonable development on this patch of land, which was rezoned by the Labor government specifically without any of these caveats or restrictions being placed upon it by the then Minister for Planning, Mr Madden.

The favourite case always put forward in relation to hazardous facilities is the Buncefield incident which occurred in the United Kingdom in 2005. The report by the panel raises that particular case. It was an issue of concern raised by people who made submissions to the panel, and the report says:

Before turning to submissions and evidence, the committee wishes to comment on the many submissions that referred to the devastating 'Buncefield' incident in the United Kingdom in 2005.

The report then quotes a great chunk of a report titled *Buncefield — Why did it Happen?* The quote is quite extensive, almost a complete copy of the report in some ways.

The panel report then goes on to say:

The relevance of the Buncefield incident to the committee relates to the initial formation of the vapour cloud and the subsequent explosion. The extension of the incident to the larger tank farm is not ... applicable to the Point Gellibrand site.

What they are saying is that we have a very different situation going on here. There are three large tanks sitting on the Point Gellibrand site. Buncefield was a much larger facility, of considerable size, and I understand some 20 tanks were engulfed as part of that incident. Apparently the fire burnt for seven days, if my memory of what I have read about it serves me correctly. We are talking about a very different situation.

In talking to members of the community who live in the area — and some are against the development going ahead — they acknowledge that there is different hazardous material at Point Gellibrand to what was at Buncefield. It is mostly crude oil coming in through the Point Gellibrand site, which is then moved to the Altona Refinery for refinement — as its name suggests. They refine the oil into its various chemical components, allowing for the development of further products across the Altona and Altona North area, creating not only the jobs at Altona Refinery but the other jobs right along Kororoit Creek Road and up through Grieve Parade, where the different plastics and materials are developed. I am aware that Qenos is there, and it does some work with different types of plastics and the refinement of natural gas as well. A number of jobs rely on those facilities staying open.

Certainly requirements for buffer zones around these sorts of facilities are already in place in major industrial zones. That had to be dealt with in relation to a proposal that has been around for many years for a treatment facility for hydrocarbon-contaminated soil from various sites to be built near Toll Drive in Altona. It was around when I lived in the Altona area, and that was after we had lived through the fight against the toxic dump in Werribee. I was interested in what was going on in my local community in the early 2000s when Labor was in government, much to my disdain. It was something I had to live with. Labor had the controls at the time, the ability to change things and the ability to do something about these boundaries, and it chose not to.

I will read from the report in regard to the safety of the site. The advisory committee report says:

Mr Dreher of R4Risk gave expert evidence for Mobil. He was asked to provide his opinion on:

the potential risk exposures from the facility operated by Mobil at Point Gellibrand; and

appropriate land use for the Port Phillip Woollen Mills site to minimise risk exposure to people within the site and surrounding areas.

Certainly reducing the number of people who are able to dwell so close to the site and providing residents with adequate protection during construction seems to me to be the right way to go. The report goes on:

Mr Dreher further noted that Mobil had submitted a safety case to WorkSafe and this had been accepted. Given the acceptance of the safety case, Mr Dreher felt that it was reasonable to assume that the likelihood of any high consequence events is 'low' which, coupled with the separation between the tank farm and the NPV site —

being the woollen mills site —

implies that the safety risk to persons present at the subject site would also be 'low'.

That is the advice of an expert in the field who was employed by Mobil to give evidence to the panel.

What we really have here is a vain attempt by the Labor Party to prop up the member for Williamstown in the Assembly. He lost 13.5 per cent of the vote at the last election, the biggest swing against anyone in the state. The Labor Party is trying to cover its backside, cover its mate and dupe us, as it has the Greens. Labor has duped the Greens, which is pretty easy to do these days. Greens members will believe anything. They believe the carbon tax is going to somehow alter climate change, but they are now being outdone by Mr Shorten, the federal opposition leader.

**Ms Hartland** — I believe in residents' safety. That's what I believe in, Mr Elsbury. So you don't think residents' safety is important?

**Mr ELSBURY** — We have dealt with residents' safety in that the proposal is to develop the site in a manner which ensures an increased level of safety for anyone who wishes to dwell there. We have the ability for — —

**Ms Hartland** — What about the other 13 sites?

**Mr ELSBURY** — Ms Hartland asks about the other sites. They are a historical anomaly that we have to deal with and continue to deal with.

**Ms Hartland** — And so you shouldn't fix the current site?

**Mr ELSBURY** — Is Ms Hartland suggesting that we start buying people's homes and turfing them out of where they live? That would be the only way to create a buffer zone around any of these facilities in Yarraville. This is insane-speak from someone who believes in socialism. In any case we will not be supporting this motion. It is well within the purview of the Minister for Planning to make decisions in relation to this matter using the processes that we currently have in place.

**Ms Hartland** interjected.

**The ACTING PRESIDENT (Mr Ramsay)** — Order! I do not see Ms Hartland on the speaking list.

**Mr MELHEM** (Western Metropolitan) — I was a bit confused earlier. I thought for a minute that Mr Elsbury was supporting the motion, but at the end when he summed up I discovered that he was not supporting it.

My contribution to this motion will not be about a specific development. It will be about what we do when there is a major hazard facility in place and how we deal with the encroachment of houses and residential areas. My contribution is going to be in two parts. One will be about ensuring the safety of these major hazard facilities, and there are a lot of them in the western suburbs of Melbourne within my electorate. I have had the luxury of working with major hazard facilities for 23 years. In my former job I represented many workers at these facilities, whether at Qenos, Dow Chemical Company, the Mobil refinery and its Yarraville terminal, or the terminals of Shell and Caltex in Newport. I can speak from experience. I have dealt with these facilities for 23 years, including the nearby residents. Thousands of members of the union that was my former employer live in the western suburbs and some of them do not live far from these major hazard facilities.

Reading the motion we see that it does not speak about a particular development. It does not even criticise the state government or the Minister for Planning. It talks about the fact that we need to do something. Let us talk about major hazard facilities and how that classification came about. In the early 1990s the former coalition government deregulated the health and safety act and basically said to employees, 'You can go and regulate yourselves'. It was called the plant regulations act 1992, from memory.

During that period we had two major incidents, the Coode Island explosion and the Esso explosion at

Longford in 1998. That led to a royal commission and people talking about safety. From that came the birth of the major hazard facility requirements. I was in the middle of that. In my previous role I was working with the health and safety experts to develop those requirements, with a special requirement put on the petrochemical industry. WorkSafe has a special division in charge of major hazard facilities. Petrochemical companies have to put together a very complex case on safety to justify to the regulator why they should be given a licence to operate and manufacture in the state.

As I said earlier, the western suburbs of Melbourne have a large chunk of major hazard facilities. I want to talk about a couple of companies in particular — that is, Mobil and Qenos. Ten years ago those companies were on the brink of closing down. They had issues about making sure that they maintained their licences. They had to spend enough money on maintenance to make sure that their plants and the community were safe. They were meeting all those regulations plus having to return a decent amount of money to the shareholders. I remember at the time that the parent company of the Coode Island facility, which was Orica, wrote off the company — \$195 million for \$1 — and ExxonMobil did the same thing. With the company and the state government at the time we came up with a plan to save those businesses. That we were able to do that is one of the things I am proud of. The Chinese bought Qenos. They spent a lot of money, and now it is quite a viable business. The Mobil refinery at Altona is now quite a viable business servicing the Victorian and South Australian and markets, and it pumps about \$200 million into the Victorian economy.

In debating the motion we are talking about two things. The first is about these businesses, which are under constant review by their shareholders as to whether they should continue operating. Do we put an extra burden on them? Their shareholders could say that they cannot afford the exposure in the event that something goes wrong and maybe they should ship out. We need to make sure that we address that issue and that we do not give them another reason why those employers should not continue operating in the west.

The second thing we are talking about is that we need to make sure that we do not put residents in harm's way. In the explosion in the United Kingdom referred to in the motion 43 people were injured, 3 of them seriously. There might be a one in a million chance that that sort of thing could happen, but we need to make sure that if there is an explosion, there is enough of a buffer zone to give people a chance to survive and not

be hurt in the first impact and to ensure that they have a bit of time to evacuate.

The facilities I have referred to have been there for more than 60 years, and I will be advocating day in and day out to make sure that they stay there for another 60 years, because they provide jobs that we need to maintain for the western suburbs of Melbourne — in fact for the whole state. We have a refinery that supplies the state, and it has a very good business model. It is now making money, and it looks as if it will be here for a long time, unlike the Shell refinery. We do not know what the future holds for Shell. We need to support those businesses because we need them. We also need to protect the residents.

The motion is about getting the Economy and Infrastructure References Committee to look at the issue of major hazard facilities, not at a specific development. I am not interested in that. The motion is about how we can achieve two things. One is making sure that the businesses have some certainty into the future. We must make sure that housing does not encroach into the business area because someone buys a piece of land and decides that they want to build a residential development and make a bit of money and then puts the companies at risk by developing too close to them. To that I would say bad luck. But we need to act. I have seen housing development encroaching on industrial operations, with arguments being mounted by residents who lodge objections with the council and various other people and drive the businesses out. If you are lucky, they will hopefully relocate to another place in Victoria, but these days there is a good chance that these businesses will relocate offshore and we will lose them all together. We do not want that to happen.

The WorkSafe guidelines indicate that the buffer zone should be 300 metres. In the motion we are saying that we should have a bipartisan approach. Opposition members are not blaming the current government for a lack of action; this sort of thing has been going on for decades.

**Mr Elsbury** interjected.

**Mr MELHEM** — Mr Elsbury should read the motion. I am happy to read it to Mr Elsbury. The motion seeks a review; it does not condemn the government. Mr Elsbury should read the motion carefully. Basically the opposition is asking for a review to be undertaken to make sure of the details. WorkSafe is telling us that there should be a 300-metre buffer zone. The question then will be whether it is 300 metres from the fence line or from the cracker. We need to have a debate about that. I would rather it was

300 metres from the fence line. The Environment Protection Authority talks about 2000 metres.

We are saying that we should start a process now; we owe it to our future generations and the people who are likely to end up buying a piece of land or a house next to a refinery. If something goes wrong, we can look back and say that in 2013 we had a debate on this issue in this place and we could not reach an agreement on it. If we do not do so, we will drive some of these companies to relocate.

Let me tell members also that the terminals at Newport and Yarraville will not be relocated. It would cost billions of dollars to relocate them. By the way, we need them and so we cannot relocate them. We need to keep the Altona refinery going because it is pumping \$200 million a year into the Victorian economy. Qenos is pumping a lot of money into the economy as well. We want to keep them there too.

Opposition members are asking that there be a bipartisan approach and that the committee consider the matter so that the industry is given some certainty. This is not about playing politics. I am basically offering that we move away from debating a single issue, which is what other speakers were focusing on. This is not about a single issue. It is about using the opportunity to give the industry certainty and making sure we do not put residents in harm's way.

The Victorian Civil and Administrative Tribunal has made two decisions which are talked about as the Sandbar decision and the High Street decision. Those decisions basically say that we have that clear regulation in place because once city councils give permits to these developers there are no clear guidelines by the government in relation to this issue. The two Victorian Civil and Administrative Tribunal decisions basically say that the buffer distance needs to be as per the Environment Protection Authority's publication AQ2/86. Then there is the WorkSafe advisory note which I talked about, which refers to 300 metres. Both decisions and the Environment Protection Authority talk about the buffer zone. We have a tribunal basically urging the government and saying that there needs to be some regulation to make sure that there is a buffer zone.

The challenge here for the minister and for the government is to read the motion carefully, support the motion and refer the matter to the Economy and Infrastructure References Committee. As I said, we can talk about the terms of reference, but to me the issue is very clear. We are saying the same thing. If we separate the politics from the issue, from my point of view there

are two important things: I want all these major hazard facilities to stay there for an extra 100 years, but I want to make sure that the residents who live next door to these facilities have enough of a buffer zone to protect them in case something eventuates, like an explosion, and to protect them from greedy developers from time to time buying a piece of land on the edge of these facilities and putting houses in there, because then you would not be able to stop it. That is what this motion is all about, and I urge members on the other side to support it. It is a good motion, and I commend the motion to the house.

**House divided on motion:**

*Ayes, 18*

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

*Noes, 20*

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

*Pairs*

Viney, Mr	Finn, Mr
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**Motion negatived.**

**PRODUCTION OF DOCUMENTS**

**Ms HARTLAND** (Western Metropolitan) — I move:

That this house requires the Leader of the Government to table in the Legislative Council by Tuesday, 17 September, a copy of documents detailing the Country Fire Authority and the Victorian WorkCover Authority actuarial assessment and cost estimates to provide compensation for Victoria's firefighters injured or deceased as a result of exposure to carcinogens on the job.

I will speak only very briefly on this motion. As we are all well aware, our firefighters put themselves on the line to protect the community. In doing their job they are exposed to toxic chemicals and smoke. As a result, firefighters are 5 to 10 times more at risk of developing certain cancers and more than 2 to 3 times more likely

to get lung cancer than a smoker. However, if a firefighter gets a cancer, it is almost impossible to access WorkCover protections that other workers have. I will note that the government has created a panel, but we are not yet convinced that this is actually going to allow firefighters to access compensation. Federal firefighters are covered, so if you work at Tullamarine airport, you are covered; if you work for the Metropolitan Fire Brigade in Tullamarine, you are not. Other states are on their way; Tasmania has brought in similar legislation, and I would hope that we are not going to be slow about this. At this stage Victorian firefighters are not covered, and I do not think that that is in any way fair.

The Greens introduced the Accident Compensation Legislation (Fair Protection for Firefighters) Bill 2011 to change this unacceptable situation. The Assistant Treasurer, Mr Gordon Rich-Phillips, directed the Victorian WorkCover Authority to prepare some advice with respect to this presumptive legislation for firefighters. The minister has not publicly released this advice, and I was forced to acquire information using freedom of information laws; however, not all documents were provided, and we are still in the process of appealing this. The actuarial assessments and cost estimates done by both the Country Fire Authority (CFA) and WorkCover were not provided. Exorbitant figures were cited for the Country Fire Authority but with no original documents to provide for this. It cannot be scrutinised. If these figures are in fact correct or anywhere near correct, they reflect the financial burden our firefighters and their families are currently carrying, which I believe is incredibly unfair.

I believe firefighters and this Parliament have the right to see these figures. My take on the figures is that the CFA has included every single firefighter within their actuarial assessments and costings rather than those that qualify under the legislation, given that firefighting makes up a substantial proportion of their duties over the qualifying period of 5 to 25 years, depending on the type of cancer. As a result these figures have been completely blown out of all proportion.

The Australian Senate found that any cost impact would be insignificant in Australia and, as has been seen elsewhere in the world, there would not be a flood of claims. This appears to be in stark contrast with the CFA assessment in Victoria and, to some extent, even WorkCover's assessment. If Victorian firefighters and their families are bearing a large financial burden, they deserve to see these figures. If these figures differ so starkly from those of anywhere else in Australia or the world, then the Victorian public should be able to see why.

This government has often talked about the fact that it will be transparent and that it will release information. We have had major difficulties with FOI, so today I hope the government will agree to release these documents so that we can actually see what the costs are and how and why they have been calculated.

**Ms CROZIER** (Southern Metropolitan) — I am pleased to rise and speak on the motion Ms Hartland has brought to the house today. I want to talk about a couple of points she raised in her contribution. I will say from the outset that the government will not be opposing this motion to produce documents, as has been the practice of the government in relation to such motions. It is important to distinguish what the government is doing from some of the misinformation that is circulating in the public domain.

With all due respect to Ms Hartland, there continues to be confusion, which has been created by Ms Hartland and the Greens, in relation to entitlements to compensation for firefighters who contract cancer in the course of their work. Both volunteer and paid firefighters are already entitled to compensation should they contract cancer or suffer a serious injury through their work. The minister has made this clear on a number of occasions, and a number of things have already been done to assist those making compensation claims. I will refer to a recent media release from the Honourable Gordon Rich-Phillips, the minister responsible for this area, dated 27 August, which states:

Victorian firefighters who believe they have contracted cancer through firefighting are entitled to make a compensation claim, either through the CFA in the case of volunteers, or the VWA in the case of career firefighters.

In addition the government is making it easier for firefighters to lodge their claims and has established the firefighters assessment panel, comprising health experts who can assess and validate claims from affected individuals. The government has also established a hotline as a single point of contact for both volunteer and paid firefighters who wish to lodge a compensation claim. These two government initiatives will ensure that people who have concerns about a cancer-related illness or believe they have contracted cancer through their work will have access to expert advice and a means to request that advice through a hotline.

For people in the general community who contract cancer or other serious illnesses there is always the question of why, and how did this happen to me? What did I do? Did I expose myself to some untoward chemical? Did I put my child in harm's way? These are questions that community members often ask when they themselves contract cancer or other serious

illnesses. Sometimes the answer is simply unknown — we just do not know. It is idiopathic. It is a real issue for many people who contract illness from an unknown origin. I am not saying that this is not a legitimate concern for people who believe they have contracted cancer or a life-threatening illness through their work — and in this instance we are discussing firefighters — but it is still important to have a panel of experts to assess and determine those claims and to have a hotline so that those individuals can speak to someone about their compensation claims.

Ms Hartland raised a number of concerns in her request for documents. She said the government is not being transparent and has had major difficulties with FOI. However, the request Ms Hartland put forward today is a double-up on an FOI request that she had already submitted and received a response to. It is my understanding that she received a substantial number of documents, including assessments of the financial impact of presumptive legislation. I want to go to that point because I understand that she referred to a number of documents. I do not want to read the list of all of them, but I will read most of them because they go to the heart of what we are talking about.

Ms Hartland said the government is not being transparent and that she has been having major difficulties in obtaining information. I will read from the list of some of the documents that have been released in full including: a June 2012 document from WorkSafe described as a 'Proclaimed diseases brief — stakeholder engagement and communications plan'; an August 2012 document created by WorkSafe and the Assistant Treasurer and described as 'Correspondence re compensation arrangements for CFA volunteers'; and a document dated 6 February created by the Parliament of Victoria and described as 'Second-reading speech of Accident Compensation Legislation (Fair Protection for Firefighters) Bill'.

A number of pieces of legislation have been released in full. An email chain created by WorkSafe and the Department of Justice in relation to 'Fair compensation for firefighters/proclaimed diseases', and initiated in July last year, was released in full. Also from July of last year is an email from WorkSafe with notes attached, which was released in full. There are a number of emails with attachments containing information in relation to presumptive legislation; an email seeking further information regarding WorkSafe and a Metropolitan Fire Brigade meeting; emails in relation to cancer claims and the Head of Workers Compensation Authorities meeting in July last year; emails on meetings between the Country Fire Authority (CFA) and WorkSafe; ministerial correspondence;

actuarial costings; and an email relating to proclaimed diseases, schedule and status reporting. These documents have all been created in the last year and released in full.

Other documents have been released in full, and without going through them in detail, they relate to a number of the issues we are debating today. There are so many documents that I am struggling to find them all. Multiple requests received by WorkSafe, the CFA, the minister, parliamentary counsel, various other departments and agencies, such as the Department of Justice, have all been released in full. From earlier this year there has been email correspondence between the Department of Justice and the CFA in relation to the Fair Go for Firefighters campaign, which was released in full. Department of Justice and CFA email correspondence relating to the United Firefighters Union of Australia international forum was also released in full. A WorkSafe information sheet relating to workers compensation, headed 'Making a claim for work-related injury or illness', was released in full. All of these documents have been released in full, so it is misleading to say they have not been released through FOI. The government is endeavouring to put the documents in the public domain.

In relation to the motion, it is probably fair to say that because so much work has been undertaken the motion has become outdated and needs to be changed. I have just been through the substantial list of documents that have been released, and it is evident that Ms Hartland has received a large volume of information. I suggest that to bring this motion to the house is redundant.

The minister is very much aware of the issue, and he is working with the various agencies in relation to this matter. The advertisements placed by the party Ms Hartland represents have been very provocative and misleading to say the least. I know they have been running in regional Victoria. We had a very unfortunate debate in the house last night when the issue of climate change and its impact was raised, and that is the problem. The Greens continually whip up these emotive issues without any basis. It is simply not right to make the community fearful. There have to be guidelines put in place, and that is exactly what we are doing. I think the TV ads run by the Greens are wrong.

Firefighters, just like any other workers, are entitled to compensation if they are injured at work, and that includes contracting cancer. There are many reasons for contracting cancer; often they are unknown. The government has put in place a panel to assess the issues and the claims, as well as a hotline that firefighters can access in order to speak to someone and put in a claim.

The minister should be commended for providing that support.

I reiterate that the campaign run by the Greens, particularly in regional Victoria, is unfortunate, and I think it has caused unnecessary fear in the community. Ms Hartland's motion is outdated. The transparency she says is not occurring is occurring. The release of documents has been undertaken, and it is simply not accurate for Ms Hartland to say she is having major difficulties obtaining information and that the government is not being transparent. Again I commend the minister for the work he is doing in this important area, and I commend all the volunteer CFA firefighters, some of whom I know personally, for the work they do. Members of my family have been involved in fighting significant fires, so I know just what firefighters have to do day in and day out, especially during the very demanding fire season over the summer months, which we are prepared for. Those agencies do an extraordinary job. Craig Lapsley — —

**Mr O'Brien** interjected.

**Ms CROZIER** — Mr O'Brien is right. Mr Lapsley, the fire services commissioner, is an exceptional individual, and he is doing a terrific job. Victorians around the state should be pleased that we have someone of his competence in charge of a very important emergency services agency. Our volunteer firefighters put in so much time and work to protect not only their own properties but also the properties of other members of the community, and they do that because it is what they believe in and it is what they want to do. However, it is inappropriate for the Greens to be scaremongering and whipping up hysteria through this motion.

The government will not be opposing this documents motion, but I wanted to make those points. Again I congratulate all our CFA volunteers on the wonderful work they do.

**Ms PULFORD** (Western Victoria) — I join with the other members who have contributed to this debate in commending all Victorian volunteer and career firefighters for the extraordinary work they do in protecting the lives, livelihoods and properties of communities across Victoria. Ms Crozier spoke about issues particularly related to regional areas, but firefighters work in metropolitan areas as well. I join my colleagues Ms Hartland and Ms Crozier in expressing gratitude by thanking all Victorian firefighters for the work they do.

It is late October, and the entire community is aware that at this time of the year fire risk is increasing. In recent weeks the devastating fires just north of us in New South Wales have served as a timely reminder of the need to be ever vigilant and to continually improve our efforts in maintaining fire safety and supporting our fire services. It is in that context that we consider Ms Hartland's motion, which seeks documentation of actuarial assessments of the Country Fire Authority (CFA) and the Victorian WorkCover Authority that outline the financial impact of resolving the issues of compensation rights for firefighters who have contracted cancer in the course of their firefighting duties.

We have debated this issue on many occasions in this place. What has been revealed during the various debates is that the Victorian government is yet to be convinced of the science. That is regrettable. The commonwealth Parliament, in an all-party kind of way, has accepted the science; the Tasmanian government has accepted the science; the West Australian government has accepted the science; and jurisdictions in countries around the world where people fight fires have accepted the science. The government says it is waiting for the results of research on this issue, and the people conducting that research say that their findings will probably not change the minds of government members if the available evidence has not already done so. Those researchers are conducting a longitudinal study, and what it will add to our knowledge of these matters is different to what the government says it is waiting for.

A private members bill was brought to this place by Ms Hartland, and it came a cropper on a handful of technicalities. For the procedural geeks in the chamber, there was a very interesting discussion around the capacity of this house to initiate legislation that has a financial imposition on the state. The issue was referred to the Economy and Infrastructure Legislation Committee for a quick review of the circumstances in which the bill was determined to be not suitable by the house. The committee heard various arguments about the role and powers of the Legislative Council in introducing legislation, and ultimately it resolved that it was a matter for the house to determine what was in and what was out. The logical extension of the rule about money bills would be that no legislation could ever be initiated in this place, but there have been a number of precedents under both this government and the previous one — both under the current composition of the Legislative Council — of legislation introduced into this place that clearly had financial consequences.

The committee was unwilling to draw a line in relation to what amount would be appropriate and at what point it would be appropriate, whether no cost is actually no cost, whether the use of the time of public servants and the cost of printing legislation can represent a cost or whether fees or levies imposed by a piece of legislation represent a cost. There are a variety of examples of legislation introduced in this house, including, as I was reminded by Ms Hartland during that hearing, the Tourist and Heritage Railways Bill 2010, which took us for a bit of a trip down memory lane.

We have supported Ms Hartland's every endeavour to bring this issue to Parliament for debate, because we accept that this is a wrong that needs to be righted. We accept that there is a relationship between firefighting and some types of cancer. We accept the science that the commonwealth Parliament accepted, and we believe the Victorian government needs to get its skates on, get in line with other jurisdictions and address this issue.

This is a complicated issue. Any tinkering with the Accident Compensation Act 1985 is complicated. The volunteer firefighter provisions in the act are mirrored in the Country Fire Authority Act 1958 and the Accident Compensation Act so that the same entitlements exist. The government's argument has been that if the relationship between firefighting activities and cancer could be demonstrated, then the compensation is payable. We have had this debate over and over again in this place. It is about reversing the onus so that it is not the case that every firefighter, every time this issue arises, needs to re-establish their case. Workers compensation claims can be long, slow and painful processes. Everybody knows that the sooner treatment starts for cancer, the better the likelihood is of a good outcome for the patient, so these are unnecessary delays.

We also know from the public hearings held by the Economy and Infrastructure Legislation Committee that the government has crunched the numbers on this. In his evidence the Assistant Treasurer conceded that there would be a cost consequence. If my memory serves me right, Ms Hartland also conceded that there would be a cost consequence for this change, but that would be the point of it. Finding out what we can about how this change best ought to occur is important, and this motion is straightforward. It seeks documents that will provide additional information about the cost and consequences of this change. We know the government has done this work, because it has been very up-front about that.

If this is a question of whether the Victorian community, the workers compensation scheme and the CFA budget can accommodate compensation for firefighters with cancer, then let us have that debate out in the open, in the Parliament and in the community. This is a government that talks a really good game on openness and transparency. I am pleased that the government is not opposing this motion today. We will certainly be supporting it. The time has come for this issue to be resolved, and the Labor Party is happy to support Ms Hartland's efforts in seeking this documentation in the chamber today.

**Ms PENNICUIK** (Southern Metropolitan) — I move the following amendment to the motion:

That '17 September' be omitted with the view of inserting in its place '26 November'.

**Hon. R. A. DALLA-RIVA** (Eastern Metropolitan) — I will speak on the amendment before I get to the motion that is before the chamber. In the case of a date error I note there is an expectation that those in the chamber would be quite happy to support its amendment. However, it is interesting to note that these members of the Greens and the Labor Party are the same people who opposed an amendment of a date in a non-government motion when on the other side of the chamber.

**Mr Leane** — No!

**Hon. R. A. DALLA-RIVA** — We hear Mr Leane say, 'No'; he speaks with a forked tongue. I moved a motion under the heading 'Office of Police Integrity: production of documents' on 28 July 2010 in this chamber. It states, in part:

That this house —

...

- (3) therefore orders that in accordance with sessional order 21, there be tabled in the Council by 12 noon on 13 April 2010 ...

Of course July was after the date by which I sought the documents to be tabled, as was discovered in the course of the debate. Mr Finn then moved an amendment, which he circulated and which states:

That the words '13 April 2010' be omitted with the view of inserting in their place '10 August 2010'.

As Mr Finn said:

It should be obvious to most members of the house that 13 April has passed. We need to make this amendment, as it will be clear and obvious to all.

What is clear and obvious to all in the motion before the chamber is that the date has passed. Today is 30 October, and Ms Hartland's motion requires the Leader of the Government to table documents in the Legislative Council by Tuesday, 17 September 2013. We are clearly past that date, as Mr Finn rightly pointed out was the case on the motion that I sought in 2010.

If you go to *Hansard* of 28 July 2010, you will note that Mr Tee made an inane contribution, as he normally does. I then continued, and guess what happened? There was a vote to oppose the change of date by which the documents were required to be presented. We are now expected by those who sit opposite to support their amendment. Let me make it clear: we will. We are not going to play party politics with it. But I will make the point that at that time the house divided on that amendment. The President is reported as saying:

By way of clarification before I put the motion, it is not appropriate to quote from *Hansard* that has been printed within the last six months ... However, it is okay to paraphrase.

Then the house divided on the amendment. We sought to amend a motion to make the date relevant, and what do you think happened? Among the ayes we had those then in opposition, supporting the amendment, but then we had the noes — those people who did not want to change the date on a motion, which is exactly what is being sought today by those opposite. Who were the noes? There was Mr Barber from the Greens, there were members of the Labor Party, there was Ms Hartland, who not only voted no but was a teller, and there was Ms Pennicuik.

The Greens have put up a motion today in which they have identified the date as incorrect. They have now sought to move an amendment in this chamber to have it changed. We will support the amendment, but it is important to note the hypocrisy of those opposite on the very same issue. When we were in opposition, they sided with the government and opposed it. Needless to say, the amendment was negated. The motion was therefore finished.

By rights we could actually say no, because that is what Labor did when it was in government and that is what the Greens did in response to a motion that I moved in this chamber because there was a date that was wrong.

**Ms Pennicuik** interjected.

**Hon. R. A. DALLA-RIVA** — If members want to talk about hypocrisy, let me make the point that they are all sitting over there. It is on the record for those who wish to see that when there was a motion before

this chamber which had an incorrect date, those opposite opposed it in non-government business time and the matter was dealt with. I just make the point that the hypocrisy of those opposite is astounding. We will not oppose the motion or the amendment because, as we have always said, we will support documents motions and let the government determine them, as opposed — —

**Mr Leane** interjected.

**Hon. R. A. DALLA-RIVA** — Mr Leane interjects, but I think he opposed a change to the date as well. The hypocrisy of the fellow member for Eastern Metropolitan Region is again outstanding. It is just amazing to see.

I noted the date and I am glad Ms Hartland picked it up. But to then expect the government to support the amendment when those on that side of the chamber opposed the same event that happened only three years ago is a disgrace. They should hang their heads in shame over the sheer hypocrisy of what they are doing now. When I sought in opposition to get documents, they stopped me dead in my tracks. The government is not going to do that. We are more open. We are more transparent. All I will say in terms of the documents motion is that, as with other documents motions, the government will not oppose this motion. We support the amendment, and we will support the documents motion, as amended.

**Mr LEANE** (Eastern Metropolitan) — The opposition will support, with a lot of grace and goodwill, the amendment to the date. In response to Mr Dalla-Riva's — —

**Hon. R. A. Dalla-Riva** — Why didn't you do it in 2010?

**Mr LEANE** — I am glad to see that Mr Dalla-Riva must have had a bit of grit built up on his liver for a long time. I am glad he has had the opportunity to vent that during this particular process.

**Hon. R. A. Dalla-Riva** interjected.

**Mr LEANE** — Touching on hypocrisy, we are very pleased to hear that Mr Dalla-Riva supports the motion that these documents be tabled in this chamber. We will be watching with great interest the response from the minister as to whether or not he actually tables the document when the time comes.

**Ms HARTLAND** (Western Metropolitan) — I will be very brief in my right of reply. I want to apologise to the chamber. The issue about the date is entirely my

fault. I am pleased that both sides of the chamber have agreed to this. It is greatly appreciated that we will not stumble over my mistake in what is a very important motion.

The one thing I want to take up from what Ms Crozier said is that, yes, we have had a very large number of documents, but the documents that are missing are the documents that explain how it is that the Metropolitan Fire Brigade, the Country Fire Authority and WorkCover have actually come to the conclusions about what this will cost. They are the documents that are missing and they are the documents we require for this extremely important issue.

Again, I would like to apologise to the chamber for my mistake on the date. I thank the clerks for, as usual, their fast and speedy assistance, and I thank the chamber for allowing the amendment to go through.

**Amendment agreed to; amended motion agreed to.**

## CAULFIELD RACECOURSE RESERVE

**Ms PENNICUIK** (Southern Metropolitan) — I move:

That this house notes that —

- (1) the recommendations of the 2008 report of the Select Committee on Public Land Development regarding Caulfield Racecourse Reserve have not been fully implemented;
- (2) Glen Eira City Council has been advocating for better public access and various improvements at Caulfield Racecourse Reserve for many years and on 19 March 2013 adopted, by resolution, a position statement on Crown land at Caulfield Racecourse Reserve which stated that the Crown land is reserved by law for three purposes —
  - (a) a racecourse;
  - (b) a public recreation ground; and
  - (c) a public park;
- (3) the first purpose, a racecourse, is well catered for, but the other purposes are not;
- (4) the Crown land should be managed to achieve all three purposes equally, and that to achieve this, Glen Eira Council listed 10 actions that need to occur, including the —
  - (a) allocation of land for public recreation;
  - (b) removal of horse training and car parking from the Crown land;
  - (c) removal of visual barriers (fencing) to the Crown land;

- (d) provision of suitable access points; and
  - (e) reinvestment of income from commercial purposes to be used for public purposes;
- (5) the most significant barrier to achievement of these actions over many years has been the inappropriate and outdated governance structure that has been allowed to continue by successive state governments; and
  - (6) calls on this state government to —
    - (a) amend the membership of the trustees of Caulfield Racecourse Reserve to reduce the number of racing industry representation, include more community representation and retain representatives of Glen Eira City Council;
    - (b) ensure that the trustees of the Caulfield Racecourse Reserve comply with DSE guidelines for committees of management of Crown land and that the meetings, decisions and actions of the trustees are open and transparent;
    - (c) ensure that the governance arrangements over the Crown land achieve the equal purposes of a racecourse, public recreation and public park; and
    - (d) ensure that all financial arrangements and transactions associated with the Caulfield Racecourse Reserve subject to audit by the Victorian Auditor-General's Office.

The motion that appears on the notice paper today is different from the original motion that I gave notice of on 13 June. Last week I circulated the amended motion to the other parties, so today's appearance in the notice paper of that amended motion is the first time that the parties have seen the motion.

The motion is in six parts. I will address it part by part. In the first part the motion reads:

That this house notes that —

- (1) the recommendations — —

**Mr Ondarchie** — On a point of order, Acting President, I am a bit confused by Ms Pennicuik's opening comments. Did she say that this is now the actual motion, or does she have a different one that she is trying to put up?

**The ACTING PRESIDENT (Mr Ramsay)** — Order! The advice from the Clerk is that this is the actual motion as it appears on the notice paper.

**Mr Ondarchie** — This is the correct one, then?

**The ACTING PRESIDENT (Mr Ramsay)** — Order! The Clerk advises me that this is the correct motion that we are debating at the moment.

**Ms PENNICUIK** — Thank you for the clarification on my clarification, Acting President. I thought I had made it pretty clear that this is the motion, and it was circulated prior to it being amended placed on the notice paper. The reason for that was to give the other parties notice before it appeared today, which is the first day it could appear in its amended form on the notice paper. I circulated it last week.

Again, I will begin with the first part of the motion:

That this house notes that —

- (1) the recommendations of the 2008 report of the Select Committee on Public Land Development regarding Caulfield Racecourse Reserve have not been fully implemented ...

I turn to that report, which was tabled in September 2008, just over five years ago. The *Select Committee of the Legislative Council on Public Land Development — Final Report* looked at a number of issues of public land. In fact it was on the motion of Mr David Davis, then Leader of the Opposition and now Leader of the Government, that this committee was set up. It looked at the management and disposal of public land generally and a number of case study sites, including the Kew Residential Services site, the St Kilda triangle development, the proposed Southern Ocean beach house development, the Devilbend reserve and a few other case studies, and also the Caulfield Racecourse Reserve.

The recommendations regarding that particular site are worth again reading into *Hansard*, some five years later. A lot of work has been done in the community with the local council and various MPs to try to get some of these recommendations implemented.

Recommendation 5.8 states:

That the government investigate:

the history, membership structure, responsibilities and current arrangement of the Caulfield Racecourse Reserve board of trustees, particularly in relation to its duty to uphold not just horseracing, but all the purposes of the reserve in the original grant;

the purpose to which money raised by horseracing has been used; and

ways in which the government can ensure that the board of trustees operates in an open and transparent manner and in accordance with the terms of the grant.

Recommendation 5.8 goes straight to the governance issues at the Caulfield Racecourse Reserve, which is really the crux of the motion I have moved today. I will get to that in paragraph (6) of the motion. One would

have to say that that recommendation has not been implemented.

Recommendation 5.9 states:

That the master plan for the Caulfield Racecourse Reserve redevelopment be the subject of wide public consultation incorporating the municipalities of Glen Eira, Stonnington and Port Phillip.

Mostly that has been implemented. The redevelopment of a parcel of land known as the triangle, near Caulfield railway station, has been the subject of some public consultation, but there has been a lot of public discussion and discussion between the racecourse board and the local council, which is the Glen Eira City Council.

Recommendation 5.10 states:

That the Minister for Planning strongly consider appointing community members and/or people with park and recreation expertise as nominees of the state government to the Caulfield Racecourse Reserve board of trustees to provide a balanced representation of interests and expertise.

That has not been fully implemented. It is worth commenting that that there are 15 trustees on the board and that 6 of them are nominees of the Melbourne Racing Club and 6 are nominees of the Minister for Planning, and historically most of those, if not the vast majority of them, are people with links to the racing industry. As a result, 12 members of the 15-member board of trustees are usually in some way linked to the racing industry, and the remainder are the 3 nominees of the City of Glen Eira.

Recommendation 5.11 states:

That the day-to-day management of the Caulfield Racecourse Reserve, by delegation from the trustees to the Melbourne Racing Club, be reconsidered.

That has not happened either.

Finding 5.14 states:

The Caulfield Racecourse Reserve profits to the Melbourne Racing Club have been disproportionately directed to racing users, with inadequate provision for use of public park and recreation users as required by the original grant.

Despite a minor investment of funds by the Melbourne Racing Club into some public facilities in the racecourse reserve, that continues to be the case.

Recommendation 5.12 states:

That the Melbourne Racing Club's recent report relating to the Caulfield Racecourse Reserve fencing boundaries be publicly released.

I do not know if that was ever publicly released. A letter was sent to me by the CEO of the Melbourne Racing Club some years ago mentioning the pros and cons of fencing, but the situation remains that if you circumnavigate the Caulfield Racecourse Reserve, most of it is shielded by a large tin fence, so that the public cannot see into the reserve. Access is still only through a couple of points around the reserve, and in my opinion the Melbourne Racing Club still tries to make access as difficult as possible for the general public.

Recommendation 5.13 states:

That the Caulfield Racecourse Reserve trustees direct a substantial amount from the profits made by the Melbourne Racing Club over many decades to the provision of public park and recreational facilities, including promotion of the public use of these facilities as recompense to the community.

Again only a relatively small amount of money is made available for public use, compared to the gazillions of dollars that the Victoria Amateur Turf Club, as it was known previously, and now the Melbourne Racing Club have made out of racing and associated activities, including a Tabaret, sports betting and various other activities, over many years. It really is scandalous.

Recommendation 5.14 states:

That the government support the joint communiqué between the Melbourne Racing Club and the Glen Eira City Council to the Caulfield Racecourse Reserve trustees, bearing in mind that further public consultation is needed with respect to the future use of public open space within the centre of the Caulfield Racecourse Reserve.

As I said, to some extent some of that has happened. Some works have been done in the centre of the reserve for public recreation facilities, but we still have a long way to go. Considering this work has taken five years, it is very minor. This is disappointing because following the tabling of this report some goodwill appeared to exist about bringing this reserve up to the standard of others around the world and making it a multipurpose, multi-use facility. It is a very large area of Crown land in the city of Glen Eira. Glen Eira City Council is starved of public open space, but this fight for genuine public access to the site from dawn till dusk has still not been won. That should be what happens.

The second part of my motion reads:

Glen Eira City Council has been advocating for better public access and various improvements at Caulfield Racecourse Reserve for many years and on 19 March 2013 adopted, by resolution, a position statement on Crown land at Caulfield Racecourse Reserve which stated that the Crown land is reserved by law for three purposes —

- (a) a racecourse;
- (b) a public recreation ground; and
- (c) a public park ...

The third part of my motion states:

the first purpose, a racecourse, is well catered for, but the other purposes are not ...

As I have said, this has been going on for many years — decades in fact. Various councils have tried, with various ways and means, to provide better public access to Caulfield Racecourse Reserve and to ensure that the Crown land is used for the purposes clearly stated in the trust deed. These are: racecourse, public recreation ground and public park. Anybody who goes to Caulfield Racecourse Reserve will notice that the racecourse is its identity. Its signage is all about racing. The signage referring to public access is very small and cannot be seen from a distance. In fact Mr Ondarchie would not be able to read it, even from the distance between the Chair and me or that between Mr Ondarchie and me. He would not be able to read the signage telling him that, as a member of the public, he had access to the reserve. But the signs about the racecourse and racing events are huge and dominate the landscape. That is still the culture which exists at that piece of Crown land.

The fourth part of my motion summarises what the council said in its motion, which was put and carried unanimously on 19 March. It says:

... the Crown land should be managed to achieve all three purposes equally, and that to achieve this, Glen Eira Council listed 10 actions that need to occur, including the —

- (a) allocation of land for public recreation;
- (b) removal of horse training and car parking from the Crown land;
- (c) removal of visual barriers (fencing) to the Crown land;
- (d) provision of suitable access points; and
- (e) reinvestment of income from commercial purposes to be used for public purposes ...

I will go in some detail to the motion that was carried unanimously by the Glen Eira City Council on 19 March. It states:

The first purpose, a racecourse, is well provided for.

It then lists the 10 actions that need to occur. It says the council will advocate for the public use of public land. The first action that needs to occur is the allocation of land for public recreation grounds. The motion states:

Glen Eira has the lowest amount of open space per capita of all Melbourne municipalities. There are far more community sporting teams wanting to play in Glen Eira than there are grounds for. The Crown land should provide sporting facilities for both horseracing and community recreation. The area allocated for community sports grounds should be no less than the area allocated for race tracks. (There are approximately 340 days each year when there are no horseraces at Caulfield).

There are 340 days a year when there is no racing, and the whole of that huge site is commandeered for racing and training activities. The council's motion continues:

Many famous racecourses around the world provide sporting grounds in the centre of the course —

and examples are attached. The Leader of the Government, who is here in the chamber, will remember seeing some of those shown to us when we visited the Caulfield Racecourse Reserve. In the middle of the Happy Valley Racecourse in Hong Kong you can find soccer, hockey, lacrosse and rugby fields, and as a former lacrosse player, I am very pleased to see that. The Nad Al Sheba Racecourse in Dubai has the only fully floodlit golf course in the Middle East. It is smack bang in the middle of the racetrack, and people play golf until midnight. The Tokyo Racecourse has extensive infield development, including sporting grounds and indoor sports facilities; the Taipa Racecourse in Macau has a golf driving range in the middle; the Greyville Racecourse in South Africa also has a golf course inside the track; San Diego's Del Mar racetrack has extensive infield development, including pavilions and lakes; the Santa Anita Park racecourse in California has infield development; and the Aintree Racecourse in the United Kingdom has a golf course in the middle. There are many examples of what could be done, but after five years we have not seen much action at the Caulfield Racecourse Reserve.

The second point of the council's motion says it is time to rebalance specific areas of land. It says:

Specific areas of the Crown land should be designated for each of the uses of a racecourse, public recreation ground and public park and established by specific leases or licences.

The third point relates to the removal of horse training. It says:

Training of horses on a commercial basis is not one of the purposes for which the Crown land is reserved. Providing a 'public recreation ground and public park' takes precedence over the training of horses. To the extent that training prejudices the provision of public recreation ground and public park, training should be phased out.

I am a strong supporter of the phasing out of training at Caulfield Racecourse Reserve. I know that is not very popular with the racing community, but it is very

popular with the people who live in the vicinity, particularly those in the Neerim Road and Queens Avenue areas and also those who use the one sporting ground that is in the Neerim Road area because of the obvious impacts of the horses and stables there. There are many places not far out of Melbourne where horse training could be removed to. That has certainly been the long-term position of the council, and I support it in that position.

The fourth action required by the council is the removal of car parking. The motion reads:

The obligation to provide a 'public recreation ground and public park' also takes precedence over car parking. Transport planning and management should emphasise public transport, including the adjacent train and tram. An arrangement should be entered into with Monash University for use of its multistorey car parks for race days and other events.

Bear in mind that the racecourse is close to the no. 3 tram, it is close to Caulfield railway station and it is not a very long walk from Glenhuntly railway station on the other side.

The fifth action that needs to occur is the removal of visual barriers. The motion states:

One of the benefits of public parks is visual: the ability to see green spaces and distances. The Crown land abuts public land to the north, east and south and should be managed so as to provide visual enjoyment of the public park.

As I mentioned before, only a small part of the racecourse reserve has fencing you can see through, and that is the area at the northern end, near the grandstand and the other facilities built for the Tabaret et cetera. That is the only part of the reserve with fencing that can be seen through. The rest of it is either metal fencing with hedging or it is awful tin that was put up during World War II, if I recall from the public land inquiry. The community and the council have been advocating for the removal of that fencing for many years. It is incumbent on the trustees to remove it at their cost and open it up so that people can use the Crown land not only as a public park and for public recreation but be able to see it as well. The people in Queens Avenue and Neerim Road currently see a very ugly green fence.

The sixth action concerns the revenues for public purposes, and this is very important:

The Crown land is public land and should be used for public benefit. The land is currently used for many commercial purposes including a Tabaret with a very large monetary turnover, training of horses early in the mornings and commercial exhibitions such as caravan and camper shows. Virtually all income from the use of this public land accrues to a non-public body. This should be changed so that a

racecourse, public recreation ground and public park are provided and any commercial activities are charged a commercial rent, payable to the governing body and available for the governing body to reinvest in a racecourse, public recreation ground and public park.

This does not happen. Only a small amount of money has been set aside by the Melbourne Racing Club, delegated by the trustees, to run the racecourse reserve on a day-to-day basis for any sort of public park or recreation facilities, and the rest of it goes to the Melbourne Racing Club. It is scandalous that a private body has been able to do this for so long.

The seventh action that the council wants to see is provision of access:

Suitable access from multiple points must be provided for the public to enjoy the land. Access for all abilities must be provided.

As I mentioned before, the Melbourne Racing Club, while it has paid some lip service to this matter, still makes the Crown land appear as if it is only a racecourse and that the public is not welcome there. Access points are very few and the signage for access is very small. You would have to be very determined, live locally and be one of the few people in the know to make use of this public land on a day-to-day basis.

The eighth action is compliance with government standards:

The governing body must accept and comply with the DSE guidelines for committees of management of Crown land or be compelled to comply. All governance should be open and transparent.

With regard to that point, during the adjournment debate on 15 August last year I referred a matter to the Minister for Environment and Climate Change asking that he ensure that the trustees for the Caulfield Racecourse Reserve adhere to the then Department of Sustainability and Environment guidelines for committees of management of Crown land or be compelled to do so, and also be required to administer the Crown land for the three purposes set aside in the Crown grant. I have had no response from the minister to that matter, and that request occurred some 14 months ago. My staff have called the minister's office to see whether he is intending to respond, but so far there has been no response.

Prior to the tabling of the report of the Select Committee on Public Land Development in September 2008, the trustees were a lot more mysterious than they are now. They are still pretty mysterious but in those days they were very mysterious. The trustees had one meeting a year and that meeting was not public. The

agenda and minutes and what went on at the meeting were not made public, so it was a very cloak-and-dagger affair. As I understand it, the board of trustees now meets twice a year, so it has definitely increased its frequency of meetings. I note that it had a meeting on 10 October — some 20 days ago. The agenda of that meeting was publicised, but the trustees made the point that their meetings are not open to the public, even though they are the trustees of public Crown land.

However, members of the public who want to speak to a particular agenda item are able to request to do so in writing to the trustees. The trustees will, in their magnanimity, consider the request as to whether the member of the public can address that agenda item. So far as I know that has not happened. One person was reported in the media as having gone through that process, but the board of trustees did not grant them permission to speak to the agenda item. Therefore we have a long way to go to bring the board of trustees up to modern standards of governance, with the openness and transparency expected by the public.

The ninth action that the council adopted by its resolution of 19 March was headed 'Compliance with auditing standards':

The governing body is responsible for approximately \$2 billion of public land and the Auditor-General for Victoria should be its auditor.

Who could disagree with that? Nobody knows, and what has gone on is not public knowledge. How much money is made by the Melbourne Racing Club and what happens to it? Over many decades only a small amount — and I will get to that in a moment — has been put back into public recreation and a public park.

The 10th action, headed 'Agreement of purpose' states:

The governance arrangements over the Crown Land must either

achieve the purposes of a racecourse, public recreation ground and public park

or be abolished in favour of governance arrangements that will.

The Caulfield Racecourse Reserve has been mentioned in Parliament since the tabling of the 2008 report. On 6 October 2010, which is three years ago, the former member for Caulfield in the other place, Mrs Shardey, raised the issue about the lack of consultation on the land swap at Caulfield racecourse. Of course that has been an issue of much contention, and I will refer to it shortly. On 3 May 2011 the current member for Caulfield in the other place raised the issue of the

agreement between the Melbourne Racing Club and the Glen Eira City Council for a \$1.8 million upgrade of the reserve, and he also mentioned the Booran Road reserve, and what will be happening there still remains a puzzle.

There has been some movement on that particular issue, but I draw the chamber's attention to the amount of money involved — \$1.8 million has gone into an upgrade of the centre of Caulfield Racecourse Reserve for a public park and recreation facilities. Out of all the hundreds of millions of dollars made out of that public racecourse and reserve over decades, Melbourne Racing Club has generously put \$1.8 million into the public facilities in the centre of the Caulfield Racecourse Reserve.

It is something, but one could not possibly say that is recompense for the amount of money that is being made by the Melbourne Racing Club, before that the Victorian Amateur Turf Club, over decades of occupying that land, running it solely as a racecourse, keeping the public out as much as it can and now it has thrown a few peanuts at the public by way of the \$1.8 million.

The member for Caulfield in the other place, David Southwick, has raised the issue a couple of times. He mentioned it on 28 June 2011 and on 11 February 2012 during the address-in-reply debate; again on 1 March 2012 and on 19 February 2013 when he was speaking about the opening of the centre park and a charity fundraiser. A charity fundraiser was conducted in February this year, and it is ironic in a way that the Melbourne Racing Club allowed people to conduct a charity fundraiser in the middle of Caulfield Racecourse Reserve. I do not begrudge a charity fundraiser being held anywhere, of course, but I wonder how much it contributed to the actual raising of funds. There was the Caulfield Racecourse fun run in May this year, which also raised some money for charity.

I mentioned part of the council's resolution, the ninth action, which was compliance with auditing standards, and I note that Cr Delahunty from Glen Eira City Council has written to the Auditor-General asking that he take over auditing the accounts of the Caulfield Racecourse Reserve. It seems to me that would be a sensible idea because it is Crown land, and the Victorian Auditor-General's Office should concern itself with money and commercial activities on Crown land.

That brings me to the fifth and sixth parts of my motion, which state:

- (5) the most significant barrier to achievement of these actions over many years has been the inappropriate and outdated governance structure that has been allowed to continue by successive state governments; and
- (6) calls on this state government to —
  - (a) amend the membership of the trustees of Caulfield Racecourse Reserve to reduce the number of racing industry representation, include more community representation and retain representatives of Glen Eira City Council;
  - (b) ensure that the trustees of the Caulfield Racecourse Reserve comply with —

DEPI, now the Department of Environment and Primary Industries, although it is very difficult to find on that website —

- guidelines for committees of management of Crown land and that the meetings, decisions and actions of the trustees are open and transparent;
- (c) ensure that the governance arrangements over the Crown land achieve the equal purposes of a racecourse, public recreation and public park; and
- (d) ensure that all financial arrangements and transactions associated with the Caulfield Racecourse Reserve are subject to audit by the Victorian Auditor-General's Office.

Councillors at the Glen Eira City Council have individually and collectively been advocating for improvements at Caulfield Racecourse Reserve for many years, as have the staff of the council and the community of Glen Eira. Progress is very slow, and that is why the council adopted this resolution. That is why I raise this issue again in this motion, because it is within the power of the government to do something about the governance by the trustees of the Caulfield Racecourse Reserve as it stands.

I mentioned before that I would return to the issue of the land swap. Members might cast their minds back to 2009 when the original proposal for the land swap was put to the Parliament, resulting in the passing of the Land (Revocation of Reservations and Other Matters) Act 2009. The proposal was that the Melbourne Racing Club, acting by delegation for the trustees, be allowed to swap a very small parcel of land on Booran Road, near Glen Eira Road — not a very valuable piece of land — for a very valuable piece of land next to the Caulfield railway station. At that time I said that did not look like a good deal for the people of Glen Eira or for the state of Victoria. There was an informal agreement — Mr Jennings may have something to say

about that, as I notice he is on the speaking list — that any acquisition of that valuable piece of land, which is Crown Allotment 2017, should actually be paid for by the Melbourne Racing Club at its full value.

As far as I have been able to work out — and I have asked the question of the Minister for Environment and Climate Change about that particular issue and I got the answer not very long ago — no payment was received by the government for the 54 square metres of land added to the Caulfield Racecourse Reserve, which is the small amount of land at the Booran Road corner. I am sure the minister knew that was not what I was talking about, so I will have to take that issue up with him again. But as far as I know, full recompense has not been paid to the taxpayers of Victoria for the Crown land that has now been acquired by the Caulfield Racecourse Reserve for development and exchanged for a smaller parcel that is now, as I understand it, under the committee of management of the Glen Eira City Council.

There is a very long history of the public being locked out of this reserve, which is meant to be for the public. Following the tabling of the report there seemed to be a period where there was goodwill and a sense that things might happen, but I think the council became very frustrated. One of the other councillors, Cr Magee, was selected as chair of the trustees. He tried to bring in some changes, introduce proper governance and get the trustees to agree to abide by the Department of Sustainability and Environment guidelines; they did not. He tried various other things. I think the council just got frustrated, and that is why it adopted this resolution — to get something done.

The crux of my motion is that the governance structures are problematic and inappropriate. There is certainly a problem with conflict of interest. Decisions are being made as to what happens on that parcel of Crown land, which is supposed to be administered as racecourse, public park and public recreation in three equal parts, but the managing body is stacked with racing industry representatives and all the decisions go towards racing interests. One has to say that we have a huge conflict of interest issue, and it really should not be allowed to continue.

The crux of my motion is that the governance structures are the problem and they need to be fixed by the government, and the government can do that. The government can compel the trustees to work in a certain way, and the government can change the trustees to make them more representative of the purposes for which the Crown land deed was granted and the way the community and the local council expect the land to

be administered. With those words, I commend my motion to the house.

**Mrs MILLAR** (Northern Victoria) — I am pleased to speak on behalf of the government in relation to this motion. I could in fact not be more pleased to stand to speak against this motion which in light of recent completed capital investment upgrades is lacking in substance.

The Melbourne Racing Club has a rich history at Caulfield Racecourse Reserve and operates with its local community firmly in mind. That history started with the Victoria Amateur Turf Club's first meeting at Caulfield on 5 August 1876. In the motion Ms Pennicuik refers to the Glen Eira City Council advocating for improvements at Caulfield Racecourse for many years. I put it to the house that for 137 years the Melbourne Racing Club has been successfully holding race meetings; providing employment to large numbers of people in the local community — it currently has over 2000 employees, rising to 2500 during the Spring Racing Carnival; providing entertainment, enjoyment and a range of social benefits to the local community; providing economic benefit to local businesses and the wider Victorian economy; and, in addition to all of these significant and definable benefits, continuing to create racing history year after year. All of this speaks for itself.

However, this is not an organisation which seeks to rest on its laurels. The Melbourne Racing Club has a strong track record of continually upgrading its facilities over many years. There have been many instances of this, including the opening of the three-level glass-fronted Rupert Clarke Grandstand in 1992.

Ms Pennicuik has spoken at length on the long history of this matter, and I do not wish to cover the same ground. However, I have here a copy of the Select Committee of the Legislative Council on Public Land Development final report of September 2008, which Ms Pennicuik has also referred to. I would like to read a section from the foreword by the chairman, the Honourable David Davis, which says:

Finally, it is disappointing the government led by the Deputy Premier and Attorney-General has continued to hold to their absurd definition of public land based on an obscure administrative order from 1988. The committee believes that this approach is obstruction pure and simple and is an attempt by the executive to frustrate the will of the Parliament. It is wrong that the government should seek to define or limit the ability of the Legislative Council to scrutinise its activities.

In responding to this motion I can only suggest that in calling for improvements Ms Pennicuik is playing down the recently completed \$1.8 million capital works

to enhance the centre of the racecourse. In the 2008 report the same chairman's foreword says:

A fair question is: where will the children play in the future?

That question has well and truly been answered with the recent capital works of \$1.8 million which included a children's playground. In addition to the children's playground, improvements included boardwalks around the lake, barbecue facilities and a running track, which were funded entirely by the club, with no contribution from the trustees or Glen Eira City Council. I repeat that: there was no contribution from the trustees or Glen Eira City Council. I note that the new centre was launched in April with a charity fun run around the reserve and family activities, providing social benefits to the local community. Since the launch opening hours for the centre have been extended and accessibility has been enhanced with new walkways via the tunnel to the centre of the track. This has seen many local families using and enjoying the benefits provided by this celebrated race club to the community in which it is embedded.

At this point I acknowledge the significant role the state member for Caulfield, Mr Southwick, played in facilitating the Caulfield community day which was held to launch the \$1.8 million capital improvements at the Caulfield Racecourse Reserve. Over 1500 people showed up for a day of rides, entertainment and sports exhibitions from local clubs, and 521 runners took part in the fun run and walk. A remarkable \$43 973 was raised at this event, which was an opportunity for community groups, schools and charities to raise much-needed funds for their work.

As further evidence of the lack of substance of this motion I refer to a media release of 29 April 2011, which was after the release of the final report in September 2008 that we have been quoting from. This media release was from the Glen Eira City Council, and it is titled 'Agreement on public use of racecourse centre'. It was a joint release by the council and the Melbourne Racing Club, and it states:

Glen Eira City Council and the Melbourne Racing Club have reached agreement on increased community use of the centre of the Caulfield Racecourse Reserve:

more facilities for the community to enjoy, including a picnic area by the lake, large dog off-leash area, walking and jogging paths and a junior soccer pitch. The lake area will be available to the public 352 days a year and the whole of the centre on all days other than race days and major event days;

additional access will be provided, including a new pedestrian route from Neerim Road across the racecourse, vehicle access through the tunnel after

9.30 a.m., with 20 car spaces reserved for the community and a separate footpath through the tunnel;

fences will be converted to open up views across the reserve, starting with the corner of Neerim Road and Queens Avenue;

if horse training is transferred from Caulfield, additional areas will be added to Glenhunting Park.

The mayor, Cr Margaret Esakoff, said: 'Council has been working to achieve public use of public land, and we welcome the agreement for the benefits it will provide to our community'.

Melbourne Racing Club CEO Alasdair Robertson said that the club and council had worked closely together to deliver an outstanding result for the community.

'The MRC will provide a new \$1.8 million public park in the racecourse infield. The MRC will pay for the design, landscaping, community facilities and ongoing maintenance of five recreational precincts'.

The infield public park will include new barbecue and picnic areas, a kids play area, shade and toilet facilities, a boardwalk around the lake, including areas for fishing, and a junior soccer pitch.

State member for Caulfield David Southwick, MP, worked with both parties to bring about the agreement. He said: 'This is a great result for the people of Caulfield with the creation of new open space, new facilities and access to the racecourse reserve'.

'I am very happy that I have been able to bring the Glen Eira council and the Melbourne Racing Club together to facilitate this result and to promote greater access to this significant open space in Caulfield'.

'Our community had real concerns about the lack of access to the inside of the track and about the low amount of open space in the city of Glen Eira. This agreement creates an excellent destination for a variety of recreational activities and will be greatly enjoyed by Caulfield families'.

One must question the motivation in bringing forward a motion which is lacking in substance. The Melbourne Racing Club deserves recognition, acknowledgement and public appreciation for the role it plays in both the Caulfield local community and the state of Victoria. To bring this motion after the recent launch of the significant \$1.8 million capital works upgrade, including the new children's playground, is frankly an insult to the contribution made by the racing club's committee, members and staff.

There will always be those who seek for their own purposes to denigrate what others have created of their own free will. I am not going to speculate on the possible motivations for this motion, but nor will I remain silent as those across the chamber launch an unwarranted attack on this esteemed racing club, its proud history and the benefits and services which it continues to deliver to the local community and this

state. Instead of giving recognition and appreciation for benefits and facilities extensively enjoyed by the local community, particularly the significant improvements over this period, this is an attempt to chip away at the edges and to undermine the legitimacy and achievements of the club.

In the context of both horses and private endeavour, I am reminded of and now quote Sir Winston Churchill, who stated:

Some people regard private enterprise as a predatory tiger to be shot. Others look on it as a cow they can milk. Not enough people see it as a healthy horse, pulling a sturdy wagon.

This is what is truly happening with this motion: there is an attempt to shoot down the predatory tiger of success without any focus on all that is being achieved by the steady horse continuing to pull the wagon and delivering benefits to the local community. Whatever the motivation behind this motion, it is not about the benefits and value added to Caulfield, the surrounds and the local community by the Melbourne Racing Club at Caulfield Racecourse Reserve, because these speak for themselves. They have done so over 137 years and continue to do so day after day, week after week and year after year.

This club continues to be open to engagement with the trustees and the local council on any and all matters in relation to the reserve, and this commitment has been made many times. As I have detailed in noting the recently opened capital improvements at the racecourse reserve, this motion is totally without substance. For these reasons the government will not be supporting this motion.

**Ms PULFORD** (Western Victoria) — In the few minutes that remain in this debate I would like to put the Labor Party's position on Ms Pennicuik's motion and speak on specific points contained within it. The Labor Party will be opposing this motion. The decision by the Glen Eira City Council was, we believe, a breach of an agreement less than two years old — an agreement between the club and the council that would have provided for the club to spend some \$2 million to increase public use of the facility and provide new facilities, like toilets, barbecues, a children's play area and the like.

On the point of the removal of horse training and car parking from the Crown land, this is not something the Labor Party supports, and Labor members are on the record in relation to this matter. There are significant consequences to those actions, and we do not support this blunt instrument.

In relation to paragraph 6 calling on the state government to amend the membership of the trustees of Caulfield Racecourse Reserve to reduce the number of racing industry representatives, I say that what we know is that right now the club has a trust that is operating independently. There is in fact a reasonably well-publicised disagreement between the club and the trust over various matters at the moment, and it is indeed the role of council, I would suggest, to represent the community's views.

I will also just make a comment about paragraph 6(c) of Ms Pennicuik's motion, and I am conscious of the short amount of time I have available to contribute to this debate. The motion proposes equal purposes for the Crown land — a racecourse, public recreation and a public park. I know we are in the middle of the Spring Racing Carnival, and I know that a lot of members enjoy going to the track year round and that a great many more Victorians go at this time of the year. I am not sure how you take one-third of a racetrack and still have it as a functioning racetrack. This is an impractical suggestion, and it is not made in a way that could possibly be cognisant of the practical realities of the fact that this area is a fully functioning racetrack right now. I also make the point that the Crown lease does not even talk about equal purposes for the use of that land.

Finally, in 6(d), Ms Pennicuik's motion seeks to ensure that all financial arrangements and transactions associated with the Caulfield Racecourse Reserve are subject to audit by the Victorian Auditor-General's Office. I will make the point that this is a matter that comes under the Audit Act 1994, and if this is what the member seeks to do, perhaps she might like to introduce amendments to that act. The clock says my time is up. The Labor Party will be opposing this motion.

**Business interrupted pursuant to standing orders.**

## STATEMENTS ON REPORTS AND PAPERS

### ***Auditor-General: Implementation of the Strengthening Community Organisations Action Plan***

**Mr ELASMAR** (Northern Metropolitan) — I rise to speak on the Auditor-General's report on the implementation of the strengthening community organisations action plan, dated October 2013.

The former Labor government established the Office for the Community Sector (OCS) in 2008. Its purpose was to enhance and strengthen the capacity of

committee organisations to sustainably continue to provide ongoing services through the development of an action plan over a four-year period. This was done in recognition of the substantial role that not-for-profit and committee organisations play in delivering important services such as health, education, aged care and sporting and recreational activities. The OCS was provided with a budget of nearly \$14 million to implement this four-year plan.

The Auditor-General's report essentially states that the office has done well overall in implementing its action plan for the sustainability and maintenance of community linkages and programs. A common theme that runs through all of the Victorian Auditor-General's Office (VAGO) reports is that most government agencies fail to indicate clear processes or measurement tools to demonstrate the success or otherwise of their strategic plans. Whilst reporting mechanisms are extremely important because they provide critical success and failure factors, it is satisfying to read a VAGO report that acknowledges the value to the community of the Office for the Community Sector and its remarkable achievement in carrying out the four-year strategic plan since its inception in 2008.

The OCS has succeeded in building and strengthening a bridge for non-government organisations to cross. It has been able to navigate a clear path on behalf of the Victorian not-for-profit community sector, and that is no small task to accomplish. However, the Auditor-General has made some recommendations that are worthy of support and implementation. The overriding theme of these recommendations is to do with the OCS developing plans that address reliable and quantifiable outcomes. I will not quote the report, because while the recommendations are necessary for good governance they can be quite protracted. The Auditor-General's recommendations do not seem difficult or time consuming, but it will be up to the Office for the Community Sector, having succeeded in delivering an enormous percentage of its overall targets within the four-year plan, to allocate the time and resources to implement these additional processes and activities. Only time will tell. It is probable that the next audit will demonstrate the Office for the Community Sector's adherence to VAGO's recommendations.

Notwithstanding the apparent success of the four-year plan, Victorian taxpayers money must be accounted for, and transparent sustainability is critical to any future financial allocations to this most worthy unit.

## **Department of State Development, Business and Innovation: report 2012–13**

**Mr ONDARCHIE** (Northern Metropolitan) — I rise today to speak on the Department of State Development, Business and Innovation's annual report for 2012–13 and the great results that we as a state have achieved since the coalition took office in 2010.

National business has continued to face difficult economic conditions, including low growth in national and global markets, a consistently high Australian dollar and an ongoing sense of caution from business and consumers. As ever, business is attempting to maximise productivity and reduce costs in order to stay competitive in the marketplace. However, the Victorian economy has remained strong, with growth expected to strengthen to 2.25 per cent in 2013–14, which compares very well with the situation in non-mining states and with our international competitors.

Victoria shows signs of an economy on the rise with increasing population growth, a strong non-residential building sector and growth in housing finance and dwelling investment. Confidence has been improving, reflecting our low inflation and low interest rate environment and a shift in the exchange rate. Tourism remains strong in Victoria, generating \$19.1 billion in 2011–12 and creating more than 200 000 jobs. This sector has been strengthened by increased tourism from China and India, which has been growing steadily in the past few years.

The Victorian government has given business a strong incentive to invest and have confidence in the Australian economy, and there have been a number of recent investments in both people and capital. In 2012–13 visas were granted to 651 business migrants, who are expected to invest up to \$1.1 billion and create 1300 jobs. According to a report by Deloitte Access Economics, Victoria is well placed to take advantage of the likely economic boom in Asia as pressures on Victorian business wane. It is likely that the value of the Australian dollar will decrease in the coming years, making our manufacturing industry more competitive. The report predicts that six key industries will drive Victoria's next boom: gas, tourism, agriculture, health, international education and wealth management. This government is well aware of these opportunities and will take all reasonable steps to provide these industries with the right environment to flourish.

The coalition's budget position is strong. We are the only state to forecast a surplus over the next four

years — a \$225 million surplus expected next year, leading to a \$2.5 billion surplus in 2016–17. Despite having this surplus the coalition is delivering much-needed investments, including \$6.1 billion in the current period for infrastructure projects.

The government's annual investment in infrastructure is significantly higher than that of the previous government, which averaged just \$3.4 billion per year in infrastructure investments between 2000 and 2010. Victoria is the only state with a AAA credit rating from both Standard and Poor's and Moody's in an environment in which even the booming Western Australian economy has been downgraded. That means less taxpayer money is being used to pay interest and more is being spent on services and infrastructure. Our Premier, Dr Napthine, and our senior ministers have led super trade missions across the world, targeting burgeoning economies to our north such as India and China, and between 100 and 500 companies have participated in these trips. Just last week the Premier was on a trade mission to Japan and China, where he built relationships and announced some great measures as a result to help Victorian investment and trade.

It is an outstanding result from our Premier Denis Napthine and Treasurer Michael O'Brien. It is another example of the Victorian government's success, and it demonstrates that the Menzies spirit is alive and well in the Liberal Party. The Liberal Party stands for the people of middle Australia, those who are doing it tough, those who are trying to make a better life for themselves, their families and their country. We have never stood for sectional interests, like the union movement does. Menzies realised that establishing favourable economic conditions that would expand the middle-class was the only way you would achieve a greater spread of wealth, creating a strong core of the Australian economy which the lower classes could aspire to.

Significant investments have been facilitated in Victoria, including the new Kraft Foods Asia-Pacific Confectionery Centre of Excellence in Ringwood, the expansion of the Cotton On headquarters in Geelong North and the new \$17 million Nine Mile Fresh apple sorting, grading and packaging facility in Tynong. There has been wonderful international trade, great assistance for small business and great assistance for technology, and Victoria is on its way.

### **University of Ballarat: report 2012**

**Ms TIERNEY** (Western Victoria) — I rise to speak on the 2012 annual report of the University of Ballarat. The University of Ballarat has a proud history that dates

all the way back to the gold rush period, the mid-1800s, and in fact it is the third-oldest tertiary institution in Australia. The School of Mines was first established in 1870, and offered courses such as mining engineering, geology, education and business studies, while the technical division provided programs such as wool classing, plumbing and bricklaying. It is an institution that has served the needs of the local community for a very long time. With its history dating back so far it is fair to say that the University of Ballarat and University of Ballarat TAFE are not only institutions of Ballarat, but are a part of what Ballarat is.

As of 1 January next year the University of Ballarat will amalgamate with Monash University's Gippsland campus to form Federation University Australia. This house is familiar with the details because the bill relating to the name change came before us a couple of months ago and was universally supported. Federation University Australia will be the state's first wholly regional university. It is only appropriate that that be the case because the University of Ballarat has demonstrated, particularly through its current vice-chancellor, Professor Battersby, that it truly understands regional education and the need for accessible, high-quality education provision in regional Victoria. Under the leadership of Professor Battersby we have seen enormous changes take place, and I sincerely believe that without his counsel and his leadership we would not be seeing Federation University Australia take its place amongst other institutions come 1 January next year.

In his letter introducing the report Professor Battersby talks about 2012 having been a year of transition that was full of challenges, and indeed it was, because it was a year when we saw enormous cuts to TAFE funding. Of course in 2013 we have seen that play out with a number of staff cuts and with courses cut as well. One can only hope that in 2014 we will experience a year of consolidation for the institution, not just in Ballarat but across other areas of regional Victoria. But at the end of the day, however good you are as the leader of a higher education institution, however good you are as a council member of a university, the reality is that even with the best footwork and the best juggling and an ability to deal with myriad situations, if you do not have sufficient funds to provide proper, high-quality education, you continue to chase the tail of the organisation. I feel enormously for what the higher levels of management have had to tackle in terms of funding cuts, but I am also particularly concerned, and will have ongoing concern, about the impact the budget cuts have had on staff and students in all TAFEs, particularly those in regional Victoria. My concern goes also to access issues for young people at a time when

we have particularly high youth unemployment in this state, particularly in regional Victoria.

Before closing I would like to highlight the 11 people who between them had accrued 279 years of service and who left the organisation during the reporting period. That is a fantastic effort. In particular Mr Dennis Hawkes, a teacher in the school of manufacturing and construction, provided nearly 36 years of employment service to the university.

### **Numurkah District Health Service: report 2012–13**

**Mrs MILLAR** (Northern Victoria) — I am pleased to make a statement in relation to the Numurkah District Health Service (NDHS) annual report 2012–13. Numurkah District Health Service started its life as the Numurkah War Memorial Hospital, which was opened in 1957 by Sir Edward ‘Weary’ Dunlop. I am pleased to report that the health service continues to deliver exceptional health services to the community it serves, and I know that Sir Edward, whom I had the pleasure of meeting several times during my childhood, would have been very proud of its achievements and service to the community, especially given the way in which NDHS sustained its services immediately after the devastating floods of March 2012, which inundated and irrevocably damaged the hospital building.

This building was demolished in June 2013, and I recently attended a site inspection on 8 October with the Honourable David Davis, Minister for Health and Minister for Ageing, and the Honourable Wendy Lovell, Minister for Housing and Minister for Children and Early Childhood Development, to view the plans for the new \$23.8 million hospital and community health centre. Preparation work for the centre has already commenced on the new site, with construction due to start in early 2014.

It was a pleasure to talk with the CEO, Mrs Jacque Phillips, and the exceptional staff of NDHS on this day about the planning for the new hospital and community health centre, including the co-location of a wide range of allied health services all situated on the one site. The excitement in this community is clear. I pay tribute to Mrs Phillips and the dedicated staff across this period. I quote Dr John Best, director of medical services, who noted in the report:

From biblical times, floods have been natural catastrophes which challenge the sensibilities of everyone involved because they leave such a mess once the floodwaters abate. As your part-time director of medical services I was not in Numurkah when it happened and have been a bystander as I have watched this amazing process of recovery led by the

chief executive officer, her board and staff. You follow the bulletins, you see the tent hospital arrangements transformed into a splendid if temporary replacement building while the plans of the new hospital are created, the old building demolished and the scene set for the reconstruction.

In this report NDHS gives recognition to the strong support of Minister Davis, Minister Lovell and the member for Murray Valley in the Assembly, Tim McCurdy, in supporting the hospital across this period. Throughout all this, NDHS reported a small deficit of \$296 000 for the year to 30 June 2013, but with an overall sound total equity position. I congratulate Numurkah District Health Service, board chair Mr Jock McPherson, board members, Mrs Jacque Phillips, medical practitioners and NDHS staff and volunteers on a successful year. I recognise their service to the Numurkah community and their achievements.

### **Office of the Public Advocate: community visitors report 2012–13**

**Mr MELHEM** (Western Metropolitan) — I rise to speak on the community visitors annual report 2012–13 of the Office of the Public Advocate (OPA) headed ‘Promoting the human rights, interests and dignity of Victorians with a disability or mental illness’. Victoria has significant gaps in health services for adults, adolescents and young people, and many services cannot meet demand. The 2012–13 report from the OPA shows that the Napthine government is failing in its responsibility to care for the most vulnerable people in the state. This year’s report tells a similar story to that of last year, with OPA indicating that people with a disability, and in particular women, are at a much greater risk of abuse than other adults. This year OPA has received as many as 22 notifications of people with a disability or mental illness who are at serious or imminent risk.

The community visitors annual report, which has been tabled in Parliament, details the issues that Office of the Public Advocate community visitors have encountered across the state in the last financial year. The report shows that because the government has underfunded services, they have been under significant pressure and are not meeting demand in a number of areas. It is obvious that in Western Metropolitan Region those affected by a mental illness or disability are being let down by a government that is not helping the most disadvantaged. Furthermore, access to respite beds in Western Metropolitan Region is permanently blocked because there is no plan for permanent accommodation to be built. There is a huge delay in communication assessments with speech therapists, and this delay in implementation is affecting the dignity and quality of life of those in need.

The chronic shortage of beds in Western Metropolitan Region means that mentally ill patients remain in emergency departments for longer periods of time than they should. The report goes on to say that community visitors who inspected accommodation for disabled and mentally ill people on behalf of the public advocate exposed troubling practices, which were driven by bed shortages and high demand. The incidence of abuse, neglect and assaults in care has increased again, with a total of 209 cases reported across the state in residential, disability and mental health. This was a significant increase up from 183 cases the previous year. The annual report also indicates that early discharge and inadequate follow-up care on patients has led to suicide and in some cases the assault of a spouse. The report also highlighted that many vulnerable mental health patients were being released prematurely from Victorian facilities so staff could meet discharge quotas and free up beds.

These anecdotes demonstrate what happens when these services fail, such as an acute mentally ill patient being restrained to a bed for 24 hours and reports of disability service providers employing staff who are not properly trained to deal with clients. There is a shortage of beds for patients with mental illness, of respite facilities and of properly trained disability services staff, and the Napthine government is not doing enough to address this. We need to improve access to locally available health services and other support services that offer opportunities and allow our community to get the best possible care. The government needs to stop cutting funding from these community services. The providers and those vulnerable people in the community need more support, not less.

### **Commission for Children and Young People: report 2012–13**

**Ms CROZIER** (Southern Metropolitan) — I am pleased to rise to speak this evening on the annual report 2012–13 of the Commission for Children and Young People. I want to congratulate Mr Bernie Geary, the principal commissioner, firstly, on his appointment to this very important position, and secondly, on his first report. It is a very detailed report that goes to some of the initiatives the commissioner has set up and is working on. Mr Geary has said that the aim of the commission is to improve young lives. In his introduction he said:

I congratulate the Victorian government on being courageous and having the drive to create a commission that is truly independent and able to carry the voice of children to government, service providers and to the broader community.

At the last election the coalition made a commitment to ensure that we had an independent commission for young children, and I commend the Minister for Community Services, Mary Wooldridge, for her drive to see this election commitment through. The commission came into being in March of last year, so it has not been in operation for terribly long. It was operational in March this year. During that time all members of staff were appointed to this new body, and it was very busy undertaking a number of reviews and reporting to government.

One of the first things the commission has undertaken is to have a dedicated commissioner for Aboriginal children and young people. The minister has been very insightful in recognising that this cohort of young children has particular needs. In her second-reading speech on the Commission for Children and Young People Bill 2012, she spoke of the significant overrepresentation of members of this group in the child protection system. Hopefully by appointing a commissioner for Aboriginal children and young people, we can address some of those numbers that are coming through our justice system.

I am very pleased that she also recognises the importance of those young people in the justice system. In conjunction with the Minister for Education, Mr Dixon, she put education facilities into Parkville College and turned it into a school. A joint media release of 25 February from the two ministers states:

Parkville College holds classes for every young person in the youth justice centres, six days a week, every week of the year. While literacy and numeracy are the focus on weekdays, weekend classes consist of vocational education and training to prepare young people for employment or further training once they leave custody.

I think that is a tremendous initiative by the minister, working together with the Minister for Education to recognise that these children and young people do have a future once they leave custody. They are getting support, whether that be through applied learning approaches or undertaking their Victorian Certificate of Education. They are getting the education and training and, importantly, the skills to enable them to continue on in an effective manner once they leave custody. That is a very good initiative that the minister has undertaken.

To get back to what the commission has done, the report lists the achievements in the past year or so as:

successfully transitioned all of the Office of the Child Safety Commissioner's staff and operations ... to ... the commission to be operational by 1 March 2013 ...

participated in the recruitment and selection of the Commissioner for Aboriginal Children and Young People and the chief executive officer ...

...

worked with the Australian Children's Commissioners and Guardians ... to promote the safety and wellbeing of children through collaborative contributions to legislative and policy reform ...

presented at more than 70 conferences, workshops, forums ...

It is making a significant contribution. I would like to congratulate Bernie Geary and his team for the work that they have undertaken to date. I look forward to hearing more about them and the good work that they are undertaking on behalf of all Victoria's young children.

### **Ombudsman: report on integrity legislation**

**Ms PENNICUIK** (Southern Metropolitan) — I wish to speak tonight on the Victorian Ombudsman's report entitled *A Section 25(2) Report Concerning the Constitutional Validity of Aspects of Victoria's New Integrity Legislation* of October 2013. This report should be of concern to everyone here and to all Victorians, as the Ombudsman warns us that legal advice provided to him by Mr Eamonn Moran, QC, asserts that the Integrity and Accountability Legislation Amendment Act 2012 (IALAA) is inconsistent with the Victorian constitution, and that this inconsistency causes the entire IALAA to be invalid. The Ombudsman states that the result of this invalidity is that:

... all of the amendments purportedly made by the IALAA to over more than 40 acts of Parliament, including the Independent Broad-based Anti-corruption Commission Act —

2011 —

the Victorian Inspectorate Act —

2011 —

the Ombudsman Act —

1973 —

and the Audit Act —

1994 —

will be ineffective. That invalidity will fundamentally undermine the effectiveness of the new integrity scheme. Further, the uncertainty as to the validity will place integrity agencies in the undesirable position of either acting in accordance with legislation that Queen's Counsel have advised is invalid, or to treat the IALAA as invalid and function as if it had not been passed.

This uncertainty also places individuals within those offices in a difficult position in carrying out their duties. For example, if the IALAA is invalid, IBAC officers may be breaking the law by carrying guns. I have to say that I was opposed to them carrying guns at all.

The potential invalidity of the act is also of relevance to those subject to the actions of integrity bodies and could provide grounds for their jurisdiction to be challenged. For example, if the act is invalid, the Ombudsman's ability to receive and act on matters referred by IBAC under provisions in the IALAA would be in doubt. A subject of an investigation may seek to challenge the Ombudsman's jurisdiction as a consequence. The impact of a successful challenge would be considerable. It could potentially invalidate many integrity agency actions taken since 10 February 2013, the date of commencement of the IALAA. The Ombudsman advises that remedial action must be taken as soon as possible to ensure the continuation of an effective integrity scheme. The Ombudsman posits that there needs to be either a Supreme Court declaration 'as to the validity of the IALAA and the provisions it purports to add to various acts' or — the preferred option — remedial legislation needs to be passed by the Parliament.

Such legislation would need to repeal the IALAA and replace it with new legislation to re-enact it, other than the provisions considered inconsistent with the relevant sections of the constitution, these sections being 94E and 94B of the Constitution Act 1975. That replacing legislation would need to operate retrospectively from the same date as the IALAA so as to ensure that there is no hiatus in the coverage of the integrity system.

The Ombudsman said:

I provided a draft version of this report to the Premier, the Honourable Denis Napthine ... who advised that 'the government will be relying on the advice of the solicitor-general, who has given clear advice that the state's integrity legislation is constitutionally valid' ...

The Ombudsman went on to say:

Given the consequences to the independence of my office and that of the Auditor-General arising from the IALAA; and given the consequences to the validity of actions taken within the integrity scheme if a court were to find that the solicitor-general's opinion is incorrect, I consider that I have no option but to draw these matters to the attention of the Parliament.

So he has done in this report. I would encourage all people interested in these issues to read the report and the conclusions that the Ombudsman has come to. It is difficult to reconcile the position of the solicitor-general with the expert legal opinion contained in this report.

The government needs to take note of this report, because if there is a challenge in the courts then we will be in either of the positions proposed by the Ombudsman. In the meantime I encourage the government to take the report seriously.

### **Department of Human Services: report 2012–13**

**Mrs COOTE** (Southern Metropolitan) — I have a great deal of delight in speaking on the Victorian Department of Human Services annual report 2012–13. It is pleasing to see that the introduction of this annual report gives an overview of the year and talks about issues that are really important to the Department of Human Services (DHS). I would like to reiterate what they are. The report states:

Our strategic intent

The Department of Human Services supports Victorians in need to build better lives and achieve their potential.

We do this by providing housing and community services and programs so that individuals and families are supported and can participate in their community, the economy and life.

Then the report talks about the department's client services charter, values, client focus, professional integrity and respect, quality, collaborative relationships and responsibility.

As the parliamentary secretary to the Minister for Community Services, the lead minister in the community services area, Mary Wooldridge, I have to say that I take a great deal of pride in this organisation. It is the Department of Human Services; it is about people. It is about helping people to reach their potential in the best possible way for them, for their families and for the people they care about. We deal with some of the most challenging people and circumstances in the community. We help to support them and to work through their issues. At the very outset I would like to put on the record my praise for the coalface workers — the child protection workers, the people in housing, the people who deal with homelessness and the people who deal with the disability sector. These workers absolutely deserve all of our praise and admiration. They are dedicated, hardworking staff who deal with some of the issues in our community that others choose not to even address.

This is a pleasing report full of what I believe is good news. I would like to refer to some of the highlights of this year's annual report. I remind the chamber of some of the financial support that has been put into the department this year. More than \$4 billion was spent last year to support vulnerable Victorians, and about

1500 community services providers helped to provide this support. That is an enormous amount of additional support. It is extremely expensive. Personal care and additional support is not cheap; it is very, very costly. Four billion dollars is an enormous commitment, but it is so important that individuals in crisis and their families are encouraged to get their lives back on track.

The department had a number of changes this year. Change is a very difficult thing. The department had a close look at how it could streamline its services in a better way, and a major reconstruction was made at the end of the last calendar year. To give the workers at the DHS their due, they dealt with these changes in a remarkably mature and engaging way. There were some issues. Some people were wondering where their job would be and how it would change.

However, here we are almost a year on, and I have to say the changes have been remarkably successful. They have given greater autonomy to the regions — which are aptly named north, south, east and west, and which include the metropolitan and regional aspects of those regions — which is giving a continuity to the services that are provided in those areas. Some people have had to take on larger roles and be more generalist rather than specialist. Initially that was a challenge, but people have adapted to that very well and I believe the new system is working very effectively. Certainly that is the feedback we are getting from the clients and other people we deal with.

Another big initiative this year has been the development of the Services Connect program. As I have said before in this chamber, we had found that some families in distress were dealing with 10 case workers, that those families had to deal with each one of those case workers on an individual basis and that therefore there was a lack of continuity. Services Connect has been very successful in combining all of those sectors within the Department of Human Services to work together constructively in a holistic approach to help families in crisis. It is working exceedingly well. We have trialled it in the Barwon-south western region, and other regions are now going to be recipients of this initiative. These are big structural changes to a very large department, but they all go to making our services more adaptable and better for families in crisis and in need.

### **Transport Accident Commission: report 2013**

**Ms DARVENIZA** (Northern Victoria) — I am pleased to rise to make some comments on the Transport Accident Commission annual report 2013. At the outset I would like to acknowledge the

contribution of the chairman, Paul Barker, and the CEO, Janet Dore. The Transport Accident Commission (TAC) covers transport accidents directly caused by the driving of a car, motorcycle, bus, train or tram. The TAC also provides support services for people injured in a transport accident as a driver, passenger, pedestrian, motorcyclist or, in some cases, cyclist. TAC is a no-fault scheme. This means that medical benefits will be paid to an injured person regardless of who caused the accident.

The commission works closely with Victoria Police and VicRoads, and most in the community would be aware of its hard-hitting campaigns that increase awareness of road safety issues, change behaviour and ultimately reduce the incidence of road trauma. Over the past 12 years the Victorian road toll has almost halved, which has been achieved in part through sustained campaigning to reduce road trauma and death on Victorian roads.

The commission achieved a number of significant outcomes this year, for which it should be congratulated. It provided \$1.086 billion in support services for 45 038 people. That is a huge number of Victorians who have received some level of support. It launched the 10-year Road Safety Strategy, committing \$100 million per year to achieving road safety improvements as well as investigating and reducing serious injury crashes. The strategy aims to reduce road deaths by 30 per cent to less than 200 deaths per year. It also sets out a clear intent to investigate serious injuries and reduce them by more than 30 per cent over a decade, an aspect of the strategy in which the TAC will play a key role. The TAC reported the lowest ever Victorian road toll of 282, which was 5 fewer than in 2011, but I am sure that everybody in this chamber would agree that that is still too many. The commission reported an after-tax operating profit of \$973 million. Sadly, of great concern is that my electorate of Northern Victoria Region is significantly represented in the data for this year's fatalities, with 71 of the 282 deaths occurring in northern Victoria.

Road trauma costs lives and money and devastates close-knit communities in rural and regional areas of our state. The economic cost of road trauma is estimated to be more than \$3 billion a year to the Victorian community, according to the Road Safety Victoria website. A key way to reduce this ongoing cost is to improve the quality and safety of our roads. The Liberal-Nationals state government has committed to funding the east-west tunnel, which means that \$8 billion will not be spent on transport projects like the

Shepparton bypass or the Kilmore-Wallan bypass, which are urgently needed now.

Victorians living in rural and regional areas of the state have been abandoned by the Liberal-Nationals state government, which has put \$8 billion into a project at the expense of other essential road projects. This week we learned that emergency services workers who attend horrific car accident scenes will have access to compensation for post-traumatic stress disorder restricted under changes the Liberals and Nationals are making to the TAC scheme. Emergency services workers deserve access to compensation if their mental health becomes affected by anything that occurs on the job. At the moment workers who suffer a psychiatric illness as a result of witnessing the aftermath of a transport accident are able to seek compensation. Under the changes proposed by the government, if an accident was as a result of a suicide or a deceased person was predominantly at fault, then the emergency services worker will not be entitled to compensation.

The state government has also included grieving relatives in its proposed changed legislation. Under the proposed new legislation grieving family members will need to prove that they were unable to work for three years after an accident occurred to receive compensation. These are very harsh changes that the government is seeking to make, particularly given that the TAC has made a profit of \$973 million. Dr Napthine and his Liberal-Nationals coalition government are attempting to take money from a well-performing scheme, and I think the move is a heartless one.

### ***Auditor-General: Prevention and Management of Drug Use in Prisons***

**Mr RAMSAY** (Western Victoria) — I appreciate the opportunity to make a statement on the Victorian Auditor-General's report on the prevention and management of drug use in prisons. I would not normally comment on or take much interest in this report, but given that I am the member of a parliamentary committee which is inquiring into the supply and use of methamphetamines, including ice, in Victoria, as is my colleague in this chamber Mr Johan Scheffer, I thought it would be interesting to see what has evolved since the Victorian prison drug strategy 2002. This was a framework to prevent drugs from entering the prison system and to detect drugs within prisons. It identified and treated prisoners with drug problems, and evaluated, monitored and reported performance.

I was interested in seeing how we had progressed since 2002, when that drug strategy was introduced. Without going into detail about the current inquiry, I was interested to see how the state government's law reform policy and its significant investment in increasing prison capacity, and also the increased use of drugs, including recreational and long-term use and substitute drugs, have impacted on the prison system. The Auditor-General's report indicates that there is a correlation between significant alcohol abuse, drug use and criminal activity prior to people going into the prison system. That is consistent with some of the committee's findings in its current inquiry.

I wanted to see whether there has been a reduction in the use and trafficking of drugs within the prison system. I am pleased to report that the Auditor-General has found that the work done within the prison system by Corrections Victoria in scanning prisoners and monitoring the use of drugs has resulted in drug use in prisons having not increased during the last 10 years. In fact an interesting statistic is that although 70 per cent of Victorian prisoners used drugs prior to entering the prison system, over the last 10 years only 5 per cent of them have tested positive to drug use while in the system. That tells me that the frameworks in place for the ongoing monitoring and detection of prisoners using drugs are working. That could at least partly be the result of the use of scanners. There are over 1 million visitors to the prison system every year. There are opportunities for drugs to be taken into prisons, but mechanisms, including the new technology of scanners, the use of stiffer dogs and also ongoing drug testing, are having a significant impact in stopping the entry of drugs into prisons and their ongoing use within the system.

I also note that the report has identified some weaknesses in performance monitoring and evaluation, and the Minister for Corrections is aware of these. Through Corrections Victoria the government is responding to the weaknesses identified in the report. Overall — —

**The ACTING PRESIDENT (Mr Ondarchie)** — Order! The member's time has expired.

**Economy and Infrastructure References Committee: commonwealth payments to Victoria**

**Mr SCHEFFER** (Eastern Victoria) — I will make some remarks on the final report on the inquiry into commonwealth payments to Victoria which was conducted by the Legislative Council Economy and Infrastructure References Committee. The report was

tabled in the Council in November last year. The committee was asked to inquire into a number of commonwealth payments, including national partnership payments, financial assistance grants to local government, commonwealth own-purpose expenditure and direct outlays.

In conducting the inquiry, the committee was asked to have regard to the following: whether the money Victoria receives is proportional to its population and the contribution the state makes to the Australian economy; whether the share Victoria receives varies across the areas of government service delivery and economic activity; whether the funding conditions are limiting the capacity of Victoria to innovate and efficiently deliver services; whether the administrative costs and accountability processes are appropriate; and what happens to programs after the commonwealth has ceased funding them.

These are all good questions, and the committee states in its final report that it cast far and wide for the best input, contacting 133 individuals and organisations including local government and Victorian government departments. However, the committee notes that delays in obtaining survey returns from government departments hampered its investigation. The final report contains a useful account of federal-state financial relations, which demonstrates some of the causes of vertical fiscal imbalance — namely, the difference in the relative revenue and spending responsibilities of the commonwealth and the states.

A section within chapter 2 suggests that the report will consider vertical fiscal imbalances in selected Organisation for Economic Co-operation and Development (OECD) countries. The committee cites Canada, the United States, Germany, Austria, Australia, Belgium and Mexico. However, there is nothing there, just a bar graph showing presumably that Mexico is the worst — that is, the national government collects more revenue than the states — and that Canada is the best, presumably because the commonwealth collects more revenue than the provinces.

The report says that the United States, Canada and Switzerland, which was not in the selected OECD sample, have opted for a competitive approach where states and national governments can tax whatever they like, whereas Australia has opted for a model of cooperative federalism, within which all states, irrespective of their various capacities to raise revenue, are able to provide, through commonwealth redistribution, the same level of services. That is it on vertical fiscal imbalance in selected OECD countries; there is not a mention of Germany, Austria or Belgium.

The final report presents a number of excellent graphs showing the share of national revenue that is raised by the states and the commonwealth as compared to service outlays. While the commonwealth collects just under 60 per cent of revenue and the states around 35 per cent, the states deliver over 50 per cent of the services and the commonwealth around 35 per cent. The report shows that just under half — that is, 48 per cent — of commonwealth grants to Victoria are general revenue assistance grants, 32 per cent are national special purpose payments and 17 per cent are national partnership payments, whereas 3 per cent are financial assistance grants made to local governments.

In order to set out a base line, the final report usefully sets Victoria in context. By land area the state is around 3 per cent of the country; by population Victoria is around 25 per cent, with 6.5 per cent of the national Aboriginal population; Victoria produces some 23 per cent of the country's gross domestic product; and, notwithstanding the fact that Victoria has a land area of 3 per cent of the continent, the road network comprises one-fifth of Australia's roads. The largest source of revenue for Victoria comes in the form of grants derived from the commonwealth, and yet the size of these grants has been falling in recent years. The report says that as a percentage of total payments by the commonwealth, the national partnership payments are decreasing. The final report notes that establishing clear answers to the terms of reference — namely, whether Victoria is receiving a fair share of the commonwealth's financial grants — is a very difficult task, and some of the figuring is extremely complex.

The eight recommendations go to making a range of improvements to the current GST distribution system — which, incidentally, was not a term of reference — and implementing a commonwealth review of the rising number of national partnership agreements with a view to reducing the number of such agreements and rationalising the reporting arrangements. The report also recommends that the Victorian government include in the budget papers an annual report on the delivery impact of agreements that are not renewed, and that there be a review of the national partnership arrangements, including the process for the expiry of agreements. On that point, I will conclude.

### **Outer Suburban/Interface Services and Development Committee: growing the suburbs**

**Mrs KRONBERG** (Eastern Metropolitan) — I wish to make my contribution this evening on the Outer Suburban/Interface Services and Development Committee's report entitled *Growing the Suburbs* —

*Infrastructure and Business Development in Outer-Suburban Melbourne*. Although I am no longer the chair of the committee, which was folded into the Economic Development, Infrastructure and Outer Suburban Interface Services Committee in the middle of this year, because there are two interface councils within Eastern Metropolitan Region, some of these points are of particular interest to me. Also, some of the points I raised in an earlier contribution go to the heart of the sorts of principles that have been adopted by the Minister for Planning, the Honourable Matthew Guy, when it comes to the notions of increased urban densities and smart growth.

It is important to stress the scale of the infrastructure challenge that must be met to support growth of any description for outer suburban Melbourne, whether it is smart growth or otherwise. That is very apparent from the recent estimate that, based on current population forecasts, the housing industry will continue to deliver within metropolitan Melbourne an additional 555 000 dwellings over the next 20 years, or around 30 000 dwellings each year. If the settlement trends of the last decade continue, with around half of all growth in housing stock being in growth areas, then further pressure will be placed on existing infrastructure to accommodate the inflows of population, housing and other developments in Melbourne's growth areas. Some of the committee's recommendations centre around the concept of increased residential densities in the interface council areas, especially in the growth corridors, and may help to mitigate the pressure on infrastructure to accommodate population inflows.

Two of the noteworthy contributors to the report are Professor Richard Weller and his colleague in academia, Dr Julian Bolleter. In their 2013 book *Made in Australia — the Future of Australian Cities* they predict that by the beginning of the next century Australian cities will have been transformed by smart growth and approaching landscape urbanism. I think it is worth including a quote by Professor Weller and Dr Bolleter. They say:

... our cities should also demonstrate structural transformations and innovations embodying a more sophisticated and symbiotic relationship with the ecosystems upon which they ultimately depend. By then, after three centuries of trial and error, we may have learned to live with the landscape of this country.

I think they make a really profound point. Professor Weller and Dr Bolleter suggest that in the meantime Australian cities will need to increasingly adopt smart growth and landscape urbanism principles to accommodate the major population growth that has been forecast for the coming decades. To visualise

some of these principles I encourage people to read their publications *Boomtown 2050 — Scenarios for a Rapidly Growing City* and *Made in Australia — the Future of Australian Cities*, because there are some stunning visuals that one can take in by looking at those works. They are really breaking new ground. We are talking about people who are certainly thinking outside the square. They are in not only 21st-century but second-half-of-the-21st-century thinking mode. These people will be leading contributors in how we design our cities and how we live within the built environment.

Another quote focuses on the Australian Bureau of Statistics forecast of the Australian population increasing to more than 62 million people by the year 2101. It states:

... we consider the spatial implications of ABS projections for each of Australia's major cities and argue that by mid-century, if not before, these cities will have reached their limits.

This is something we need to consider in planning in Melbourne:

Dysfunctional, overcrowded cities are not in anyone's best interest.

... We offer an approach to growth that is environmentally precautionous and simultaneously optimistic — —

**The ACTING PRESIDENT (Mr Ondarchie)** — Order! Thank you, Mrs Kronberg. Your time has expired.

**Auditor-General: *Developing Transport Infrastructure and Services for Population Growth Areas***

**Mr EIDEH** (Western Metropolitan) — I rise to speak on the Auditor-General's report entitled *Developing Transport Infrastructure and Services for Population Growth Areas*, dated August 2013. I find a few key points in this report quite interesting, particularly the fact that the Auditor-General stated that urgent action is required to 'address this serious problem'. The serious problem I am referring to is the lack of infrastructure that is available to residents in identified growth areas and which could become a catastrophic problem in the coming years if the government does not act by responding to the Auditor-General's recommendations.

I assume, given the lack of interest and definite lack of action in these areas, that the government has either yet to read the report or refuses to come to terms with the fact that seven areas in Victoria have been identified as growth areas of Melbourne, and they are not in the

inner eastern suburbs; three of them are in my electorate — Hume, Melton and Wyndham.

The Auditor-General indicated in the report that the growth, which is expected to reach 5 million before 2030 in Melbourne, 'has created a major challenge for the state to provide the transport infrastructure and services needed to sustainably support these communities'. Another interesting point in the report is that it estimates that \$18 billion is required in state funding, and I stress 'state' to ensure that the government does not spin this figure as a due that should be paid by federal funding, even though I suspect that the government will become suspiciously quiet on federal funding now that a coalition government is in power.

I am at a loss as to where this \$18 billion will come from, especially when you consider that \$8 billion is going to a project that is not required and that has not been identified as requiring urgent attention — that is, the east-west link tunnel. In fact, the tunnel is just going to add to the problems identified in this report of increasing car dependence, pollution and traffic congestion at a significant community cost. Therefore the tunnel will do nothing for transport infrastructure except exterminate any possibility for development for the next 10 years.

How can this government expect first home owners to try to build their dream homes in outer suburbs that do not have the proper infrastructure to sustain growth? The government is encouraging people to invest in these outer suburbs without adequately investing in them itself. The investment needs to be in public transport, not tolled roads, as the Auditor-General highlights. I sincerely hope the government reads the report and ensures it delivers on its recommendations. I commend the report to the house.

**Business interrupted pursuant to sessional orders.**

**ADJOURNMENT**

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

That the house do now adjourn.

**Burke Road, Glen Iris, level crossing**

**Mr LENDERS** (Southern Metropolitan) — The matter I raise on the adjournment tonight is for the attention of the Treasurer, Michael O'Brien. A brochure went out to a big slab of my electorate last week advising people that in June the government awarded the contract to prepare the designs and develop options

for the removal of the Burke Road level crossing at Glen Iris. During peak times the boom gates at this intersection come down for up to 38 minutes in the hour, as trains pass by at just 15 kilometres an hour. This road crossing carries some 25 000 vehicles, 150 trains and 95 trams every day.

The Treasurer, in his capacity as the member for Malvern, has put out a brochure talking about the wonderful work that has been done — and I commend the government on that — but so far in the Southern Metropolitan Region, of which I am one representative, what we have seen to date, despite numerous policy announcements for a number of level crossings, is feasibility studies and consultations on a few, but the only action has been construction on the New Street, Brighton, level crossing, which was not particularly high on any of the lists. It is good for the people living around it; it is probably a great tribute to the Minister for Innovation, Services and Small Business, as the member for Brighton in the other place, that she managed to get the money for it, but it is not dealing with congestion through most of the Southern Metropolitan Region.

The action I seek from the Treasurer is that, following his brochure to residents advising that work is being conducted on how the government would deal with this level crossing, he outline in which budget of this term we will actually see the money to do grade separations on Burke Road and the other level crossings in Bentleigh and other parts of the Southern Metropolitan Region that government members have touted so aggressively.

### **Australian Wheelchair Handball championships**

**Mr ELSBURY** (Western Metropolitan) — The matter I raise this evening is for the attention of the Minister for Sport and Recreation, Hugh Delahunty, and it relates to a little known sport called wheelchair handball. This sport is played by people with varying degrees of mobility who can participate as equals on a court of a similar size to that of a basketball court, but instead of throwing a ball up into the air as you would for basketball there are nets at either end of the court, as are used in indoor soccer.

We recently sent a team to the 2013 world championships held in Brazil, and I am pleased to say that Australia came fourth out of the nine participating nations at that event. Most of the teams came from South America, but Australia was well represented. The sport is controlled by the International Wheelchair

Handball Federation, and Australia has been offered the opportunity to host the 2015 event.

I have been speaking to a gentleman by the name of Wayne Slattery, who is the vice-president of the Australian Wheelchair Handball Association. He is eager for this event to come to Melbourne and would like it to be held in the western suburbs at Werribee. The Wyndham City Council is currently redeveloping the Werribee sports and fitness centre. This facility would be an ideal venue for such an event to be held as it will have the most modern all-abilities access facilities available and ample court space. The project, I understand from Wyndham City Council, will be starting shortly and will be completed in 2015, with the proposed date of the event being October or November 2015, so we have quite some time to get ready for it.

I call on the minister to make some time available to meet with Mr Slattery to discuss the proposal, because I feel that being able to bring such an event not only to Melbourne but to the western suburbs, of which Western Metropolitan Region is a part, would be of great benefit to our state, showing that we are about supporting people's abilities and about promoting sport to everyone. It would also be of great benefit to the local economy across the western suburbs. I wholeheartedly support this initiative and look forward to discussing the matter further with the minister.

### **Reg Geary House**

**Ms MIKAKOS** (Northern Metropolitan) — My adjournment matter this evening is for the Minister for Ageing, and it relates to the proposed closure of Reg Geary House, a 30-bed high-care facility in Melton South in June 2014. Residents and their families were first informed of this closure last Friday afternoon, at which time the president of the board at Western Health, Mr Russell Harrison, was asked whether Western Health had considered any options aside from closing the facility. I am informed by those present that he said none had been considered.

However, in response to my question without notice today the minister said that Western Health did look at a number of options. Who are we to believe? What were those options and why were they rejected? The minister also failed to commit to having discussions with Western Health and exploring these options. This is now the seventh closure of a public aged-care facility during this government's term, and it follows the earlier closure of Hazeldean Nursing Home in Williamstown, which was a 40-bed high-care facility, also operated by Western Health. This means 70 high-care beds have now been lost in the western suburbs.

It is my understanding that the alternative aged-care facilities in Melton do not have sufficient capacity to accommodate all of the existing Reg Geary residents. For example, Trinity Garden Aged Care Facility has a waiting list of 30. This will mean family members like Joe Coyne, who twice a day visits his 86-year-old wife suffering with severe dementia, may face the prospect of his wife being relocated some considerable distance away.

The minister has failed to acknowledge his role in this decision. He seems to think that asking that residents be assisted to find alternative accommodation is the extent of his responsibility. The minister said a factor influencing this decision was long-term viability. How can it be viable if he is ripping \$75 million from public aged-care funding? Crocodile tears are not enough. He wants these closures and he is bringing them about. Given the minister's lack of commitment to keeping Reg Geary House nursing home open, the minister should at least guarantee that all the existing Reg Geary House residents be suitably relocated nearby and that all staff will be redeployed within Western Health.

The question I ask of the minister is how he can claim to be satisfied that a proper process was followed when Western Health said no alternative options were considered, and he said that they were. The minister should reveal what those options were and why they were rejected, and commit to having discussions with Western Health to further explore those supposed options.

### **South West TAFE Glenormiston campus**

**Mr RAMSAY** (Western Victoria) — My adjournment matter is for the attention of the Minister for Higher Education and Skills, the Honourable Peter Hall, and is in relation to the Glenormiston College campus in Noorat and the decision by South West Institute of TAFE not to renew the lease of the campus and the operating dairy farm post March 2014. My interest, unlike the opposition, which only wants to make a cheap political point relating to that decision, is more about why a campus like Glenormiston — or Longerenong College, Dookie campus, or even Melbourne University — is not meeting the needs of current agricultural education delivery.

I am a past student of Glenormiston, back in a time when the college was fully accommodated and the diploma of farm management course delivery on campus was in demand. Speaking with the chair of South West Institute of TAFE, Mike Wise, and CEO Peter Heilbuth, I was comforted by the fact that the agricultural education delivery given at Glenormiston

will continue but in a different form which does not have the cost of a large campus dealing with dwindling enrolments and strong competition from private providers. The slow demise of Glenormiston campus started when the Victorian College of Agriculture and Horticulture was taken over by Melbourne University and structured under a federal system of learning. But that is the past and we now have students who are time poor and providers who cannot afford the on-costs of large campuses with reducing enrolments. Marcus Oldham College is the exception and is meeting a specific market structured to meet a specific demand for delivery, supported by strong marketing and networking.

There is no doubt western Victoria, which has the capacity to play a significant leadership role in food production and processing, needs to educate its leaders. Rather than taking Labor's position of blaming all and sundry for the current demise of the Glenormiston College campus as a breeding ground for our agricultural managers and leaders, I prefer to take a more intelligent and practical direction and would have the minister play a leading role to ensure that, firstly, the agricultural community will continue to be provided with the appropriate skills, training and qualifications needed to develop workforce capacity; and, secondly, he works with key stakeholders to optimise the opportunities for the Glenormiston campus for the benefit of agriculture and the western Victoria region.

I implore the minister to be involved in the issue of what could become of the Glenormiston campus, and perhaps to play another distinctive role in enhancing education in the important primary production role of agriculture, agribusiness and the interests of the community of Western Victorian Region by the full utilisation of the campus at Glenormiston agricultural college.

### **City of Wyndham roads**

**Mr MELHEM** (Western Metropolitan) — My adjournment matter is directed to the Minister for Roads, Terry Mulder. It regards the funding of road infrastructure projects across the city of Wyndham. The action I seek is for the minister to provide increased funding for road infrastructure projects across Wyndham, ensuring that funding is delivered within the next three years for all the priority 1 projects. In its strategy for managing growth released this year, the City of Wyndham notes that there are substantial infrastructure backlogs in various areas of development, one of the most important being road infrastructure. With 3000 new homes being built in Wyndham every year, the population continues to grow by

8400 residents annually. The City of Wyndham has indicated that there is a need for an average of 2.3 kilometres of new duplicated road each year to cope with the influx of residents to the area.

The City of Wyndham is keen for VicRoads to take responsibility for its fair share of road infrastructure in the region so as to take the financial burden off local residents and ratepayers. The City of Wyndham has compiled a list of priority 1 arterial and intersection upgrades it believes are needed within the next three years. Those have an approximate cost of \$166 million and include at least 11 projects, including 3 intersection upgrades. That list includes, but is not limited to, priority 1 arterial projects at Armstrong and Ison roads, Wyndham Vale; Dohertys Road and also Leakes Road in Laverton North; Sayers Road in Truganina; Derrimut Road in Tarneit; and projects at both Palmers and Dunnings roads in Point Cook. In addition, upgrades are needed at the intersections of Heaths and Tarneit roads, Leakes and Palmers roads as well as at Point Cook Road and Sneydes Road as priority 1 projects.

To ensure that the road infrastructure backlog is fixed in the city of Wyndham, and to ensure that residents across the area have better access to the rest of Melbourne, the Victorian government needs to do more to improve funding to those projects across Wyndham. That is why I ask the Minister for Roads to give an assurance that priority 1 projects are funded in Wyndham.

### **Ambulance services**

**Ms DARVENIZA** (Northern Victoria) — I raise a matter for the attention of the Minister for Health, David Davis, and it concerns the four Victorians who died between Thursday and Saturday of last week, between 25 and 27 October, while waiting for ambulances in my electorate of Northern Victoria Region. Four tight-knit communities were left devastated at losing a beloved family member, friend and resident. In Waggarandall a man in his 60s waited 24 minutes for an ambulance to be dispatched from Cobram. In Gillieston, near Kyabram, an elderly woman waited 22 minutes because the local crew were already at the hospital, leaving a Shepparton crew to respond, which is located 30 minutes away. In Riddells Creek a 60-year-old man who suffered a cardiac arrest waited 18 minutes. Finally, in Rochester a 63-year-old man suffering a cardiac arrest on a farm waited 22 minutes. Referring to the Rochester call-out, Tony Walker, the Ambulance Victoria regional services general manager, told radio 3AW that the response time was not acceptable. He said that he would not even try to defend that.

The Ambulance Victoria benchmark is for 90 per cent of code 0 and priority 1 calls to be responded to within 15 minutes. Ambulance Victoria has acknowledged that response times were unacceptable. It is time the state government conceded that it has a system in crisis and that it needs to act immediately. Ambulance Employees Association state secretary Steve McGhie told the *Age* that it may never be known if quicker-responding ambulances could have saved the patients' lives, but the patients were certainly not given the best possible opportunity to survive.

Given this, I request a specific action from the minister, which is that he ensure that Ambulance Victoria is provided with the necessary resources, infrastructure and staffing levels to respond to emergencies within the government's set standard response time of 15 minutes. We have a major crisis across the state. These are not just isolated incidents. There have been a series of delays everywhere. We also know that the 000 call centre is failing to meet its target for dispatching emergency cases within 150 seconds, while emergency departments are clogged across Victoria, causing further delays to ambulances as they are ramped up outside hospitals with patients waiting to be admitted.

### **Caroline Springs railway station**

**Mr EIDEH** (Western Metropolitan) — My adjournment matter is for the Minister for Public Transport, Mr Mulder. I was not surprised to read in the *Age* that the population of the eastern metropolitan area is expected to grow half the amount predicted for the western and northern metropolitan regions. It was also not surprising to read that in the next 40 to 50 years Melbourne could grow by 2.5 million people, which equates to 1 046 000 more homes and 1.2 million new jobs.

The main reason these figures and predictions were not surprising to me is that my electorate has been growing and developing rapidly for some time now. My electorate houses some of the fastest growing corridors in the commonwealth, including the cities of Wyndham, Melton, Brimbank and Hume, yet in the last few weeks this government and the Premier have spoken about the expected growth that will happen over the next few decades, rather than about what is happening now in the western region of Melbourne. The city of Hume, which currently has a population of 181 886 residents, is expected to increase in population by more than 134 000 people in the next 20 years. Melton, which currently sits at 121 470 residents, is expected to house more than 241 000 by 2031.

The Brumby Labor government was well aware of this and had in-depth plans for sustainable growth in our state. One of those plans was the construction of the Caroline Springs train station. Labor committed \$55 million to build a train station for this booming suburb. When this funding was committed, residents of Caroline Springs were being forced to drive to the Watergardens, Deer Park or Rockbank stations to commute into the city. Unfortunately not much has changed. The Labor government began the process of clearing the land for the station, and it built the road to where it was planned the station would be located. However, it then lost the election by two seats. After three years and three budgets residents are still driving to train stations, despite the population growth.

All we have heard on this matter from the government was what was reported in the *Age* of 1 February 2012. The article says:

Quizzed on ABC local radio about when the Baillieu government would deliver the station, Mr Baillieu said, 'I will have to check on the date, but Caroline Springs obviously there are commitments there, and the timing of that I would have to double check on that'.

The reporter added:

... the Baillieu government revealed there was no date for the construction of the station.

Many of my constituents and local community groups in the area have stressed to me how important this service is to them. Residents of Caroline Springs are being neglected by this government and its failure to deliver this vital service. I call on the Minister for Public Transport, Mr Mulder, to explain whether this train station is a priority for the government and when the residents of Caroline Springs can expect their much-needed train station.

### **Golden Circle Mill Park plant closure**

**Mr SOMYUREK** (South Eastern Metropolitan) — I raise a matter for the attention of the Minister for Manufacturing, David Hodgett, concerning Golden Circle. Golden Circle announced last Thursday that it will close its Mill Park plant in March and move production to its existing facility at Northgate in Queensland. Unfortunately this is yet another example of the flight of Victorian manufacturing jobs from Victoria to other states. I ask the following questions: when did the minister become aware of the intention of the company to close its Mill Park plant; did the company seek any form of assistance from the government; if so, what type of assistance; and if any assistance was sought, what assistance did the

government offer to save the jobs of the workers at Golden Circle?

### **Croydon South Primary School site**

**Mr LEANE** (Eastern Metropolitan) — My adjournment matter is directed to the Minister for Education, Mr Dixon. It concerns the site of the former Croydon South Primary School. It has been an empty school site for a number of years. In 2010 the member for Kilsyth in the Assembly made an election commitment that the new government would put \$200 000 towards repairing the run-down buildings on the site to allow them to be used by local community groups, which sounded like a good idea at the time.

Unfortunately since the election the run-down buildings have been demolished and completely cleared off the site. As the buildings are no longer there, it makes it pretty hard for those buildings to be repaired for the use of community groups. The action I seek from the minister is that he give an update on the status of the site, whether it has been declared excess to the needs of the Department of Education and Early Childhood Development, and if the commitment that community groups will be able to use the site — they have not for the last three years — will ever be fulfilled.

### **Responses**

**Hon. M. J. GUY** (Minister for Planning) — Mr Lenders raised a matter for the Treasurer, Michael O'Brien, in relation to the Burke Road level crossing gates in Glen Iris. I will have that sent to Mr O'Brien to respond to Mr Lenders directly.

Mr Elsbury raised a matter for the Minister for Sport and Recreation, Hugh Delahunty, in relation to wheelchair handball. I will have that matter sent to Mr Delahunty for a response.

Ms Mikakos raised a matter for the Minister for Ageing, David Davis, in relation to a Western Health 30-bed high-care facility in Melton. I will have Mr Davis provide a written response to Ms Mikakos on that matter.

Mr Ramsay raised for the Minister for Higher Education and Skills, Peter Hall, a matter in relation to Glenormiston TAFE at Noorat. I will have the minister respond directly to Mr Ramsay on that matter.

Mr Melhem raised a matter for the Minister for Roads, Terry Mulder, in relation to roads in the city of Wyndham. In passing that matter on to Mr Mulder for a written response I indicate that the Metropolitan Planning Authority has worked very closely with the

Wyndham City Council in identifying a number of key arterial roads that need to be upgraded. It is worthwhile noting that in all those cases we are looking at different funding options, as has been discussed in the past. They include works in kind and a number of other ways that we might solve some of those problems in road funding and road deficit funding. That is not something that just happened to arise as a problem on 2 December 2010; that backlog in road funding has been around for a long time. I am sure Mr Melhem would know that. It certainly predates this government, and this government is trying to fix the problem. I will have Mr Mulder respond in detail in writing about some of those options.

Ms Darveniza raised a matter for the Minister for Health, David Davis, in relation to ambulance issues in northern Victoria. He will reply to her in writing.

Mr Eideh raised a matter for the Minister for Public Transport, Terry Mulder, in relation to the Caroline Springs railway station. Minister Mulder can reply directly on that issue.

Mr Somyurek raised a matter for the attention of the Minister for Manufacturing, David Hodgett, in relation to Golden Circle. He will respond to that directly.

Mr Leane raised a matter for the Minister for Education, Martin Dixon, in relation to the South Croydon Primary School site. I will have a written response for Mr Leane in the mail.

**The ACTING PRESIDENT (Mr Ondarchie)** —  
Order! The house now stands adjourned.

**House adjourned 6.55 p.m.**