

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Thursday, 16 October 2014

(Extract from book 14)

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By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

(from 17 March 2014)

Premier, Minister for Regional Cities and Minister for Racing	The Hon. D. V. Napthine, MP
Deputy Premier, Minister for State Development, and Minister for Regional and Rural Development	The Hon. P. J. Ryan, MP
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Minister for Local Government and Minister for Aboriginal Affairs.	The Hon. T. O. Bull, MP
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Minister for Education	The Hon. M. F. Dixon, MP
Minister for Sport and Recreation, and Minister for Veterans' Affairs	The Hon. D. K. Drum, MLC
Minister for Planning, and Minister for Multicultural Affairs and Citizenship	The Hon. M. J. Guy, MLC
Minister for Ports, Minister for Major Projects and Minister for Manufacturing	The Hon. D. J. Hodgett, MP
Minister for Housing, and Minister for Children and Early Childhood Development	The Hon. W. A. Lovell, MLC
Minister for Public Transport and Minister for Roads	The Hon. T. W. Mulder, MP
Minister for Energy and Resources, and Minister for Small Business.	The Hon. R. J. Northe, MP
Minister for Liquor and Gaming Regulation, Minister for Corrections and Minister for Crime Prevention	The Hon. E. J. O'Donohue, MLC
Assistant Treasurer, Minister for Technology and Minister responsible for the Aviation Industry	The Hon. G. K. Rich-Phillips, MLC
Minister for Environment and Climate Change, and Minister for Youth Affairs.	The Hon. R. Smith, MP
Minister for the Arts, Minister for Women's Affairs and Minister for Consumer Affairs	The Hon. H. Victoria, MP
Minister for Higher Education and Skills	The Hon. N. Wakeling, MP
Minister for Agriculture and Food Security, and Minister for Water.	The Hon. P. L. Walsh, MP
Minister for Police and Emergency Services, and Minister for Bushfire Response	The Hon. K. A. Wells, MP
Minister for Mental Health, Minister for Community Services, and Minister for Disability Services and Reform	The Hon. M. L. N. Wooldridge, MP
Cabinet Secretary	Mrs I. Peulich, MLC

Legislative Council committees

Privileges Committee — Ms Darveniza, Mr D. Davis, Mr Drum, Ms Lovell, Ms Pennicuik, Mrs Peulich and Mr Scheffer.

Procedure Committee — The President, Mr Dalla-Riva, Mr D. Davis, Mr Drum, #Mr Jennings, Mr Lenders, Ms Pennicuik and Mr Viney

Participating member

Legislative Council standing committees

Economy and Infrastructure Legislation Committee — Mr Barber, Mrs Coote, #Ms Crozier, Mr Finn, #Ms Hartland, #Mr Leane, Mr Lenders, Mr Melhem, Mr D. D O'Brien, #Mr Ondarchie, Ms Pulford, Mr Ramsay and #Mr Scheffer.

Economy and Infrastructure References Committee — Mr Barber, Mrs Coote, #Ms Crozier, Mr Finn, #Mr Leane, Mr Lenders, Mr Melhem, Mr D. D O'Brien, #Mr Ondarchie, Ms Pulford and Mr Ramsay.

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

Environment and Planning References Committee — Mr Dalla-Riva, #Mr Finn, #Ms Hartland, Mrs Kronberg, #Mr Leane, Mr Ondarchie, Ms Pennicuik, #Mrs Peulich, Mr Ronalds, 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 Lewis, Mrs Millar, Mr D. R. J. 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 Lewis, Mrs Millar, Mr D. R. J. O'Brien, #Mrs Peulich, #Mr Ramsay and Mr Viney.

Participating member

Joint committees

Accountability and Oversight Committee — (*Council*): Mr D. R. J. O'Brien and Mr Ronalds. (*Assembly*): Ms Kanis, Mr McIntosh and Ms Neville.

Dispute Resolution Committee — (*Council*): Mr D. Davis, Mr Drum, 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, Mrs Millar and Mr Ronalds. (*Assembly*): Mr Burgess and Mr McGuire.

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 Delahunty.

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

Family and Community Development Committee — (*Council*): Mrs Coote. (*Assembly*): Ms Halfpenny, Mr Madden, Mrs Powell and Ms Ryall.

House Committee — (*Council*): The President (*ex officio*) Mr Eideh, Mr Finn, Ms Hartland, Mr D. R. J. O'Brien and Mrs Peulich. (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Blackwood, Ms Campbell, Ms Thomson, Mr Wakeling and Mr Weller.

Independent Broad-based Anti-corruption Commission Committee — (*Council*): Mr Viney. (*Assembly*): Ms Kanis, Mr Kotsiras, Mr McIntosh 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 D. R. J. O'Brien and Mr Ondarchie. (*Assembly*): Mr Angus, Ms Garrett, 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 D. R. J. O'Brien. (*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 — Acting Clerk of the Legislative Council: Mr A. Young

Parliamentary Services — Secretary: Mr P. Lochert

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

President: The Hon. B. N. ATKINSON

Deputy President: Mr M. VINEY

Acting Presidents: Ms Crozier, Mr Eideh, Mr Elasmr, Mr Finn, Mr Melhem, Mr D. R. J. O'Brien, Mr Ondarchie, Ms Pennicuik,
Mr Ramsay, Mr Tarlamis

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The Hon. D. M. DAVIS

Deputy Leader of the Government:

The Hon. W. A. LOVELL

Leader of the Opposition:

Mr J. LENDERS

Deputy Leader of the Opposition:

Mr G. JENNINGS

Leader of The Nationals:

The Hon. D. K. DRUM (from 17 March 2013)

The Hon. P. R. HALL (to 17 March 2013)

Deputy Leader of The Nationals:

Mr D. R. J. O'BRIEN (from 17 March 2013)

Mr D. K. DRUM (to 17 March 2013)

Member	Region	Party	Member	Region	Party
Atkinson, Hon. Bruce Norman	Eastern Metropolitan	LP	Lovell, Hon. Wendy Ann	Northern Victoria	LP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Melhem, Mr Cesar ²	Western Metropolitan	LP
Broad, Ms Candy Celeste ⁹	Northern Victoria	ALP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Coote, Mrs Andrea	Southern Metropolitan	LP	Millar, Mrs Amanda Louise ⁴	Northern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	O'Brien, Mr Daniel David ⁸	Eastern Victoria	Nats
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 ⁵	Eastern Victoria	LP	Pakula, Hon. Martin Philip ¹	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 ³	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 ⁷	Eastern Victoria	Nats	Ronalds, Mr Andrew Mark ⁶	Eastern Victoria	LP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Koch, Mr David Frank	Western Victoria	LP	Tarlamis, Mr Lee Reginald	South Eastern Metropolitan	ALP
Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leanders, Mr John	Southern Metropolitan	ALP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP
Lewis, Ms Margaret ¹⁰	Northern Victoria	ALP			

¹ Resigned 26 March 2013

² Appointed 8 May 2013

³ Resigned 1 July 2013

⁴ Appointed 21 August 2013

⁵ Resigned 3 February 2014

⁶ Appointed 5 February 2014

⁷ Resigned 17 March 2014

⁸ Appointed 26 March 2014

⁹ Resigned 9 May 2014

¹⁰ Appointed 11 June 2014

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Thursday, 16 October 2014

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

PETITIONS

Following petitions presented to house:

Kingswood Golf Club site

To the Legislative Council of Victoria:

A call to protect the 'Kingswood Golf Club' and golf course, now known as the Peninsula Kingswood Golf Club!

This petition of Dingley Village and undersigned citizens calls upon the members of the Victorian Legislative Council to:

1. note that the Kingswood Golf Course in Dingley Village failed to be included in the green wedge when the former Labor government legislated the green wedge in 2003;
2. note that the recent decision of the Victorian Supreme Court notes many irregularities surrounding the merger of the Kingswood and Peninsula golf clubs including the actions of the board being unconstitutional and oppressing members rights;
3. note that the land was reportedly sold for over \$125 million to an unlisted property trust, ISPT, an industry super fund with union links;
4. note that the sale occurred without any rezoning approval or any application made to rezone the land from special use (golf course) to a residential zone to either the Kingston council or the Victorian government;
5. note the apparent intention of ISPT to develop the Kingswood Golf Course for housing, possibly of a high density including the possibility of 'affordable housing' generating windfall gains.

And that the undersigned citizens call upon the Victorian Parliament and the Victorian Minister for Planning to work with the City of Kingston to take action to protect the Kingswood Golf Club by having it placed into the green wedge, as should have occurred in 2003, to protect this high-quality open space and environmental asset.

By Mrs PEULICH (South Eastern Metropolitan) (779 signatures).

Laid on table.

Ordered to be considered next day on motion of Mrs PEULICH (South Eastern Metropolitan).

Kingston green wedge

To the Legislative Council of Victoria:

The petition of residents of the state of Victoria draws the Legislative Council's attention to our concerns that Kingston

council has resolved to convert a large portion of the green wedge for residential development by rezoning the Mentone Grammar playing fields and other land abutting Braeside Park and Southern Golf Club to a residential zone and the land between Heatherton/Kingston Road and Lower Dandenong Road to rural living zone with a minimum subdivision size of 2000 square metres (approx. half an acre).

If implemented, Kingston council's resolutions would:

- be contrary to the Kingston green wedge plan;
- be inconsistent with state and local planning policies;
- result in the loss of productive market gardens;
- create uncertainty and set a precedent for the conversion of more of Melbourne's green wedges for residential development.

The petitioners therefore request that the Minister for Planning promptly inform Kingston council that he will not authorise any planning scheme amendments to implement their plans to rezone the green wedge.

By Mr TEE (Eastern Metropolitan) (176 signatures).

Laid on table.

PAPERS

Laid on table by Acting Clerk:

- Albury Wodonga Health — Report, 2013–14.
- Alfred Health — Report, 2013–14.
- Alpine Resorts Co-ordinating Council — Minister's report of receipt of 2013–14 report.
- Auditor-General's Office — Report, 2013–14.
- Auditor-General's Report on the Annual Financial Report of the State of Victoria, 2013–14, October 2014.
- Austin Health — Report, 2013–14.
- Ballarat Health Services — Report, 2013–14.
- Barwon Health — Report, 2013–14.
- Barwon Regional Waste Management Group — Minister's report of receipt of 2013–14 report.
- Bass Coast Regional Health — Report, 2013–14.
- Bendigo Health Care Group — Report, 2013–14.
- Castlemaine Health — Report, 2013–14.
- Central Murray Regional Waste Management Group — Minister's report of receipt of 2013–14 report.
- Commissioner for Environmental Sustainability — Minister's report of receipt of 2013–14 report.
- Consumer Affairs Victoria — Report, 2013–14.
- Country Fire Authority — Report, 2013–14.

Crown Land (Reserves) Act 1978 — Minister's Order of 1 October 2014 giving approval to the granting of a lease at Geelong Telegraph Station Reserve.

Desert Fringe Regional Waste Management Group — Minister's report of receipt of 2013–14 report.

Eastern Health — Report, 2013–14.

Freedom of Information Commissioner — Report, 2013–14.

Gippsland Regional Waste Management Group — Minister's report of receipt of 2013–14 report.

Goulburn Valley Health — Report, 2013–14.

Goulburn Valley Regional Waste Management Group — Minister's report of receipt of 2013–14 report.

Grampians Regional Waste Management Group — Minister's report of receipt of 2013–14 report.

Greyhound Racing Victoria — Report, 2013–14.

Gunaikurnai Traditional Owner Land Management Board — Minister's report of receipt of 2013–14 report.

Health Department — Report, 2013–14.

Highlands Regional Waste Management Group — Minister's report of receipt of 2013–14 report.

Justice Department — Report, 2013–14.

Kerang District Health — Report, 2013–14.

Kilmore and District Hospital — Report, 2013–14.

Kyneton District Health Service — Report, 2013–14.

Latrobe Regional Hospital — Report, 2013–14.

Melbourne Health — Report, 2013–14.

Mercy Public Hospitals Incorporated — Report, 2013–14.

Mildura Regional Waste Management Group — Minister's report of receipt of 2013–14 report.

Monash Health — Report, 2013–14.

Mornington Peninsula Regional Waste Management Group — Minister's report of receipt of 2013–14 report.

North East Victorian Regional Waste Management Group — Minister's report of receipt of 2013–14 report.

Northeast Health Wangaratta — Report, 2013–14.

Northern Health — Report, 2013–14.

Peninsula Health — Report, 2013–14.

Peter MacCallum Cancer Centre — Report, 2013–14.

Portland District Health — Report, 2013–14.

Residential Tenancies Bond Authority — Report, 2013–14.

Royal Children's Hospital — Report, 2013–14.

Royal Victorian Eye and Ear Hospital — Report, 2013–14.

Royal Women's Hospital — Report, 2013–14.

South Western Regional Waste Management Group — Minister's report of receipt of 2013–14 report.

St Vincent's Hospital (Melbourne) Limited — Report, 2013–14.

Subordinate Legislation Act 1994 —

Documents under section 15 in respect of Statutory Rule Nos. 126, 162 and 165.

Legislative Instruments and related documents under section 16B in respect of a Ministerial Order of 7 October 2014 — Requiring certain classes of persons to complete an advanced responsible service of alcohol program pursuant to section 146F of the Liquor Control Reform Act 1998.

Transport, Planning and Local Infrastructure Department — Report, 2013–14.

Upper Murray Health and Community Services — Report, 2013–14.

Victoria Police — Report, 2013–14.

Victorian Commission for Gambling and Liquor Regulation — Report, 2013–14.

Victorian Environmental Water Holder — Minister's report of receipt of 2013–14 report.

Victorian Industry Participation Policy — Report, 2013–14.

Victorian Inspectorate — Report, 2013–14, pursuant to section 131T of the Fisheries Act 1995 and section 74P of the Wildlife Act 1975.

Victorian Responsible Gambling Foundation — Report, 2013–14.

West Gippsland Healthcare Group, Report, 2013–14.

Western Health — Report, 2013–14.

BUSINESS OF THE HOUSE

Adjournment

Hon. D. M. DAVIS (Minister for Health) — I move:

That the Council, at its rising, adjourn until a day and hour of the next meeting to be fixed by the President.

Motion agreed to.

MEMBERS STATEMENTS

Automotive industry

Mr SOMYUREK (South Eastern Metropolitan) — I rise to condemn the federal coalition government for voting to rip half a billion dollars from the auto

industry. Almost two weeks ago the House of Representatives voted to defund the automotive transformation scheme, cutting \$500 million over four years. Modelling conducted by the University of Adelaide has estimated that the closure of the auto industry in Victoria could cost 100 000 jobs. Shame on the federal coalition's Victorian MPs for acting to destroy Victorian jobs. Typically the Napthine government did nothing while Ford, Holden and Toyota left our shores. Further, Premier Napthine's TAFE cuts have made it harder for Victorians to retrain and re-enter the workforce.

Employment

Mr SOMYUREK — On another matter, last Tuesday — 53 days before the election — the Napthine government released its jobs plan. Under the Napthine government more than 68 000 people have lost their jobs in Victoria. Victorian Labor understood this years ago. That is why we released our jobs and growth plan in 2012, which filled a void left by the then Baillieu government, the members of which were totally clueless. Last year we announced Project 10 000, our transport plan that has jobs at the centre of it. We have a strong track record, and that is why last Monday, again before the Liberals, we announced our Back to Work policy, our plan if elected in November to work with business leaders, grow our industries and create — —

The PRESIDENT — Order! Thank you, Mr Somyurek.

Election

Mr BARBER (Northern Metropolitan) — On this last day of the parliamentary sitting, I would like to wish all members good luck. Unfortunately I am trying to replace some members with Greens, so instead I will wish members well. I think this has been a productive and effective parliamentary term. There have been very few moments of personal rancour in this chamber. I am talking about within the chamber; I cannot attest to what might have gone on in the various party rooms. But the 40 of us have come together in this fairly small physical space and worked very diligently on behalf of all of our constituents to resolve the big issues that are occurring right now in Victoria and across this whole planet.

In 44 days from now we are going to do quite a magical thing. People will go into small rooms and with pencils will write numbers on bits of paper, and in doing so we will deal with many of the important issues and set for ourselves a direction for the four years to come. Of all the different ways of resolving conflict, that would have

to be one of the best, and it is a tribute to all of the work that we do here that Victoria is such a relatively peaceful and prosperous place.

Retiring members

Mr FINN (Western Metropolitan) — As this is the last sitting day of the 57th Parliament, it is tinged with more than a little sadness. We farewell from the Labor side of this house Mr Lenders, Mr Viney, Ms Darveniza and Ms Lewis. I wish them well and wish them health and happiness.

Honourable members interjecting.

Mr FINN — Mr Scheffer, as well? Nobody told me. I wish them all the best and health and happiness in what they do.

I particularly wish to mention four members from this side who will not be here when we sit again. I refer to David Koch. I will miss the Government Whip telling me to sit down and pull my head in when I am just hitting my straps and have an hour or two to go. But as one of my favourite beaches is Torquay, he can keep the fridge full and I will be down to visit.

To my friend and colleague Matthew Guy, who has voluntarily chosen demotion to the lower house, that will probably be the last step backwards he takes for quite some time. This place will be duller for his absence, but I have a sneaking suspicion that we will see much more of Matthew Guy for a very long time to come.

Whoever decided to sit me next to Mrs Kronberg in this house is to be congratulated. We did not always have all the answers, but we certainly listed them, and I wish her all the best. She is a great patriot.

I owe a great debt of gratitude to whoever decided to have Mrs Coote and I share an office. She was and is a delight. She made every day coming into this place a delight, and I thank her for that. I wish her all the very best for whatever she does from this point on.

Wedderburn medical services

Ms LEWIS (Northern Victoria) — In the last sitting week I spoke to the Council on the problems associated with the lack of medical services in Wedderburn. There is no hospital, there are no aged-care beds and there is no ambulance. Two weeks ago the problems with the lack of medical services were highlighted for the community. An ambulance took 46 minutes to respond to a 000 call. Sadly the patient for whom the ambulance was called did not survive. An area such as

Wedderburn, a small town and surrounding community of around 2000 people, needs medical services. It does not need to be overlooked and neglected by government. People in our rural communities ought not to be at any greater risk than those in regional cities and the metropolitan area.

Chiltern police resources

Ms LEWIS — On another matter, the small town of Chiltern, approximately 30 kilometres south-east of Wodonga, has a one-person police station. The residents accept that it is not staffed 24 hours a day and that on occasions they will have to contact the Wodonga police station. However, they do expect a response when they make a report. Almost two weeks ago on a Saturday night two handmade artworks in the parkland surrounding Chiltern's Lake Anderson were vandalised. The matter was reported to police by two different people the following day. Each person was told that the police were very busy but a police officer would contact them shortly. To date there has been no return call. While this might seem to be a comparatively small matter, the fact that no-one has even made a follow-up phone call highlights the problem of resourcing and, more importantly, it highlights the growing neglect of rural communities.

Retiring members

Hon. E. J. O'DONOHUE (Minister for Liquor and Gaming Regulation) — In a similar vein to Mr Finn and Mr Barber, I acknowledge those who will, voluntarily, not be returning to this place, particularly those members of the opposition: Mr Viney, Mr Scheffer, Mr Lenders, Ms Lewis and Ms Darveniza.

I also acknowledge my colleagues on this side of the house who will not be continuing. I had the great pleasure of sharing an office with Jan Kronberg for five years and sitting next to her in this place for four years. We shared a lot of laughs and had a lot of fun. She has been a great advocate for her electorate and a great committee chair. Mr Guy's energy will be missed in this place, but no doubt he will be a great member for the Assembly seat of Bulleen. I commend Mr Koch for everything he has done for his constituents in western Victoria. He has done a great job, and I wish him every success. Mrs Coote has been a great member both for the former Council seat of Monash Province and for the Southern Metropolitan Region. As a former deputy leader in this place, a former shadow minister and a current parliamentary secretary, Andrea has been a strong leader who has made a significant contribution to the Parliament and public policy in Victoria. She has also been a great mentor and friend to me, and I will

deeply miss her — her energy, capacity, intelligence and integrity.

In particular I acknowledge Ken Smith, the member for Bass in the other place. He and I have done a lot of work together in my electorate of Eastern Victoria Region and his electorate of Bass. You always know where you stand with him, and I very much respect that. He will be missed. I wish him and Dawn every success in the future.

Whittlesea emergency services

Mr ELASMAR (Northern Metropolitan) — On Saturday, 4 October, I attended a ceremony in South Morang to commemorate the 15th annual blessing of the fleet. The event was co-hosted by the City of Whittlesea and the municipal fire management planning committee. After the blessing, a small open-air, multifaith service was conducted for local emergency services staff and volunteers and their families. This was followed by a morning tea, which allowed people to mingle and communicate. I congratulate the organisers on an extremely pleasant and well-organised event.

Keon Park Children's Hub

Mr ELASMAR — On another matter, on Friday, 10 October, I attended, together with some of my parliamentary colleagues, the official opening of the Keon Park Children's Hub in Reservoir. The new building is a special wonderland for kids from all over the city of Darebin. The mayor and councillors made us all feel most welcome. The hub will be a preferred destination for young children for many years to come.

National Day of the Republic of China

Mr ELASMAR — On another matter, on Friday, 10 October, I was delighted to represent the leader of the parliamentary Labor Party, Dan Andrews, at a function to celebrate the 103rd anniversary of the National Day of the Republic of China, Taiwan. There were hundreds of Australian-Taiwanese guests present. I really enjoyed the evening and meeting new people who now, like me, call Australia home.

Religious freedom

Mr RONALDS (Eastern Victoria) — I rise to speak about a briefing paper entitled *Religious Freedom in Employment — the Victorian Situation*. It was put together by an organisation called Freedom 4 Faith, which looks at issues regarding freedom of religion in Australia. In 2011 the coalition government repealed sections of the Equal Opportunity Act 2010, in

particular removing the inherent requirement test. The Attorney-General, Robert Clark, said in his second-reading speech for the amending bill that the:

... so-called inherent requirement test would have the consequence that faith-based schools and other organisations could be forced to hire staff who are fundamentally opposed to what the organisation stands for ...

He also expressed the coalition government's commitment to religious freedom by stating:

The rights of freedom of religion, belief and association are vital to any free and democratic society, as is the right of parents to send their children to schools that are able to provide the values-based education their parents are seeking.

This is still a commitment from the coalition government, but it is disappointing to learn that, according to the opposition's policy statement, Labor intends to reintroduce the inherent requirement test. This would be very damaging to freedom of religion in this state.

Beechworth Secondary College

Ms DARVENIZA (Northern Victoria) — Beechworth Secondary College has run-down classrooms that are in need of a serious upgrade. There is asbestos in the walls, the heating and cooling systems do not work and the windows do not open. Such is the state of the school that the students themselves have launched a Facebook campaign to get the Victorian government to take notice of their plight and commit to funds for a whole school rebuild. The classrooms are sweltering in summer and freezing cold in winter. Students have said it is not a good learning environment, and I have to agree with them. Of greater concern is that several classrooms have been boarded up due to the asbestos in them, which is simply unacceptable.

In 2008 the school received a new administrative building and arts and technology wing. A master plan for the rest of the school was approved, but since the Liberal-Nationals coalition came into government nothing further has been done. Principal John Hunter was told 18 months ago not to do any maintenance as money would be allocated in the budget. Nothing has materialised. This is yet another shameful example of how the Liberal-Nationals coalition government has neglected students in regional and rural areas of the state.

Louis Schofield and Peter Allen

Mr ELSBURY (Western Metropolitan) — I would like to congratulate Louis Schofield and Peter Allen,

who were selected as part of a seven-boat Australian team to attend the international 2014 Cadet World Championships races in Weymouth, England. These young gentlemen represented the Royal Yacht Club of Victoria, which is based in Williamstown. Even though their boat finished 22nd out of 60, they were awarded the title of top boat with a skipper under 16. What a great effort by these young gentlemen.

Williamstown High School

Mr ELSBURY — I would also like to congratulate Williamstown High School on its centenary celebrations, which I was fortunate enough to be able to attend at the start of last week. That school is going from strength to strength and I wish all its students the very best.

Diwali festival

Mr ELSBURY — In the multicultural society in which we live, I would like to wish members of the Indian community a joyous Diwali, the festival of lights, which is coming up over the weekend.

Members

Mr ELSBURY — Last but not least, I would like to thank all my colleagues, especially those on this side, for their assistance during my first term of office. I also wish those opposite well for providing me with some challenges as well as some entertainment over the past four years.

Muslim Leadership program

Mr EIDEH (Western Metropolitan) — On Monday, 6 October, I attended a graduation ceremony at Parliament House for participants in the 2014 Muslim Leadership program. This program, now in its eighth and final year, is coordinated by the Centre for Dialogue at La Trobe University and is one of its major programs. It was founded by Professor Emeritus Joseph Camilleri under the former government, along with a strong contribution from the Islamic Council of Victoria.

I was joined by my parliamentary colleagues Christine Fyffe, the Speaker of the Legislative Assembly; Telmo Languiller, the member for Derrimut in the Assembly and the parliamentary secretary to the shadow minister for multicultural affairs; Craig Ondarchie, the Parliamentary Secretary to the Premier; Greg Barber, the Leader of the Greens in Victoria; and Maria Vamvakinou, the federal member for Calwell.

This program was designed to empower young Muslims to help them to reach their full potential as citizens and to become future leaders, and to give them an opportunity to network with leaders in Canberra, Sydney and Melbourne over the course of five weeks. The 10 bright young Australians of the Muslim faith come from a range of ethnicities, universities and professions. They have spent the past five weeks participating in this unique course, involving workshops, seminars and lectures on a range of domestic and international issues.

I congratulate these exceptional young Australian Muslims who have gained so many skills from this opportunity of a lifetime. I commend the Centre for Dialogue at La Trobe University for administering this program, as well as the Islamic Council of Victoria for supporting it.

Members

Mr EIDEH — On another matter, on this last sitting day of this Parliament I would like to wish my colleagues well in the forthcoming elections. I hope to see many of them back here for the next term of Parliament. I wish all retiring members all the best in the future. Enjoy your retirement.

Mr Koch

Mr D. R. J. O'BRIEN (Western Victoria) — I wish to join my colleagues in congratulating and wishing those retiring members of both houses all the best. In particular I would like to focus on a retiring member for Western Victoria Region, with whom I share a seat, Mr David Koch. David was elected to Parliament in 2002 as a member for Western Province and in 2006 and 2010 as a member for Western Victoria Region.

As Government Whip, David can always be relied upon for his steady counsel, and he has secured an excellent passage of government legislation through this place. As a parliamentarian, one of David's greatest achievements has been his lobbying behind the scenes for a helipad for the Ballarat Base Hospital, which not only has been a significant investment for that community but has saved lives all over western Victoria. David first advocated for this helipad in 2004, with the sod being turned in January this year.

In his capacity as the no. 1 candidate on the coalition ticket David was instrumental in securing the election of Mr Andrew Katos in the Assembly seat of South Barwon and my own election to this Parliament. David was a Wannon shire councillor from 1987 to 1994, serving as president in 1991. He also had the privilege

in this parliamentary term of opening the refurbished Coleraine & District Kindergarten, which he attended and which his grandchildren now attend.

I wish David a long and fulfilling retirement from public life. Good luck with the sheep; may they all be wethers. He should certainly be proud of his achievements in this place.

Members and parliamentary staff

Mrs PEULICH (South Eastern Metropolitan) — I wish to take this opportunity also to wish those members of Parliament who are departing all the very best and to thank them for their service. Obviously their departure will change the dynamics of not only this place but also the lower house. I wish Ms Lewis, Ms Darveniza, Mr Scheffer and Mr Viney all the very best for the next chapter in their lives. Mrs Coote, Mrs Kronberg, David Koch and Mr Guy will be missed. There is a substantial amount of substance walking out the door. Their departure will drain the talent from this chamber — but we know that they will continue to make a contribution in other ways, particularly Mr Guy. We certainly wish them all the very best of luck.

In addition to that I would like to wish Ken Smith, Ted Baillieu, Nick Kotsiras and Andrew McIntosh, the members for Bass, Hawthorn, Bulleen and Kew in the Assembly, the very best in their retirement and to thank them for their service, in addition to Hugh Delahunty, Bill Sykes, Jeanette Powell and Paul Weller, the members for Lowan, Benalla, Shepparton and Rodney in the Assembly.

I would also like to thank the staff at the Parliament — the attendants, clerks, catering staff, library staff, security staff, protective services officers and staff in Hansard for all their dedicated service over the past term. I also take this opportunity to thank the cabinet secretariat; Joanna Brown and Gary Anderton in my office for their selfless service; my electorate office staff, Lyn, Andrew, Judy, Jasmine, Denise and Nena; and all the volunteers who regularly come in to help. It has been four years of a lot of hard work, and I would like to thank all of them for their commitment and dedication.

Retiring members

Hon. W. A. LOVELL (Minister for Housing) — I would also like to join in wishing those who are retiring from the Parliament a very happy and productive retirement, and that goes for members on both sides of the house. I would particularly like to talk about the

four members from this side of the house who are retiring.

I thank Andrea Coote for her guidance when I first came into the house as Deputy Leader of the Government. I would also like to thank Andrea for encouraging me to contest this position when she resigned from it. She has made an enormous contribution, particularly in the social portfolios and with the disability sector.

Jan Kronberg has been a very dedicated member of Parliament who has worked very hard in her region and gained enormous respect from the people in her region. I wish her well in her retirement, particularly as she is to be a grandmother in a few weeks. I know that will bring great joy into Jan's life.

Matthew Guy will move to the lower house. We will not be rid of him; we will still see him regularly at cabinet meetings, and I look forward to continuing to work with Matthew.

I have very mixed feelings about David Koch leaving the Parliament. I wish him well in his retirement. I know he and Jan enjoy their grandchildren very much. David and I have had a long journey through the organisation of the Liberal Party together, as members of the administrative committee, and we came into this Parliament together. I will miss him dreadfully, my dear friend; I really will. I do not know how I will cope without him.

I would also like to wish Ken Smith, Andrew McIntosh and Nick Kotsiras, the members for Bass, Kew and Bulleen in the Assembly, well in their retirement. I would like to make special mention of our former Premier, Ted Baillieu, who is the hardest working person I know. He single-handedly won the 2010 election and gave us the opportunity to be ministers in this place. I also wish Bill Sykes, Paul Weller, Jeanette Powell and Hugh Delahunty, the members for Benalla, Rodney, Shepparton and Lowan in the Assembly, well in their retirement.

BUSINESS OF THE HOUSE

Standing orders

The PRESIDENT — Order! I will call on Mr Dalla-Riva, but before he begins I indicate to the house that Mr Dalla-Riva tabled the report of the Procedure Committee, which has reviewed the standing orders. There are three items on the notice paper under the heading 'Special business to take precedence'. As all three items of special business listed on the notice paper relate directly to the adoption of the draft

standing orders recommended by the Procedure Committee and the amendment of those standing orders, I will ask the relevant members to move their motions prior to commencing the debate. In the first instance I call on Mr Dalla-Riva to move his motion. He presented the report of the Procedure Committee in the absence of the Deputy President.

Hon. R. A. DALLA-RIVA (Eastern Metropolitan) — I move:

That —

- (1) the draft standing orders, recommended by the Procedure Committee in its *Review of the Standing Orders*, October 2014, be adopted as the standing orders of the Legislative Council; and
- (2) the new standing orders come into operation on the first sitting day of the next Parliament.

The PRESIDENT — Order! I will now call on Ms Pennicuik. Mr Dalla-Riva has moved the substantive motion for the adoption of the draft standing orders. The further motions that are to be moved now will be treated as amendments to that substantive motion in terms of both the debate and the votes.

Ms PENNICUIK (Southern Metropolitan) — I wish to advise the Council that I will be moving an additional amendment to the one already on the notice paper. I therefore move:

That —

- (1) In standing order 4.05, omit paragraph (1).
- (2) (a) in standing order 4.08(1), omit "The motion will be put forthwith without amendment or debate."; and
 - (b) in standing order 6.13, insert —
 - "() a motion to extend the sitting of the Council pursuant to standing order 4.08(1);"
- (3) The Clerk is empowered to renumber the standing orders and correct any internal references as a consequence of this amendment.

Hon. D. M. DAVIS (Minister for Health) — I move:

- (1) In standing order 4.05(3), omit "or other appropriate local person".
- (2) In standing order 4.08, omit paragraph (1) and insert —
 - "(1) Upon the interruption of business pursuant to standing order 4.07 and before a motion for the adjournment of the Council under standing order 4.09 is proposed by the President, a minister may —

- (a) move that the sitting be extended. The motion will be put forthwith without amendment or debate; or
- (b) declare, without debate, that the sitting be extended by up to one hour, and —
 - (i) at the conclusion of an extension of time declared under standing order 4.08(1)(b), a minister may declare, without debate, that the sitting be extended by up to one further hour; and
 - (ii) at the conclusion of an extension of time declared under standing order 4.08(1)(b)(i), a minister may move that the sitting be extended. The motion will be put forthwith without amendment or debate.”.
- (3) In standing order 6.13 —
 - (1) In paragraph (a), omit “and 11.08(3)”.
 - (2) Omit paragraphs (j) and (k).
- (4) Omit chapter 11 (standing orders 11.01 to 11.10 inclusive) and insert —

“CHAPTER 11

PRODUCTION OF DOCUMENTS

11.01 Order for the production of documents

- (1) The Council may order documents to be tabled in the Council.
- (2) The Clerk is to communicate to the secretary, Department of Premier and Cabinet, all orders for documents made by the Council.
- (3) An order for the production of documents must specify the date by when the documents must be provided.

11.02 Tabling of documents provided in accordance with an order for the production of documents

- (1) Documents provided in response to an order under standing order 11.01 will be delivered to the Clerk of the Council.
- (2) Upon receipt, such documents will be laid on the table by the Clerk at the earliest opportunity.
- (3) A return under this standing order is to include an indexed list of all documents tabled, showing the date of creation of the document, a description of the document and the author of the document.
- (4) If the Council is not sitting on the date specified in the resolution of the Council under standing order 11.01(3), the documents may be lodged with the Clerk,

and unless executive privilege is claimed, are deemed to have been presented to the Council and published by authority of the Council.

- (5) Documents lodged under standing order 11.02(4) must be laid on the table by the Clerk on the next sitting day of the Council.

11.03 Documents claiming executive privilege

- (1) Where a document is claimed to be covered by executive privilege —
 - (a) a return is to be prepared showing the date of creation of the document, a description of the document, the author of the document and reasons for the claim of executive privilege; and
 - (b) the documents are to be delivered to the Clerk by the date and time required in the resolution of the Council and —
 - (i) made available only to the mover of the motion for the order; and
 - (ii) must not be published or copied without an order of the Council.

- (2) The mover of the motion for the order may notify the Clerk, in writing, disputing the validity of the claim of executive privilege in relation to a particular document or documents. On receipt of such notification, the Clerk is authorised to release the disputed document or documents to an independent legal arbiter, for evaluation and report within seven calendar days as to the validity of the claim.

11.04 Appointment of independent legal arbiter

An independent legal arbiter required in accordance with standing order 11.03(2) is to be appointed by the President and must be a Queen’s Counsel, a senior counsel or a retired Supreme Court judge.

11.05 Report of independent legal arbiter

A report from an independent legal arbiter appointed under standing order 11.04 is to be lodged with the Clerk and —

- (a) made available only to members of the Council; and
- (b) must not be published or copied without an order of the Council.

11.06 Clerk to maintain register

The Clerk will maintain a register showing the name of any person examining documents tabled under this standing order.”.

- (5) In standing order 14.10, omit paragraph (4).
- (6) The Clerk is empowered to renumber the standing orders and correct any internal references as a consequence of these amendments.

The PRESIDENT — Order! As I have indicated, I propose that the Council deal with the amendments moved by Ms Pennicuik and Mr Davis in sequence. Mr Davis's amendment (4) deals with two distinct propositions — the first being to omit chapter 11 on the government business program, and the second being to insert a new chapter 11 in relation to the production of documents. I intend to split that amendment into two questions in order to deal with the propositions separately because members may have different views on each of those matters. In the first instance we can proceed to debate on the substantive motion and the amendments that have been put by Ms Pennicuik and Mr Davis.

Hon. R. A. DALLA-RIVA (Eastern Metropolitan) — I am pleased to contribute to the debate on the review of the standing orders by the Procedure Committee and in doing so recommend the standing orders as presented and tabled yesterday. The standing orders adoption process always seems to take place towards the end of a term, and there is a flurry of activity to ensure that we can get the new standing orders set up. This is now the second term in which I have been involved in the process.

I thank the clerks for their involvement in this process and acknowledge the work they do prior to presenting the report. It is a complex process that requires an amalgamation of different opinions in order to come to a conclusion that can be reported and, as we have found, it is often presented on or near the last parliamentary sitting day. It is important that we undertake this process because it allows for the new Parliament to start afresh with the standing orders. It gives time for members of all parties to acquaint themselves with the rule changes. Rule changes often occur as a result of the President's precedents and rulings. Changes can also be made because amendments introduced in the previous standing orders review did not work as effectively as they could have and must be streamlined. While many people look at this chamber and comment on how old it is, it is a demonstration of the dynamic nature of the chamber that the standing orders are amended to reflect and respond to the ever-changing needs of its members.

I place on the record my appreciation of the work done by members of the Procedure Committee of the 57th Parliament. I thank the President, the Honourable Bruce Atkinson; Mr Davis; and Mr Drum, who

replaced Peter Hall after his resignation from Parliament earlier this year. Mr Jennings was substituted for Mr Viney, who was the deputy chair of the committee. I pay tribute to Matt Viney's contribution to the former Standing Orders Committee. He was very animated about the process in the last Parliament, so it is a shame that he is not here to show the same sort of enthusiasm again. I wish him all the best for his recovery. Mr Lenders has of course also been involved. He has given me a bit of a wry smile across the chamber as we both reflect upon the previous Procedure Committee. I think it has been a lot smoother this term, and a lot clearer in the way it dealt with issues. I am appreciative of Mr Lenders's support. Ms Pennicuik, who is not shy of putting forward an opinion on the standing orders — and continues to do so today — was also a member of the committee. I appreciate that despite the smallness of the Greens party she does an enormous amount of work in examining the standing orders, perhaps more than those in the other parties would like to admit. I acknowledge the work she contributed to the standing orders review.

For those members who are trying to understand how this all works, I indicate that appendix A contains the draft standing orders of the Legislative Council and the report is itself the recommendation for adoption of the new standing orders for the next term. Obviously there will be amendments submitted by Ms Pennicuik and the government. I am sure Mr Lenders will have some things to say about some of the areas Labor may disagree with. I will not labour the point too much, but appendix B gives a very good comparative table showing how the current standing orders had been renumbered or omitted. That is referenced on pages 89 to 92.

That in itself gives an indication of the depth of work that the clerks have undertaken to try to consolidate the current standing orders. What the standing orders will be and the practice changes are outlined in appendices C, D, E, F, G, H, I and J. Members will see there are some suggested new standing orders and amended standing orders. If members look at the comparative table at appendix B, they will see that pretty much everything remains ostensibly static, with a renumbering process.

Having said that, I do not wish to go on too long other than to say that I have enjoyed reviewing the standing orders. I have not really enjoyed the food that has been provided, but that is a side issue.

Mr D. R. J. O'Brien — Don't get Mr Lenders going on the food.

Hon. R. A. DALLA-RIVA — I advise Mr O'Brien that I have raised the issue of food once before and it has helped. The food in Sessions Cafe and in the dining room has improved immensely. I will take credit for that. I commend the Procedure Committee's October 2014 report on the review of the standing orders and look forward to the debate that proceeds.

Mr LENDERS (Southern Metropolitan) — I heartily endorse Mr Dalla-Riva's comments. In the interests of the work of the house, however, I will not repeat them all.

We come to this place as political adversaries with very strong views on how we should do things. I have been on the standing orders and procedures committees of both houses in the past 15 years. The Procedure Committee has been particularly mature in its ability to find areas where there is commonality and then separate things where there may not be.

The report tabled in this house is one that people have signed up to and that we can say is an iteration of where we are at, incorporating bits from sessional orders, standing orders and practice, while also having a contest on a few ideas separate from that. I commend you, President, on your leadership of the Procedure Committee. I also commend you, the clerks and Mr Dalla-Riva on presenting this to the house today in a streamlined form that lets us make an informed decision.

Firstly, I think this is how things can work. In a charged environment such as Parliament sometimes it is difficult. We look to this place to see how we might get a political advantage — obviously we do that with any set of rules — but as practitioners in this place we also seek to work out how we can streamline the show. This process has been valuable in that regard. Also valuable has been the end-of-session deadline. It has been good for a number of reasons. I was probably less anxious about meeting the deadline this time than I was last time as the Leader of the Government, but having the deadline of the end of a session is good practice. We can have the debate on what is good for the chamber. We might all have our own views about who is likely to win and what the chamber is likely to be like after an election, but we do not know for sure. We are more likely to come up with good practice when there is the possibility that we could be on either side of the chamber than we are early in our term when we know that whatever standing or sessional orders we put in place will have a real-life effect on the chamber that might give us partisan or non-partisan advantage. This process of conducting a review for the end of the session is, I think, very good practice.

I have a couple of comments on the Labor Party position. We will support — that is, not oppose — the report. We have an issue with two of the amendments. Since the Bracks reforms of this house our position has been that we should, where possible, emulate the Senate. That has been our starting principle position. We are not the Australian Senate, even though it once sat in this chamber. The Senate has gone down its own path and has some different dynamics from those of our chamber. Nevertheless, that has been the Labor Party's starting principle on standing and sessional orders in this place since 2002.

It has given us some grief in a couple of areas. In the last Parliament we followed the Senate practice regarding the ability of committees to self-reference or not self-reference. That was good for us in government. It has not been good for us while out of government. We tried, however, to follow Senate practice. We stick to that principle. In our argument, despite that we do not have the numbers at the moment, we sometimes wish to move from that, but we think it is probably a good objective anchor for how this Parliament should move.

Secondly, we felt aggrieved during this Parliament when the government used its numbers on one of the Legislative Council committees to have members and participating members form a quorum. We were close to seeking to move an amendment to the draft standing orders because we thought, frankly, that that was a rort. But when you go back to the starting principle of Senate practice you see that is what the rules of the Senate are. Our view is that we should go back to that position. In one sense it is as if we are abrogating responsibility and saying, 'The Australian Senate is the font of all wisdom', but on the other hand we are growing in our practices as a house of review. There are proportionality issues and a range of things that the Senate has dealt with since 1949, with the odd case where a government of the day controls it, but there is a general rule where it does not. We think that is a good practice for us to follow.

I will speak to the individual amendments as they come up, but we certainly are not opposed to the deletion of the government business program from the draft standing orders, so we will therefore support one of Mr Davis's amendments. We had a view in 2002 that it was one thing above and beyond Senate practice that you needed to do. It has been academic for the last eight years because the current government has not been prepared to use it and the government in the Parliament before did not have the numbers to use it. During the term of the 2002 to 2006 Parliament, in the first year the practice was used frequently and by the fourth year

sparingly. From our perspective these matters go to the old 21 to 19: if the government has the numbers, it will do whatever it needs to do to get things through.

In a sense you could have this in the standing orders, and it is irrelevant unless a government has the numbers. If a house is particularly obstructionist and bloody-minded and the government has the numbers, it will do what it needs to do anyway. It is an academic provision, but one that has caused great division in this house. In that spirit we will certainly not oppose its removal from the standing orders.

I will now speak to the two amendments in one go rather than sit down and stand up again.

The PRESIDENT — Order! I indicated at the outset of this debate that for the sake of a clear process for the house I would seek to put the sections of the motion moved by Mr Davis separately. However, Mr Davis has prevailed upon me and said he moved it as one motion and his expectation is that it would be voted on as one motion. Given that it is his motion and not mine, I accept Mr Davis's request that it be put as one motion. On that basis I think it is important for me to inform the house, and particularly Mr Lenders, as he now might contemplate an amendment to Mr Davis's motion which, in the scheme of things, will also be an amendment to the actual draft standing orders if they proceed. But if there is one area of Mr Davis's motion that Mr Lenders takes issue with, I would invite him to move an amendment to that. I suggest that whilst Mr Lenders might speak to that now, I will deal with Ms Pennicuik's amendment first because they are distinct issues. We will then come back to allow Mr Lenders the opportunity to move an amendment to Mr Davis's motion as we proceed sequentially.

Mr LENDERS — Again there are no surprises to the house. The Labor Party does not oppose the part of Mr Davis's amendment on the production of documents chapter. This is a practice that was there in the past. In my earlier discussion of the 21 to 19 rule, I said if a majority of the house of the day wants to do this, it does it by standing order or sessional order. We would have preferred that this was actually incorporated in the draft standing orders, but I understand Mr Davis may not have brought it forward because it has been an area of contention before. We have no particular issue and we do not oppose it, but I think in the end it is like having a government business program: it really depends on the numbers of the day and whether you do it via sessional order then or by standing order now. I will not dwell on that.

The one thing in Mr Davis's amendment that I seek to amend by removing it is proposed amendment (2)(1)(b). For members of the house who do not have the document in front of them, that is the one where to extend the sitting a minister can rise to his or her feet and declare the sitting extended for an hour. We completely support the principle of being able to extend the sitting for a short period of time rather than ad infinitum. Our grievance with the extension of sittings is partly that we think you can manage business without needing to do that or sit on a Friday and partly that no-one knows how long the sitting will go for.

In any case, under the current standing orders a minister can move that the sitting be extended for 15 minutes, 30 minutes, 1 hour or whatever. That has happened before. I moved that as a minister, so there is lots of practice and precedent for a minister to move at any time that the sitting be extended for a limited time. If I recall, at one stage we moved that a sitting be extended for what ended up being 8 minutes or something in negotiation with the then opposition leader in this house, Mr Philip Davis.

What concerns me, and it is not a die-in-the-ditch thing but it is enough that my Labor colleagues and I will seek to amend this, is that a minister can declare. The executive has a lot of prerogatives at the moment; for example, only a minister may move that the house adjourn and only a minister may move that a sitting be extended. There are a lot of privileges for the executive government to help it get its business through. It is not unusual to have this. But what I find offensive, and what we in the Labor Party find difficult, is that the house has nothing to do with it. We accept that ministers are the only people with the privilege to move to extend consideration of government business, but the fact that a minister can unilaterally declare that a sitting be extended for 1 hour without any notice to anybody is something the Labor Party will seek to amend. I flag that at the appropriate time I will move that paragraph (2)(1) of Mr Davis's motion, which allows a minister to 'declare, without debate, that the sitting be extended by up to 1 hour', be expunged, or whatever the term is that we wish to use.

Ms Pennicuik's first amendment concerns a provision relating to a minister of religion. We have a proposal from Mr Davis, and I do not think I am giving any Procedure Committee secrets away, that we should start incorporating into the standing orders what happens at a regional sitting. I have probably breached parliamentary convention; I should be flung into the cell for saying what happened in the committee. There is a proposal in the draft standing orders that at a regional sitting the President may invite the mayor of the relevant

municipality to speak and the President may invite a religious leader to give the Lord's Prayer, which under our standing orders happens anyway. Ms Pennicuik has sought to delete the provision relating to the religious leader at a regional sitting.

The principles of the Labor Party are that we follow the procedures of the Senate as a starting point and we deal with the iterations of what is happening under our current standing orders, sessional orders and practice. What is proposed here is outside that. At the moment under our standing orders when we have a regional sitting the Lord's Prayer is given by the President. What is proposed is that it still be given but by another person. Ms Pennicuik is proposing that it not be given at all. From the Labor Party's perspective, given our principle that we support the Senate's standing orders and we do not support change beyond those areas that are given, we will not support that amendment for that reason.

As I said at the outset on behalf of my colleagues, I think this is a good set of proposals. Other than these two areas where we will oppose one amendment and seek to delete a section from another amendment, we are very happy to give this a speedy passage. In conclusion, my opening remarks were about how positive the process has been.

As a Labor person it would be remiss of me not to note our disappointment that Mr Viney is not here, as Mr Dalla-Riva said. Matt Viney was particularly passionate about standing orders. He has been on this committee for a long time. He was part of the process in the last Parliament, and as Deputy President he was a keen follower of it, and still is. He knows more about Erskine May than anyone else I know, and while I should not reflect upon the clerks, I suggest it is a challenge for them to be as up to speed, which they certainly will be, as Mr Viney on Erskine May. I have never known a person who knows more about Erskine May than Mr Viney. He loves this place and he loves this stuff. In concluding my contribution on Erskine May, I would like to say we miss Mr Viney dearly, and I think Mr Jennings was substituting for him briefly at the end. This is Mr Viney's forte, and it is disappointing that he is not here to present the report today. With those comments, President, I look forward to the rest of the debate.

Ms PENNICUIK (Southern Metropolitan) — It is my pleasure to speak on the report of the Procedure Committee on the proposed changes to the standing orders. I begin by thanking the clerks and the staff of the table office. In particular I thank Andrew Young, Keir Delaney and Vivienne Bannan, who have done so

much good work to put this together under quite a lot of pressure. Mr Dalla-Riva began by saying, 'Here we are again on the last sitting day without draft standing orders for the next Parliament'. It is a bit of déjà vu. On the second-last sitting day of the last Parliament we set up the Council standing committees. We were at 5 minutes to midnight getting that done. Perhaps it is inevitable that it goes that way.

The Procedure Committee had some earlier meetings, but did not seem to get very far. As Mr Lenders was saying, we had a lot of good discussion in trying to find the areas where we could agree and separating out the areas where we could not agree. It is pleasing to see that we have agreed on quite a large number of issues. Some are quite substantial, while others are more technical and fix some errors or make minor adjustments to the standing orders to make the business of the house flow more freely.

I thank the other members of the committee: Mr Dalla-Riva, Mr Lenders, Mr Drum — who was a member of the committee for a while — Mr Davis and of course you, President, who have chaired the committee so aptly and ably to try to get us to reach agreement. I have enjoyed my eight years as a member of the previous Standing Orders Committee and the Procedure Committee. There are a few of us in the Parliament who love to get involved in this stuff, while other members may not find it quite so enthralling. In my inaugural speech I said that one of the phrases that has stuck in my memory is 'structure is destiny' — that is, if you get the structures right, you will find that things work better. I believe that is what the standing orders are about: structuring the daily and yearly business of the house, structuring the way things are carried forward to allow things to run as smoothly as possible and ensuring that every member in the chamber has an opportunity to make a contribution.

One of the things we have addressed in the standing orders is recognising regional sittings; I will go to that again in a moment. Also, the order of business on days has been changed somewhat such that on Wednesdays the house will rise at 6.30 p.m. whether or not committees are meeting so that there does not need to be a formal announcement about committee meetings. I raise this issue because I still expect that the standing committees will sit on a Wednesday evening where possible, particularly for deliberative meetings to consider the business before them.

The idea of special business has been changed. In speaking rights, the main opposition members are now called other lead speakers. I think I have mentioned in the house before that there was quite a lot of

inconsistency in terminology throughout the standing orders in respect of non-government speakers, other lead speakers, third-party speakers et cetera. That has now been standardised, which I think is good. It gives other lead speakers the same speaking rights as the lead opposition speaker, who can speak for 45 minutes on most items. General business is left with no speaking time limits. The anomaly in relation to the adjournment debate has also been rectified. That was a mistake in the standing orders of the last Parliament, and it has been fixed.

I am also pleased to see the inclusion of provision for members of the Dispute Resolution Committee to be able to report to the Council on that committee's deliberations. That is about as much as we can do, given the provisions in the constitution regarding that committee, but it was very difficult practically for members of that committee to fulfil their role of coming to some agreement without being able to report that back to other members. I also refer to an issue we dealt with just last night regarding something called 'urgent bills'. In fact they were not really urgent bills, and such bills are now to be called 'identical bills'. That better describes what they are and the process for dealing with them.

I agree with Mr Lenders that we should try to adopt the Senate practice. I think we do need, in the evolution of the practice of this Legislative Council, to have some sort of benchmark, and the Senate is of course the appropriate benchmark. When the standing orders were used to set up the standing committees we now have, we did look at the Western Australian model, which we adopted with respect to the number of committees and the subject matter those committees deal with. We adopted that particular structure, but we adopted the Senate practice for the operation of those committees.

I will speak briefly to the amendments I have put forward. With respect to the regional sitting the Greens have put forward an amendment the effect of which would be that a religious leader could not be invited to say the Lord's Prayer. The President would still be able to say it as part of formal business, because the regional sitting would operate according to standing order 5.02. In any case it is the view of the Greens that there should be a separation between church and state and that it is not appropriate to invite a religious leader to say the Lord's Prayer. That is separate from the issue of the Lord's Prayer itself, which of course the Greens also have an issue with. Our issue with it is not the Lord's Prayer per se but that every morning in this place the Lord's Prayer — and I must say a particular denominational version of the Lord's Prayer — is said, and not only do we believe that it is not representative

of every member of the Legislative Council but more importantly we believe it is not representative of the community, which is what we should be looking to represent.

The library has done some research on this issue, and many parliaments around the world, including the European and South African parliaments, have moved to change this practice to being a more inclusive one — and there are different versions of how to do that — that is more reflective of the general community, which we believe the particular denominational version of the Lord's Prayer said in this Parliament is not.

I moved a motion earlier this year about the Standing Orders Committee looking at this, but in our deliberations in the Procedure Committee I did not get a lot of support for that. I would urge members, however, to think about the way that practice has been changed in other parliaments to better reflect the community outside which we are meant to be representing. I do not think the current situation does that. We will certainly be looking to pursue this matter again in the next Parliament.

The other issue regards the extension of the sitting. Over the past four years in this chamber there have been quite a number of extensions of sittings, and in our view none of them have been necessary. They have not been due to urgent legislation that needed to be passed in that sitting. Most of them have been bills with commencement dates weeks or even months ahead of the particular sitting day on which we debated them. The government, however, has called for these extensions of time. On many occasions, after extending the time of sitting until 1.00 a.m. or 2.00 a.m. on a Wednesday, causing all the staff to have to stay back and creating a lot of expense for the budget of the Legislative Council, we have found ourselves on the following Thursday with a string of government speakers on a government bill getting us through to the time when the messages come from the lower house. I do not believe these sitting extensions have been warranted or useful.

As I am sure the Leader of the Government would agree, the Greens are very happy to cooperate on the smooth running of the house if there is an urgent matter but not if the issue is about disorganisation and involves an unnecessary extension. We have never been able to put our view about that at the time an extension has been proposed, and that is why we want to move the amendment that it be the subject of a procedural debate.

I extend my thanks once again to the other members of the Procedure Committee — it is a great pleasure

working with them — and to the clerks and the table office staff for all the work they have done. I agree with Mr Lenders that this review has been extremely well presented. It is very easy for anybody in the Council and indeed for members of the public who may be interested in the Council's standing orders — I am not sure how many of them there are — to follow and see clearly what changes have been made. The running sheets for today's presentation of the report and for the amendments have also been extremely well presented.

Hon. D. M. DAVIS (Minister for Health) — I am pleased to rise to discuss the standing orders and the review of standing orders report by the Procedure Committee. I too join with Mr Dalla-Riva, Ms Pennicuik and Mr Lenders on complimenting the committee as a whole on how it has worked and the process that has occurred. I indicate that I think this process worked well in this Parliament. The reforms to the standing orders make a significant set of changes that will make the Legislative Council work more smoothly and will improve the rights of members. I think the collaborative way in which this has occurred has been very significant.

I am going to summarise very briefly the significant changes — there are six of them — and then come to my amendments after that. There is a new and simplified procedure where the Council suggests amendments to bills under section 64(2) of the constitution, and that is explained in the appendixes that are attached to the report.

There is the streamlined process for initiating bills in the Council, but there are also protections there to ensure that members cannot be bushwhacked or surprised by things that are coming forward, so this is a useful and fair balance that has been struck between having the ability to expedite bills and ensuring that both major party and minor party members are not surprised and have sufficient time to examine these points.

Importantly there is recognition of the Council's practice of holding regional sittings. Personally I was particularly keen to see this. I think regional Victoria needs the recognition of those regional sittings. The government strongly supports these regional sittings, and I think it is important that they be recognised in the standing orders, and I will say more about the specifics of that in a minute.

There is an amended order of business on Wednesdays, and that is welcome. For example, some of the innovations that have occurred through this Parliament, such as where a short period of government business

has been added on Wednesdays, will remain, and I think that has been accepted by the house as a sensible change that has been put in place so that the government has the ability to take business briefly during that Wednesday period.

The new standing order permitting Council members of the Dispute Resolution Committee to report to the Council on the committee's deliberations — appendix H — is an important change. Ms Pennicuik and I particularly in this chamber were aggrieved at the use of the Dispute Resolution Committee in a previous Parliament. I make the point that it has not been used in that way in this Parliament. In that change that was made to the constitution, the veil of secrecy that was put over the activities of the Dispute Resolution Committee was not only something that rankled but was also, we think, poor practice. This seeks to remedy that to the extent that is possible.

Indeed in that previous Parliament we moved motions to enable the tabling of reports by members of the Dispute Resolution Committee, and I believe that procedure would still be available to members.

I also note the changes that are made to standing committees, including requiring government responses, permitting members to attend meetings by audio or audiovisual link, permitting members to take public evidence in closed hearing and publish the evidence, and other minor alterations.

There has been good procedure behind the adoption of this report, which has been supported by all parties. Specifically I want to single out the role of the President, Bruce Atkinson, in that process. I also pay tribute to the lead-up to this in the form of previous clerks Wayne Tunnecliffe and Matt Tricarico. At this point it is important to recognise their contribution to the Parliament and the Legislative Council over many decades, and particularly through the early part of this Parliament.

Indeed I particularly pay tribute to work done to innovate procedural changes in the chamber, including the new process to harmonise bills and allow the concurrent debate of bills in both chambers with the parking, as it were, after debate here and later harmonisation with the coming from the other place, which has meant a smoother and more effective flow of legislation without in any way diminishing the democratic rights of members and thereby their communities to have their say on those particular bills.

I also pay tribute to Andrew Young for his leadership of this process through the recent review of standing

orders and note the work of Keir Delaney and particularly Vivienne Bannan, whose hard work in this regard is very much respected.

I move to the substance of my motion, which seeks to move amendments to the agreed position in the draft standing orders, and I also note Ms Pennicuik's proposed amendments.

I will discuss these as I work through each of the changes that are proposed here. We propose to omit 'or other appropriate local person' from draft standing order 4.05(3). This would guarantee that the mayor and the mayor alone should be the person deputised to represent a relevant local community. I believe that a person from local government would be the appropriate person to represent an area, and in that sense this is an important recognition that when the Legislative Council has a regional sitting and engages with the community the invited person to speak to the Legislative Council on those occasions should be the local mayor.

I note the matters around my second substantive point in the motion — that is, the extension of sitting. Currently the extension of sitting can occur by a motion which is put without debate, allowing the sitting to go forward. That is used from time to time when business needs to be transacted. It is an important bulwark against filibuster, because those who would seek to cause delay by extending debate unnecessarily or for enormous periods of time are unable by that mechanism to effectively frustrate or block the government's wish to pass a bill.

I have always taken the view, and I think people both in government and in opposition understand, that I do not want to see a guillotine or a gag used against members in this chamber. I do not believe that is appropriate. If people want to keep talking, the opportunity ought to be provided to them. More democracy is a good thing — people can have their say — but equally the government needs a mechanism to ensure that they have their say in a way which is not limited but which still allows the passage of legislation — allowing members put their points democratically and at length but not at the same time to frustrate or filibuster to negative effect.

This new mechanism, which would allow a discrete extension for 1 hour at the declaration of a minister to be put without debate, and potentially a second extension for 1 hour, is a useful innovation. It will mean that when a bill is near conclusion the government will be able to extend the sitting for a period to allow that bill to proceed. If the extension is to go on longer, there will have to be a vote in the normal way.

In the section relating to draft standing order 6.13 and the government business program — and I thank Mr Lenders for his comments regarding the business program — as the chamber will know, I have always been opposed to having a business program in this place, believing it changes the culture and leads to lesser outcomes. The business program has been in the standing orders since the 2002 to 2006 Parliament, and this is an appropriate opportunity to remove it to ensure that it is not misused in the future.

The final section of the motion that I have moved relates to the production of documents. This is effectively the sessional order from the 2006 to 2010 Parliament, which formalises a process for production of documents and provides a more sensible and practical way forward. This change could be made by motion, but this approach makes it a simpler and tidier formula going forward.

With those comments, I indicate that I think these are sensible changes. There are consequent amendments around the business program removal and so forth which are part of the motion, but that is the essence of it. I also draw the attention of the house to standing order 4.05 in relation to regional sittings. I make the point that the government strongly supports regional sittings. This codifies the practice that occurred at Bendigo, which was effectively a trial for a number of these provisions. I will read proposed standing order 4.05 into the record. It states:

The Council may meet from time to time at regional places fixed by the Governor in accordance with section 8 of the Constitution Act 1975.

At these sittings —

- (1) The President will take the Chair soon after the time appointed for the meeting of the Council as a quorum of members is present, and the President, or a local religious leader, will read the Lord's Prayer.

This will allow the President to seek a local religious leader to read the Lord's Prayer in their community and to do that in a way that recognises the heritage of the chamber and the heritage of our community and that will apply in the local regional context. The standing order continues:

- (2) The Clerk will read the proclamation or other authorisation from the Governor varying or altering the place for the despatch of business of the Legislative Council.
- (3) The President may invite the local mayor or other appropriate local person to address the house.

It is my view that that should be the mayor. I believe the local government in this respect represents its local

community, and the mayor is the person who should represent their local community in that context. The standing order continues:

- (4) The order of business thereafter will be in accordance with standing order 5.05 unless ordered by the Council.

That neatly encapsulates the Bendigo process, which we think was successful. There was a good community engagement and that practice can apply into the future. I understand the points made by Ms Pennicuik and I am respectful of those points, but the government simply has a different view in this matter.

The Council is able to change these rules at any time by majority, and that is open to future parliaments. However, as Mr Lenders outlined, the practice of reviewing the standing orders towards the end of each Parliament, particularly incorporating innovations and changes that have been trialled, some of which will work and some of which will not, is effective. The ones that have been successful will generally be picked up in the new standing orders, and that is effectively the process we have adopted here. As I said, the President has led a sensible collaborative process which will see better standing orders for the Council, better recognition of these key points, and all of the chamber can take credit for that process.

House divided on Ms Pennicuik’s amendment (1):

Ayes, 3

Barber, Mr (*Teller*) Pennicuik, Ms
Hartland, Ms (*Teller*)

Noes, 36

Atkinson, Mr	Lovell, Ms
Coote, Mrs	Melhem, Mr
Crozier, Ms	Mikakos, Ms
Dalla-Riva, Mr	Millar, Mrs
Darveniza, Ms (<i>Teller</i>)	O’Brien, Mr D. D.
Davis, Mr D.	O’Brien, Mr D. R. J.
Drum, Mr	O’Donohue, Mr
Eideh, Mr	Ondarchie, Mr
Elasmar, Mr	Peulich, Mrs
Elsbury, Mr	Pulford, Ms
Finn, Mr	Ramsay, Mr
Guy, Mr	Rich-Phillips, Mr
Jennings, Mr	Ronalds, Mr
Koch, Mr (<i>Teller</i>)	Scheffer, Mr
Kronberg, Mrs	Somyurek, Mr
Leane, Mr	Tarlamis, Mr
Lenders, Mr	Tee, Mr
Lewis, Ms	Tierney, Ms

Amendment negated.

The PRESIDENT — Order! We will to proceed to a decision on a further amendment proposed by Ms Pennicuik. The additional amendment proposed by Ms Pennicuik was circulated this morning, and she

gave notice of that this morning. It is in relation to standing order 4.08(1).

House divided on Ms Pennicuik’s amendment (2):

Ayes, 3

Barber, Mr (*Teller*) Pennicuik, Ms
Hartland, Ms (*Teller*)

Noes, 35

Atkinson, Mr	Melhem, Mr
Coote, Mrs	Mikakos, Ms
Crozier, Ms	Millar, Mrs
Dalla-Riva, Mr	O’Brien, Mr D. D.
Darveniza, Ms	O’Brien, Mr D. R. J.
Davis, Mr D.	O’Donohue, Mr
Drum, Mr	Ondarchie, Mr
Eideh, Mr	Peulich, Mrs
Elasmar, Mr	Pulford, Ms
Elsbury, Mr	Ramsay, Mr
Finn, Mr	Rich-Phillips, Mr
Jennings, Mr	Ronalds, Mr
Koch, Mr	Scheffer, Mr (<i>Teller</i>)
Kronberg, Mrs (<i>Teller</i>)	Somyurek, Mr
Leane, Mr	Tarlamis, Mr
Lenders, Mr	Tee, Mr
Lewis, Ms	Tierney, Ms
Lovell, Ms	

Amendment negated.

The PRESIDENT — Order! Ms Pennicuik formally moved a third amendment, which was in regard to renumbering. I will now put that amendment to the test. It really ought to be defeated because there is no need for renumbering now; however, because the amendment has been formally moved, I will put it to the test.

Ms Pennicuik’s amendment (3) negated.

The PRESIDENT — Order! We are now dealing with Mr Davis’s amendments. I invite the Leader of the Opposition, Mr Lenders, to propose an amendment to Mr Davis’s proposition.

Mr LENDERS (Southern Metropolitan) — I move:

In Mr Davis’s proposed amendments to the draft new standing orders, omit amendment (2).

I will be very brief. As I outlined in my earlier address, this amendment seeks to omit Mr Davis’s amendment (2), which is the provision that allows a minister to declare the sitting be extended by 1 hour.

Hon. D. M. DAVIS (Minister for Health) — The government believes its amendment is sensible and practical and it will stand by it.

Ms PENNICUIK (Southern Metropolitan) — I am inclined to support the opposition on this amendment,

in part because of the word ‘declare’ rather than ‘the minister may move’ and also in defence of my previous argument, which was that other parties do not have an opportunity to put forward their point of view with regard to the necessity or otherwise of an extension. For it to be ‘declared’ I do not think is appropriate.

House divided on Mr Lenders’s amendment:

Ayes, 18

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

Noes, 20

Atkinson, Mr	Lovell, Ms
Coote, Mrs (<i>Teller</i>)	Millar, Mrs
Crozier, Ms	O’Brien, Mr D. D.
Dalla-Riva, Mr	O’Brien, Mr D. R. J.
Davis, Mr D.	O’Donohue, Mr
Drum, Mr	Ondarchie, Mr
Elsbury, Mr	Peulich, Mrs
Finn, Mr	Ramsay, Mr
Koch, Mr	Rich-Phillips, Mr
Kronberg, Mrs	Ronalds, Mr (<i>Teller</i>)

Pairs

Viney, Mr	Guy, Mr
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Amendment negated.

Mr Davis’s motion agreed to.

The PRESIDENT — Order! We now return to the original motion, which was moved by Mr Dalla-Riva in presenting the report of the Procedure Committee. The question is:

That —

- (1) the draft standing orders, recommended by the Procedure Committee in its *Review of the Standing Orders*, October 2014, as amended, be adopted as the standing orders of the Legislative Council; and
- (2) the new standing orders come into operation on the first sitting day of the next Parliament.

Hon. R. A. Dalla-Riva’s motion agreed to.

The PRESIDENT — Order! I indicate my appreciation to the members of the Procedure Committee for the work they did in drafting these amendments and for the collegiate manner in which we undertook those discussions. As Mr Lenders in particular pointed out — although Mr Davis, Mr Dalla-Riva and Ms Pennicuik also referred to this — there

was constructive discussion on each of these proposals, and I think it was a very good process. On behalf of the chamber I also extend my appreciation to the clerks, Wayne Tunnecliffe and Andrew Young, and to Vivienne Bannan and Keir Delaney for the work they did in providing the committee with various notes and advice and in the drafting of the proposals to ensure that the next Parliament will have a fine set of standing orders going forward. Thank you to all.

IMPROVING CANCER OUTCOMES BILL 2014

Second reading

Debate resumed from 18 September; motion of Hon. D. K. DRUM (Minister for Sport and Recreation).

Mr JENNINGS (South Eastern Metropolitan) — On behalf of the Labor Party, I am pleased to make a positive and affirming contribution to the debate on this piece of legislation, the Improving Cancer Outcomes Bill 2014. By definition, who could oppose such an intention and such a laudable framework? It is about ensuring that this state is able to appropriately govern the information that is available now and will be available in the future in this area. It is about ensuring that we improve our cancer services and our responsiveness in relation to patient care into the future. It is about ensuring the provision of personalised and appropriate care and better outcomes for patients with cancer, but also, very importantly, it is about ensuring that information is made available in terms of developing our capacity to prevent the proliferation of cancers in our community.

Clearly the intention of this bill is laudable. Its gestation period has been long. The people who work in cancer services, cancer agencies and Cancer Council Victoria who will be affected by this bill have worked long and hard to achieve a better legislative framework that will support their work and enable them to do it with greater confidence and certainty. The bill applies modern government practices. Clearly the opposition supports the passage of this piece of legislation.

However, I have to say that I am disappointed that the government has taken this long to put this piece of legislation on the notice paper. The fact that the Parliament of Victoria will be unable to pass this legislation is a sad indictment on the government’s ability to manage its legislative program and introduce reform, and I am very sorry to make that point. I just wanted to simply make the point —

Hon. D. M. Davis — Spare me!

Mr JENNINGS — I will do my best to resist the interjections of the Minister for Health today because when I responded to his interjections yesterday he made undertakings on the public record that he subsequently reneged on. Yesterday was a very embarrassing day for the Minister for Health, and I do not seek to assist him in making today an embarrassing one for him. It would be better if he sat in his place, did not interject and did not make commitments to the people of Victoria that he is unable to meet.

Unfortunately, because this legislation has arrived and is being debated today, even though it was introduced some time ago and it was quite within the capability of the government to pass it so that this framework could be put in place and the new governance arrangements for Cancer Council Victoria could be put in place — the Labor Party has indicated its wholehearted support for delivering that outcome — that opportunity has been lost. That is the point that I make. That was going to be the limit of my contribution on that issue, but as is typical with the Minister for Health, it has become an issue that I have had to draw more attention to, thanks to his untimely interjection from out of his place.

I give the government credit for recognising in its second-reading speech Victoria's great capability of providing quality services to patients in Victoria. We have now, and will have in the future, outstanding capability in terms of world-leading health care provided to Victorian patients. Perhaps the best recognised agency dealing with cancer on a national scale is the Peter MacCallum Cancer Centre. But it is not the only one. The Austin Hospital has established world-leading best practice. There has been the creation of the Olivia Newton-John Cancer and Wellness Centre, and important work has been undertaken by the Monash Comprehensive Cancer Consortium, the Paediatric Integrated Cancer Service and the Integrated Cancer Services that the minister acknowledged in his second-reading speech. They are certainly worthy of our thanks and congratulations on the calibre of their work.

The potential of much of the work, discipline and capability of Victorian clinicians, allied health workers and care workers will be on show in future through the Victorian Comprehensive Cancer Centre. That project is rising from its foundations in the Parkville precinct adjacent to the Royal Melbourne Hospital. I had the good fortune to be part of the Victorian Labor government that committed the funding in the forward estimates to support that project. It also sought agreement with the then federal Labor government to

provide funding for the centre and to commence the project that this government has continued on its watch, albeit sometimes a little overenthusiastically taking reflected or complete glory for it. Nonetheless it is a project of which all Victorians should be proud. The government of Victoria, whatever its complexion, should be proud and should support that capability being established. I am glad to say that the next government, regardless of its complexion, will have the opportunity to open a world-leading comprehensive cancer centre in Victoria. The people of Victoria will make a judgement between now and its opening about who the minister and the Premier of the day will be.

The reform introduced by the government today is significant because it deals with contemporary governance arrangements that should apply to the regulation of the agency that plays an essential role in health promotion, sharing advice and support for best clinical practice and encouraging the community to participate in programs designed to empower them as health consumers and patients. That agency is Cancer Council Victoria. Cancer Council Victoria is well recognised not only throughout this state but also across the nation and in many ways throughout the world as being a leader in demonstrating the way best practice, community education and community empowerment can be undertaken in health care. It has been an exemplar of those things for many years.

At the heart of this legislation is the repeal of the Cancer Act 1958. This will enable the making of a new governance arrangement to support Cancer Council Victoria in its work by establishing it as a company limited by guarantee under the Corporations Act 2001. That is something that Cancer Council Victoria itself has welcomed. It issued a clear and unequivocal statement at the end of August. That relates to my slight backhand to the minister today. Once the bill was introduced he had the opportunity to get this piece of legislation well and truly passed, but he did not take that opportunity.

Cancer Council Victoria welcomed the announcement of this piece of legislation on Friday, 22 August, and it recognised the value of this legislative reform underpinning its new governance arrangements. On any occasion from that moment until now I would have welcomed the opportunity to support its achieving that status. Regardless of that, this work will be completed by the next Victorian government, irrespective of its political persuasion. It will be implemented, I am certain, because of the bipartisan support for the outcome. On behalf of the Labor Party I give the guarantee that that objective will be achieved through statute.

The other important thing that happens through this piece of legislation is the clarification of the roles and responsibilities of agencies that currently hold information datasets that exist in relation to patient records and genetic information that has been gathered from patient cohorts. It enables researchers across a variety of disciplines to use and share that information in the name of better clinical outcomes and more informed research. Labor understood the importance of that work, not only in a theoretical way but also in a tangible way, and provided support to cancer and other agencies that held datasets with the establishment of BioGrid and other facilities across the state. We also recognise the important work that has been undertaken for many years by BreastScreen Victoria, the Victorian Cytology Service and other agencies that may hold information that is extremely useful for population-based research in cancer. That has been a feature of most research that has taken place in the past.

Increasingly in the future those population-based research activities will not only provide better clinical guidance and better therapeutic opportunities but also, most importantly, be used in the context of personalised medicine. Personalised medicine will be a feature of health care in the future and tailored to the individual circumstances of the patient, in terms of their genetic make-up and genetic predisposition to certain forms of cancer and particular tumour types they may develop. As knowledge of cancer grows exponentially in the research community across the planet, we know about screening of cancer types, various tumours, the proliferation of cancers which develop in different forms and, increasingly, combinations of those cancer types. Genetic knowledge that can be accumulated through such datasets as those that exist in Victoria will be essential in trying to tailor the most appropriate therapeutic interventions to support patients in their survival.

When in office Labor introduced the cancer plan, which had specific targets to increase the survival rate of cancer patients in our community. We tried to do that in a number of ways, including using the datasets I have referred to and with the work commissioned under the auspices of the Victorian Cancer Agency, to make sure we had a capability that was funded in successive budgets to provide knowledge, capability and the development of a workforce in cancer health in Victoria. That was run out in parallel with our commitments to investing in new healthcare services such as the Olivia Newton-John Cancer and Wellness Centre and the Victorian Comprehensive Cancer Centre.

In our term of government we had not only an understanding of these issues but also a tangible demonstration of financial support for these activities and recognition that our collective capability in Victoria is of international renown. The current government, to its credit, has recognised that there needs to be an appropriate governing arrangement for the certainty surrounding access to those datasets. To its credit it has developed this piece of legislation which streamlines that accountability, with the ownership of those datasets formally designated to the Secretary of the Department of Health. Whilst there may be agencies that hold datasets and use datasets for a variety of purposes now and into the future, they will be authorised, sanctioned and supported by the Department of Health through the secretary to make sure there is appropriate access and appropriate quality assurance about ethical behaviours attached to the use of those datasets and also a positive framework to grow the knowledge and share the learning and capability of cancer researchers in Victoria, around Australia and around the world. In terms of international collaboration that is a feature of best practice in not only cancer research but also other areas of medical research now and into the future, and it will be underpinned by clear governance arrangements in this bill.

I congratulate the minister and his department for getting to this point. I am just disappointed we did not get to this point some months, if not years, earlier, so that we could have this adopted as Victorian law. I think that opportunity has been lost. I am very enthusiastic about the content of and the outcomes that can be achieved through this bill, and I think it is disappointing that that opportunity has not been seized by the current government. I am certain the opportunity will not be lost entirely, but it would have been good to have completed this parliamentary term with some things being clearly delivered.

Ultimately I think the Victorian community is well served by our cancer health services. It is well served by clinical practice, and it is well served by the caring community in which we live. It is always extraordinary to see the goodwill and solidarity generated in our community when we hear of an incidence of cancer and when there is a call to provide financial support for agencies that provide cancer care and research. Rising up and dealing with the circumstances of cancer is one of the great humanising, uniting forces in our community. We should say in a very clear and determined way that this compassion and concern brings out the best in us.

I hope our community will continue to support our clinicians, our researchers, our community educators,

our allied health professionals and those in the community who stand up to support better outcomes for cancer patients and better capability and resilience in our community to deal with the circumstances of cancer for patients, their families and their communities, because that is very important. Using the knowledge I have been talking about will hopefully mean we can develop better clinical practice, better personalised medical outcomes and better preventive health measures based on population-based measures designed to reduce the incidence of cancer in our community.

I look forward very much to supporting that from whatever my vantage point is within the Victorian community. I wish all of the professionals and all of the committed community members who embarked upon those activities well now and into the future. I wish the legislation well, and I look forward to the day it receives royal assent and is enacted.

Ms HARTLAND (Western Metropolitan) — I will be brief in my contribution to the debate on the bill. I would like to take up something that Mr Jennings spoke about during his contribution. As I understand it the bill was introduced into the lower house of the Parliament several weeks ago. It is a very straightforward bill, and I do not understand why it has languished on the notice paper. I do not know why it could not have been brought to this house. Nobody is opposing it. Clearly it has a great deal of support from Cancer Council Victoria because it says it will improve its governance structures and bring them into line with those of other councils across the country.

The bill makes important changes to the governance of Cancer Council Victoria and the Peter MacCallum Cancer Institute (Peter Mac), which better reflects their status as incredibly respected organisations. The move to mandate a four-year cancer plan is a positive step. The previous plan has now lapsed, and action in the area is needed very quickly. I remind the government of the importance of including prevention in the plan. Obviously this is around the issues of reducing smoking rates, testing for various cancers, screening and the issues of melanoma. Sometimes we think that management and cure is a focus in respect of cancer, but let us see what we can do to prevent and reduce the numbers of cancers.

With those comments I note that the Greens will be supporting the bill. It is straightforward, it is needed and it will improve the services that Cancer Council Victoria, Peter Mac and other bodies can provide in the state.

Ms CROZIER (Southern Metropolitan) — I am pleased to rise to speak to the very important Improving Cancer Outcomes Bill 2014, which comes before the house on the last sitting day of the 57th Parliament. It reflects a necessary change to an old act not relevant to the 21st century. I am pleased that Ms Hartland and Mr Jennings are supporting the bill, but I will take up some of their comments in relation to its timing. On the last sitting day of a Parliament there will always be commentary around legislation brought into the house to be debated and questions asked about why they could not have been brought forward earlier.

In relation to the comments made by Mr Jennings, the bill will in part repeal an old act. We are in the 14th year of the 21st century. The Labor Party had 10 years in government during that time, and it had plenty of time to look at the issues we are debating today. The government and the minister in particular should be congratulated for working with a number of organisations to ensure that we reflect what is happening today and for bringing some governance issues to hand. The comments about the bill and its timing are puerile in relation to the importance of the bill. It is my understanding that in the last Parliament somewhere around 336 bills were passed, and in this Parliament it will be a similar number. I am not sure the previous Parliament had quite such an obstructive opposition.

This is a bill for an act to articulate the role and functions of the Secretary of the Department of Health with respect to cancer; to establish a framework for the collection, management, use and disclosure of information relating to cancer; to require the preparation of a plan providing a strategic policy framework for cancer in Victoria; to provide for the registration of the Anti-Cancer Council of Victoria as a company limited by guarantee under the commonwealth Corporations Act 2001; to repeal the Cancer Act 1958, and for other purposes.

The bill complements and supports other legislation to promote and protect public health and wellbeing. These include the Public Health and Wellbeing Act 2008, the Radiation Act 2005 and the Tobacco Act 1987. The first two acts contribute to a more effective cancer control system. The Tobacco Act specifically seeks to reduce the burden of one of the major causes of cancer in Victoria — that is, smoking, and I will speak more about that later in my contribution.

The bill alters the legal status of Cancer Council Victoria from being a statutory entity to a company limited by guarantee, reducing its regulatory burden and bringing it into line with cancer councils in other

Australian jurisdictions. However, the bill does not change the entity's property, rights, liabilities and staff. I acknowledge the enormous and significant work that Cancer Council Victoria has done over a number of years in relation to preventative health measures in the state, bringing awareness to the Victorian community and working in conjunction with many organisations to improve the health and wellbeing of Victorians.

The incidence of cancer in our community continues to be an enormous burden not only on individuals and their families but also on our health services. In saying that I acknowledge that there have been some very positive and significant advancements in how we diagnose, treat and manage cancer. As Mr Jennings said, in Victoria we have a proud and internationally renowned reputation and record of medical research, which in many instances has been at the forefront of cancer research and ultimately improved diagnosis, treatment and management of cancer.

Our medical research industry has been a leader. I pay tribute to those research institutes for the work they have done and continue to do, whether that be on advancements in cures for chronic diseases, such as diabetes and cancer, or the development of vaccines or innovation through the development of improved technologies. I also pay tribute to the tens of thousands of health professionals and allied health professionals across our health system for the work they do each and every day to manage patients with their cancer diagnosis, treatment and care, and also in many instances for the support they provide towards the end of a person's life in such a respectful and caring manner. Telling someone they have cancer is not easy. The emotion, particularly when it involves a young person, can affect even the most stoic of health professionals. I am sure that many members in this chamber have their own stories of knowing someone who has suffered or of being involved with someone close to them who has been diagnosed with cancer.

The statistics are enormous and alarming. They equate to around 80 new diagnoses and 30 deaths every day. As our population both ages and grows, these numbers are going to continue to increase. In 2012 cancer deaths in Victoria resulted in the early loss of 60 000 years of life. When I was looking at some of these statistics, including some from Cancer Council Victoria that looked at local government areas, I noted that in one particular area in my electorate of Southern Metropolitan Region — the Glen Eira area — the statistics demonstrated that between 2007 and 2011 there were 755 cases of cancer, of which 392 were males and 362 females, which equates to around 2.67 per cent of the Victorian population.

The major cancers are well known to many of us, and they are highlighted in these statistics in a number of local government areas that I researched, and they include bowel, prostate, breast and lung cancer and melanoma. I think Cancer Council Victoria is doing a tremendous amount of work in highlighting to the community preventative measures to prevent those dreadful cancers from occurring. Thankfully though, as I said, the quality and standard of treatment and care in this country and particularly in this state are things that we can all be very proud of.

To return to the thrust of what this bill is about, it aims to improve cancer outcomes and support Victoria's efforts to reduce cancer incidence, morbidity and mortality, and to enhance the wellbeing of those affected by cancer. The Minister for Mental Health, Minister Wooldridge, in her second-reading speech in the Legislative Assembly highlighted the history of a long and dedicated tradition in cancer legislation 'the nature and purpose of which have evolved over time'. A review of the Cancer Act 1958 was undertaken because, despite the act having undergone many amendments since 1958, it has failed to keep pace with the many significant advancements in the understanding and control of cancer. Many of these advances have been facilitated by improvements in the collection, use and disclosure of information relating to cancer. The act, however, hinders the collection, use-sharing and linking of data that is needed to support policy, service planning and service improvements to reduce the burden of cancer.

In undertaking the review there were many significant stakeholders involved either through interviews or by attending scoping sessions. Their input was critical in understanding how further improvements may be achieved, and the stakeholders strongly supported significant change to the legislation, with specific attention to enabling the collection of a broader range of cancer and health data and to improving the access to collected data and allowing data sharing. There were a number of stakeholders consulted in the process, and of course Cancer Council Victoria was a major contributor, but they also included BreastScreen Victoria, the Peter MacCallum Cancer Centre, the Victorian Cancer Agency, the Victorian Cancer Biobank, the Victorian Cancer Registry, the Victorian Cervical Cytology Registry, the Victorian Comprehensive Cancer Centre, Integrated Cancer Services, a range of health service providers, consumer representatives, other government departments, General Practice Victoria, the Olivia Newton-John Cancer and Wellness Centre, the Royal College of Pathologists Australasia, Cancer Council Victoria's Clinical Network, the Victorian Cytology Service and, as I said,

officers of the health services and privacy commissioners.

The key issues with the Cancer Act 1958 include outdated models of governance and data collection and insufficient support for public health and protection for early detection and treatment. The act does not adequately reflect contemporary privacy legislation, and it does not provide a cancer information system that is sufficiently flexible to support operational and planning requirements.

Importantly the Secretary of the Department of Health has a critical role to play in supporting the recording of the incidence of cancer within Victoria and hence a critical role in relation to the data that will be collected. Currently Victoria has a number of cancer registries, and registries are a long-established system that is both nationally and internationally recognised and provides a best practice approach to population screening and cancer control. Importantly in this respect the secretary has clear responsibility for maintaining the cancer registries and will be the custodian of data. It is equally important to note that the bill obliges the secretary to impose confidentiality, privacy and security obligations on any contracted service provider. The bill allows for the secretary to enter into contractual arrangements with organisations such as Cancer Council Victoria, the Victorian Cytology Service and Breastscreen Victoria, which will continue to collect and record information on the secretary's behalf.

Further to privacy and the collection of data, the bill is clear in its approach to the collection of personal health information being consistent with the health privacy principles, which are articulated very clearly in the Health Records Act 2001.

This government has, as have previous governments, supported a continued focus on public and political attention on cancer awareness, prevention, treatment and research. In this term the Victorian coalition government has been responsible for a number of cancer-related bills that will further assist with cancer prevention measures. They include various amendments to the Tobacco Act 1987 and banning smoking in child play centres, at public premises such as hospitals and in government buildings such as the Parliament and the courts. There have been a number of other initiatives that will go further towards protecting the public. They relate to banning smoking on train platforms and at various other locations, such as patrolled beaches and the like. This government has brought a number of very good initiatives before the Parliament, and we are very committed to further

prevention and doing as much as possible to reduce the incidence of cancer throughout the state.

As I said, this bill reflects a modern, flexible and principle-based legislative framework that supports the government's overall strategy for cancer control and at the same time strengthens Victoria's ability to respond to scientific, technological and future policy developments relating to cancer. As I said also, this is a very important bill. It will go towards protecting the Victorian public further. It will play a critical role in the governance issues surrounding data — the privacy issues — and it has had a lot of input from a number of very important stakeholders, not least Cancer Council Victoria, which I have mentioned. Along with other members, I commend the bill to the house and wish it a speedy passage.

Mr FINN (Western Metropolitan) — I rise to support this bill today with considerable enthusiasm. I suppose I rise to represent those who have been impacted by cancer. As somebody who has had cancer visited upon his family all too often and with very tragic results, I think it is important that as this house discusses this bill members realise just how devastating cancer is in our community.

I was three years of age when my father was diagnosed with Hodgkin's disease. At that stage the Peter MacCallum Cancer Centre was the Peter MacCallum Clinic, and I spent a good deal of my childhood at that clinic, which was in Little Lonsdale Street, as I recall. We drove down from Colac at least once a month so that Dad could have chemotherapy and other treatments. He fought that cancer for 17 years. It claimed him when I was 20. While Dad fought it for 17 years, it gives me some consolation to know that six months after he passed away scientists came up with a cure for the cancer that killed him and that he had contributed to that cure in that he had allowed himself to be used as a human guinea pig. So many times, when visiting oncologists or local doctors wanted to open him up and have a look around, he would always acquiesce to their requests.

My experience with cancer is inbuilt. It is something that I quite literally grew up with. I can never forget the impact my father's cancer had on our family and, he having been a farmer, the impact it had on him. Even when he was very ill he still had to go out and do what farmers do. That impacted on me very greatly, so it was a matter of some very considerable distress when, just a few short years after Dad passed away, my mother received a diagnosis of breast cancer. After the 17 years we had experienced and the death of my father, that really shook us all to the core. We could not believe this

was actually happening. I should say it had been a matter of a misdiagnosis. My mother had been told by a so-called leading surgeon that she had cysts. No, she had advanced breast cancer. She fought it for about four or five years before it claimed her. She was 50 years of age — she died the week before her 51st birthday. I should point out that my father died at the age of 44.

I look back on this as one of the greatest injustices I will ever experience — to have seen a mother and father die so young. If I am ever in a position to ask the good Lord above why he did that, I am going to do so, because it is something I would certainly like to have answered. It obviously still to this day has a huge impact on me and my younger brother and sister. Cancer is just a part of our lives — a rotten, evil part of our lives, a part of our lives we wish we had not had and wish we could get rid of, but a part of our lives nonetheless. It was beyond belief, then, when a bit over 10 years ago probably my closest friend in the world rang me to tell me that she had cancer and had only a few months to live. She died at the age of 48.

I say these things not to elicit sympathy or because I feel sorry for myself or for my family in any way but just to reinforce the point of how devastating cancer is to so many people. Cancer is not something that has hit just my family; it has hit so many families throughout the community for so long. I live for the day when cancer is totally eradicated. I wish those doctors and surgeons — those charged with the responsibility of finding a solution to this dreadful problem — all the very best, and I will help them in every way I possibly can.

I am delighted that the Parliament is passing this bill today. I will not say any more, in recognition of the fact that we want to get this bill through as soon as we can today, but I think it important that we all accept that cancer is an evil in our society that must be cut out. It must be eradicated. It must be destroyed, and the sooner that happens the better for us all, for our families and for everybody in the community.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Health system performance

Mr JENNINGS (South Eastern Metropolitan) — My question is for the Minister for Health. According to the annual report of his department, the Department of Health, tabled today ambulance responses within 15 minutes is a failed measure for his government, ambulance transfer times within 40 minutes is a

measure failed, emergency departments not treated on time is a fail — with one-quarter of emergency department patients not being treated on time — and, in relation to another measure, category 2 and 3 patient waiting times are a fail. What does the minister consider to be his biggest failure?

Hon. D. M. DAVIS (Minister for Health) — I think Mr Jennings is being a little jocular here. What is clear is that Victoria's health system is doing an outstanding job. Our ambulance service is doing an outstanding job, funding to our health service has increased, the capital program is on a scale that has never before been seen in this state, and there are more doctors, nurses and allied health professionals employed in our system. The government is meeting many of its benchmarks but not every single benchmark — that is true.

What is clear is that the government is delivering a better health service than the previous government. Capital spending has been increased. The spending on doctors, nurses and indeed ambulances is up. The response times have improved this year. It is clear that the clinical outcome measures are being met at Ambulance Victoria, and that is a very good outcome. The capital program at Ambulance Victoria is very significant as well. When you start to look at these points clearly, you see the government is doing a very good job in health care all around.

What is important is that our decentralised sector can take great credit. Our doctors and nurses right across the sector can take huge credit. We are spending \$15 billion, up more than \$3 billion since we came to government. What is absolutely clear is that across the state you can see the cranes at work as we build more hospitals and health services and deal with the capital backlog left by the previous government. There has been the building of the Victorian Comprehensive Cancer Centre and the announcement of the Monash Children's hospital at Monash Medical Centre.

The Monash Children's hospital is being built, and I was pleased to be down there the other day making a further announcement for Monash Health which will see a MonashHeart hospital built — the first dedicated hospital of its type in Australia. I think that Monash Health and the south-east of Melbourne can take great pride in what is being proposed there. I know the clinicians were very excited with the announcement, and we were very pleased to see the Labor Party dragged to this point and finally agreeing to do what the government was proposing. We welcome that it is finally coming along on this.

Look at the example of the opposition at Monash, and I am going to focus on this as an example in this large portfolio. I could talk across a large range of different areas, but the Monash Children's hospital was something the previous government did not build. The former government knew in 2002 that it was needed but did not allocate a cracker of money in any budget through its time in government. Daniel Andrews, now the Leader of the Opposition in the Assembly, can take personal responsibility for the failure to allocate even 1 cent to the Monash Children's hospital. It was this government, in its first budget, that allocated money to take the first steps that were required, which were to purchase properties to get the land footprint to the size that was needed. Every year since then we have taken further steps, and now across that site you can see the building of the massive Monash Children's hospital proceeding. It is going to be a very good hospital to service children in the south-east and down into Gippsland in particular.

That stands in stark contrast to what Mr Jennings and his party did when they were in government. This government has been prepared to fight for Victoria, unlike those on the other side who were prepared to roll over and allow money to be taken from Victoria by the previous federal Labor government.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — As you heard in my substantive question, President, I identified six key performance indicators of the quality of hospital services, health services and ambulance services provided to the people of Victoria — six failures identified within the minister's department's annual report. I asked the minister to comment on those failures, which he refused to do. Can the minister give the Victorian community any confidence in his ability to deliver better outcomes on any of those key performance measures, and what actions will he take to deliver those outcomes?

Hon. D. M. DAVIS (Minister for Health) — I can give the Victorian community great confidence. The government is working hard to deliver more in health care, better quality health care and to deliver health care that will have support across the whole community. That is why funding to health care has increased under this government. That is why capital programs around the state are going so far forward. We have got the largest capital works program in the state's history — more than \$4.5 billion of live health capital projects.

An honourable member interjected.

Hon. D. M. DAVIS — We did not inherit a Monash Children's hospital, I can tell you. There was no Monash Children's hospital. Labor had 11 years and its members did not turn a little sod of any soil. They did not do a thing. They did not allocate a cent — not 1 cent.

At Box Hill Labor built a half-size hospital, and at Bendigo Labor undercooked it. We put the extra \$102 million in, took it out to tender, got a great deal and got the whole hospital on one site, instead of splitting the centre between two sites — putting the cancer people over one side — —

The PRESIDENT — Order! Thank you, Minister.

Health initiatives

Ms CROZIER (Southern Metropolitan) — My question is also to the Minister for Health, Mr Davis. Could the minister update the house on what the Napthine government is doing to combat the most significant causes of premature deaths in Victoria — namely, cancer and heart disease?

Hon. D. M. DAVIS (Minister for Health) — I am pleased to respond to Ms Crozier's question and note her important advocacy for a number of key projects around Victoria. But there are two key projects I want to respond to today, and one concerns the \$1 billion Victorian Comprehensive Cancer Centre that is being built in Parkville now.

I was pleased to join Premier Napthine on the weekend at a topping-out ceremony for this massive project — 6 storeys down and 13 up. It is a massive outcome for the community, a project that is ahead of time and ahead of budget and is going to deliver a great outcome for cancer patients and the research link that is so important for our patients.

The Peter MacCallum Cancer Centre will move to the comprehensive cancer centre. It will be part of the Parkville precinct. It will certainly see a great outcome in terms of proximity to key research. Research facilities will be integrated into the comprehensive cancer centre, and I think the community will see that what we are building is the very best cancer centre in the country, the very best system countrywide.

What I can also say is that the government is proud to have gone to Monash Medical Centre to make an announcement about MonashHeart the other day. MonashHeart will be the first heart hospital of its type in Australia. It will be world leading, and it will again mix research with the very best clinical outcomes, both

from the prevention end all the way through to the highest tertiary services.

MonashHeart will be linked with the main hospital. It will be a \$120 million project. It will deliver an outcome for the community in the south-east and an outcome for people across Victoria. I think it will become a significant beacon nationally and internationally as well. I pay tribute to the clinicians at MonashHeart. I pay tribute to the work that has been done by the steering committee, which has sought to put the state government in a position where it could come forward with very significant funding to make this occur.

I can be very clear that the government is committed to this project. We see this as a project that will deliver for those with chronic cardiac conditions, as the comprehensive cancer centre will deliver for those with chronic cancer and other cancer conditions. But importantly the link with research will make sure that the very best treatments are delivered into the future.

All of this stands in stark contrast to the previous government, which was not prepared to take these steps. It was not the previous government that delivered the Box Hill Hospital; it had a half-baked proposal. I have to say that it was not the previous government that delivered a Bendigo Hospital with the capacity that it needs for future. That is being delivered now. The previous government did not deliver the hospitals in Echuca and Kerang, the health services in Barwon or the helipad in Ballarat.

Mr Jennings interjected.

Hon. D. M. DAVIS — All of these are examples of neglect by Mr Jennings's government over 11 years — catch-up work that we are doing to make sure there are proper, modern health services, whether it be Frankston Hospital with the new emergency department that is being built now, the new emergency department that has been built at Northern Hospital or the additional intensive care unit we have just opened at Maroondah Hospital. All of these are significant achievements of this government that stand in stark contrast to the failure of the previous government to invest properly in health, the failure of the previous government to do what was necessary.

The PRESIDENT — Order! Thank you, Minister.

Regional Aviation Fund

Ms LEWIS (Northern Victoria) — My question is for the Minister responsible for the Aviation Industry. I refer to the Regional Aviation Fund grant to the

Peninsula Aero Club, which is located in the Mornington Peninsula Shire, and I ask: how many Regional Aviation Fund grants have been made in interface rather than regional or rural municipalities?

Hon. G. K. RICH-PHILLIPS (Minister responsible for the Aviation Industry) — I thank Ms Lewis for her question and her interest in the Regional Aviation Fund. The Regional Aviation Fund has been a great program supporting regional airports across Victoria. Over the course of the last four years 19 separate airports across Victoria have been supported with upgrades through the Regional Aviation Fund. These extend to airports as diverse as Edenhope in the far west of Victoria. An upgrade there supported the continuation of air ambulance services to Edenhope. That was a legacy of the previous government. Under the new air ambulance contract under Labor there was a risk of night-time air ambulance services being withdrawn from Edenhope. It is through the Regional Aviation Fund that those services were secured.

We have seen in the east of the state the airport at Orbost being upgraded. Elsewhere throughout the state, we have Cohuna to the north and Portland to the south. In these 19 projects across Victoria around \$50 million worth of upgrades have been announced — practical upgrades to improve the operational capability of these regional airports.

Ms Lewis asked a question about where these have been located, the locations between regional centres and interface centres. I can tell Ms Lewis there have been a number of projects supported in interface councils as part of this program. Ms Lewis refers to the one at Mornington Peninsula. Last week I was delighted to be in Coldstream in the Yarra Valley with the member for Evelyn in the Assembly for the announcement of a further Regional Aviation Fund upgrade at Coldstream. I can inform Ms Lewis that there are further interface upgrades that I will be announcing very soon with members of Parliament who support this program.

This program has been very successful across Victoria. It is supported by local communities, both in regional areas and in interface areas, and it is strongly supported by the aviation industry in this state.

Supplementary question

Ms LEWIS (Northern Victoria) — I thank the minister. I note his comments about this grant, about the guidelines for applications and fitting in with the interface and rural and regional. I also refer to reports that there is no rigorous statistical analysis of public use

of the airports concerned because of a lack of data. So I ask: will the minister now release the application, departmental briefing and grant documents associated with the Peninsula Aero Club grant?

Hon. G. K. RICH-PHILLIPS (Minister responsible for the Aviation Industry) — Ms Lewis raised a couple of issues in her question. She referred firstly to documentation. There is a process for the release of documentation with all these grants and, as I have indicated on the public record, that particular project was one that was administered, approved and assessed through the department, independent of any involvement by me or my office.

More generally with respect to Ms Lewis's question about statistical data around these projects, she sought through her question or through that proposition to put in place a mechanism which would exclude small regional communities from receiving upgrades to their airport. A community like Edenhope — to go back to Edenhope in the far west of the state, it is a small airport — is heavily reliant on that facility for emergency services access. If a threshold were to be established, if it had to have 5000 or 10 000 movements a year, communities like Edenhope and Cohuna would be excluded. This program is about upgrading the infrastructure across the state and improving the fabric of infrastructure across the state.

Anti-Poverty Week

Mrs KRONBERG (Eastern Metropolitan) — My question without notice is directed to the Honourable Wendy Lovell, the Minister for Housing. In light of this being Anti-Poverty Week, will the minister update the house on any recent announcements to assist vulnerable or disadvantaged Victorians?

Hon. W. A. LOVELL (Minister for Housing) — I thank the member for her question. Firstly, I would like to encourage all Victorians to get actively involved in the Anti-Poverty Week events this week. I know that Mr Drum was down at St Mary's House of Welcome serving breakfast the other morning as part of his contribution to Anti-Poverty Week. National Anti-Poverty Week aims to highlight and overcome issues of poverty and hardship here in Australia and overseas. I am thrilled that this week the Napthine coalition government has been able to make two important announcements on combating poverty and disadvantage in Victoria.

The announcement we made this morning was that a re-elected Napthine government would commit \$22.1 million to building a further two 40-bed youth

foyers. We have already delivered on our 2010 election commitment to build three 40-bed youth foyers — a \$30.1 million commitment that built foyers in Glen Waverley and Broadmeadows, and we will turn the sod on the third foyer in Shepparton on Monday.

The focus of the Education First Youth Foyers is to engage vulnerable young people in education, employment and training opportunities by integrating safe, secure and affordable accommodation; personal support services; reconnection to learning and skills development; and work experience and access to jobs that are sustainable. Part of the government's strategy to break the cycle of homelessness is to create pathways to independence for young people by giving them the resources and support they need to build a better future. Our education youth foyer program was described at a UK conference for youth foyers this year as being the model that is leading the world in the delivery of the youth foyer program.

I was also thrilled last Tuesday to announce, together with the Premier, \$2 million towards the Second Bite organisation to support the sustainability and growth of the organisation. Second Bite partners with farmers, wholesalers, markets and supermarkets to collect and distribute their surplus fruit and vegetables to over 600 community organisations throughout the state, providing around 85 000 nutritious meals each week to vulnerable and disadvantaged people.

The Napthine coalition government is working hard to tackle homelessness and disadvantage in Victoria. We have invested more than \$220 million in the homelessness sector this year alone, while in 2009–10 the Labor government invested only \$161.9 million. This year the Napthine government has delivered \$58.1 million per annum in additional funding to assist those who are vulnerable and disadvantaged in our community — far more than Labor ever did. We are working hard to tackle homelessness and disadvantage in this state.

Hospital beds

Mr JENNINGS (South Eastern Metropolitan) — My question is to the Minister for Health. The annual report of the minister's department reports on a consultancy called 'Counting of hospital beds in contemporary health care', which was undertaken for a sum of \$42 300. What happened to that secret report, and where are the 800 beds the minister promised during this term?

Hon. D. M. DAVIS (Minister for Health) — It is not a secret report. It is a report that was commissioned

by the Health Innovation and Reform Council and a report that was the basis of work done at a national level. It has been accepted by all jurisdictions nationally — state, territory and commonwealth — and has been supported broadly. In terms of the state government's commitment to hospital beds, I can tell Mr Jennings that we are a long way ahead of where Labor was. I can indicate to him that according to the most recent data that is publicly available we are more than 520 beds ahead of where the previous government was — —

Mr Jennings — We know that's not true.

Hon. D. M. DAVIS — It is actually accurate to the point. The fact is that the government is on track to the end of 2012–13. New figures will come forward for 2013–14 in due course and they will show that the government is on track to meet its commitment. Indeed its commitment to meet the 800 beds will be realised. The government can be very proud of that commitment.

What I can say is that the previous government sliced 1000-odd beds out of the system over its time in government. The fact is we have put in new beds and new capacity. All around the state we are building new physical capacity, and we are increasing the recurrent funding which enables health services to provide additional capacity wherever it is needed, whether it is at Healesville, where we are building new capacity, or the new intensive care capacity that is being built at the Royal Melbourne Hospital, or whether it is the capacity that is being built at Monash Children's, the new Box Hill Hospital that has additional capacity in it and that will prepare us for the future, or the work that is being done at Frankston.

Wherever you look around the state there are cranes and there is building — \$4.5 billion worth of capital works — and there are more than 520 additional beds to 30 June 2013, over and above the previous government's efforts. I can tell members that to 30 June this year we will also be very much on track to meet our commitment.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — I take it from the minister's answer that the report, which was called 'Counting of hospital beds in a contemporary health care setting', was in fact undertaken by him to justify a national policy framework of having beds outside of hospitals — Hospital in the Home beds — which are in fact represented in the number he relies on very heavily in relation to his beds commitment. His commitment to

beds in hospitals has failed by any measure. Can the minister repeat the promise he made to the Victorian people at the last election that not only would he deliver 800 beds in hospitals this term, which he has failed to do, but that he intends to deliver a further 800 beds in his next term in office?

Hon. D. M. DAVIS (Minister for Health) — First of all, let me address a number of incorrect premises in the member's question. The fact is that hospital capacity of various types is a key part of delivering the best services in the best place at the best time.

The previous government relied on Hospital in the Home to deliver its 326 subacute beds promise. Labor did a deal with the federal government to get subacute beds. Guess who signed off that deal? It was Daniel Andrews, now the Leader of the Opposition in the Assembly. In that subacute bed arrangement — gosh! — there were Hospital in the Home beds. Do you know what? The Australian Medical Association also ticked off on Hospital in the Home in that arrangement. The Australian Medical Association also supported Hospital in the Home in respect of calculating beds and additional capacity in its budget submissions prior to the last election. Repeatedly we relied on those submissions and costings to cost up our 800 hospital beds.

I can tell members that to 30 June 2013 there were more than 520 additional beds — additional capacity — around the system in Victoria, delivering more for our community. There are even more this year, because we hit a record — 171 000 — —

The PRESIDENT — Order! The minister's time has expired.

Victorian War Heritage Trails app

Mr D. D. O'BRIEN (Eastern Victoria) — My question is to Mr Drum in his capacity as the Minister for Veterans' Affairs. Can the minister update the house on the progress of the Australian War Heritage Trails app?

Hon. D. K. DRUM (Minister for Veterans' Affairs) — I would like to thank Mr O'Brien for his interest in the War Heritage Trails app. I can tell him that the app has been launched and is available for all members of the Victorian public to download onto their iPhones or iPads.

I had the opportunity to launch this app at the Soldiers Memorial Institute and Soldiers Memorial Museum in Bendigo last Friday. I was there with the RSL president, Cliff Richards, and a range of other RSL ex-

servicemen to talk about what the app will do for the heritage movement and for veterans. We are looking at ways to make this app a real economic driver for the tourism industry.

Members might ask: what is the app all about? We have been around the state and identified some of Victoria's major military heritage sites. A whole range of significant sites, including war memorials, museums, avenues of honour and others, have been identified by the Victorian Heritage Council in conjunction with Department of Veterans' Affairs and Heritage Victoria.

The app details 100 sites and highlights opportunities for all Victorians — it does not matter where they are — to travel the length and breadth of the state. The app links up each of these sites and gives Victorians an optimum experience when it comes to experiencing Victoria's war heritage.

The app divides the state into eight different tour routes. They include central Melbourne and the city, suburban Melbourne around Port Phillip, the south-west and western region, north-west and straight up to the north of Victoria and right out through Gippsland. There are others.

The app highlights the Vietnam Veterans walk in Seymour, the Avenue of Honour at Bacchus Marsh and the Arch of Victory and Avenue of Honour in Ballarat. There are memorials around the state for many of our Victoria Cross (VC) recipients. We have three communities that lay claim to Albert Jacka, who was one of our most famous soldiers to be awarded a VC. The Sandakan memorial, which pays tribute to all the soldiers involved in the death marches, is located in Strathdale Park in Bendigo. Then there is the Flying Boat Museum at Lake Boga. People can move up from there to Robinvale and on to Swan Hill to look at other sites right around the state. They are all available on the app.

I want to pay tribute to everyone who has worked to make this app happen. A range of volunteers have helped identify these significant sites, and they will continue their work. They are likely to be busier than ever as people are directed around the state, making the most of these significant sites. Over 60 towns around Victoria will benefit from this information.

The Victorian War Heritage Trail app is now available. It features 100 places for 100 years and is a great way to commemorate the Anzac centenary.

Hospital waiting lists

Mr JENNINGS (South Eastern Metropolitan) — My question is for the Minister for Health. Reports tabled today by the minister's department and hospitals indicate that in Victoria in the last year 387 patients waited longer than 24 hours to be treated in emergency departments and 21 hospitals failed to meet their targets for dealing with patients in a timely fashion. In the extraordinary circumstances in an environment where the minister's own hospital report indicates that not only did he underspend on acute care in hospitals by \$36 million but he also spent \$1.3 million on an advertising campaign about how he is building a better health service, how can the minister possibly justify this underspend and spending money on advertising to tell the community how well he is doing?

Hon. D. M. DAVIS (Minister for Health) — Every year the government has spent more on health care, more on acute health care, more on the rest of health care and more in aggregate. Coming into the new financial year this year, we will spend a new record amount of just under \$15 billion. What is clear is that more services have been delivered than ever before.

As I was saying in response to the last question, in the year just gone we will hit a record for elective surgery of 171 000 elective surgeries in our public hospital system. That is far and away ahead of where Labor was. It is a Victorian record for elective surgery. Waiting lists are down — —

Mr Jennings interjected.

Hon. D. M. DAVIS — The Labor Party did not even have the Peter MacCallum Cancer Centre in the waiting lists it released; it did not release Peter Mac's waiting list. That is what the Labor Party's waiting list record is. Why did it not release Peter Mac's waiting list? It was disgraceful of Daniel Andrews, now the Leader of the Opposition in the Assembly, to keep the Peter Mac waiting list secret. It is extraordinary that the then Minister for Health would hide the Peter Mac waiting list. I cannot believe that someone would do that, but he did. What an extraordinary record.

What I can say to Mr Jennings is, in terms of time to treatment — which is a new national measure — the state government has always indicated that that would be a very difficult reach. I have seen the documents from Mr Jennings's time in government, and he also knew that measure would be very difficult to meet. However, this government has done better on this and in health services overall.

In terms of 24-hour waits, they have reached historic lows. The records for 24-hour waits were set in Mr Jennings's time in government. Areas like Frankston have come down from very high numbers of 24-hour waits to very low numbers. I can say that the government has prioritised 24-hour waits and brought the number down massively.

The key thing here is that there is more money being spent than ever before, there are more services being delivered than ever before, there is more capital being spent than ever before, there are better quality outcomes than before and the health services that we have across Victoria are doing better and better. I know Mr Jennings would like to talk them down, but he should reflect on his leader's failure to declare the waiting list for Peter Mac.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — I note the theme of the minister's response, which is to look in the rear-vision mirror to complain about an administration prior to his own rather than take responsibility for the outcomes under his system. In the circumstances that I outlined of the underspending and money being wasted on advertising, what other efforts has the minister made to reduce the poor performance of the Royal Children's Hospital, which sees only 64 per cent of its patients, who are the children of Victoria, on time? Thirty-six per cent of these children are not seen on time. What efforts has the minister made during his term of administration to improve that situation rather than see it continually get worse?

Hon. D. M. DAVIS (Minister for Health) — This is a new and different area, but nonetheless I am very happy to answer it. The Royal Children's Hospital is doing much better than previously. We will continue to work with it to improve its outcomes. There is no doubt that the very success of the Royal Children's has meant very significant numbers of people going into its emergency department.

I can say that the government has increased funding to the Royal Children's Hospital by more than \$50 million since coming to government. That is a very good increase in support for that important hospital. I can also say very clearly that the government will continue to work with our hospitals to deliver the best outcomes possible.

Multiculturalism

Mrs COOTE (Southern Metropolitan) — It is a great honour to direct my last question without notice to

the very inspiring Minister for Multicultural Affairs and Citizenship, Matthew Guy. Can the minister inform the house what action the government has taken to bring greater social cohesion to Australia's most multicultural state.

Hon. M. J. GUY (Minister for Multicultural Affairs and Citizenship) — I thank my retiring colleague and friend Andrea Coote for her most inspiring question and indeed for the enthusiasm for a better Victoria she has brought to this place over the last 15 years. I begin by letting Hansard know in advance that I might speak a bit of Ukrainian at the end of my last response to a question without notice in this chamber, but I will make it quick.

This state is one we should all be exceedingly proud of in one particular area, and that is our multicultural base. Multiculturalism is not about our newest arrivals, it is about all of us. I was inspired by the multicultural gala dinner at the start of the year. The feature of the start of the night was the Melbourne Scots, who piped everyone in for the evening. It shows that, as I said, multiculturalism is not just about new arrivals, postwar arrivals or indeed our Indigenous Australians, who have been here for tens of thousands of years. It is about all of us.

In answering Mrs Coote's very important question, it is important to note that our multicultural society will always face challenges. We will always have issues, whether they relate to an individual, events overseas or whatever, that will challenge us. However, it is always important to remember that the things that unite Australians are infinitely stronger than any of the things that may ever seek to divide us.

On this day when we have had valedictory speeches from two outstanding former ministers for multicultural affairs, Mr Kotsiras and Mr Pandazopoulos, the members for Bulleen and Dandenong in the Assembly respectively, both of whom are retiring at the coming election, it is important to recognise some of the work they put in as multicultural affairs ministers, particularly around social cohesion, in announcing to the chamber that the government has brought forward an extra \$1.5 million for some of those programs to strengthen our communities. It is important to strengthen those communities, whether it is around engagement, sport or youth engagement, to ensure that people feel part of this wonderful country that is Australia.

I was recently with some of my colleagues, Mrs Peulich in particular, at the Gurdwara Sri Guru Granth Sahib Ji Sikh temple in Keysborough, where we announced

around \$450 000 for that community to rebuild some of its facilities. I was recently with the Minister for Environment and Climate Change, Ryan Smith, at the United Muslim Migrants Association mosque in Doncaster East, in the heart of Manningham, to inspect some of the work being done with support from the government — building a new hall, for instance. I was recently with Mr Southwick, the member for Caulfield in the Assembly, at Temple Beth Israel, the Caulfield Hebrew congregation at the St Kilda synagogue, to inspect some of the works there and some of the applications that community is making to ensure that its religion can be taught and re-taught for future generations to come.

I have recently been to the Protection of the Most Holy Mother of God Russian Orthodox Church in Brunswick, and what a magnificent church that is. I was recently at St Sava Serbian Orthodox Church in Greensborough with a friend of mine, the Liberal Party candidate for the Assembly seat of Eltham, Steve Briffa, to see how magnificent that church is and the support that community is not just getting from government but giving to itself, and particularly to younger people in the community. And of course, Бор споді померлу to St Peter and Paul Ukrainian-Greek Catholic church in North Melbourne, which is part of the Catholic Ukrainian community, which I attended to welcome the patriarch from Ukraine to that church.

It has been an honour to be in this chamber and to be a minister for multicultural affairs. I want to finish where I started and say that the things which unite Australians are always going to be infinitely stronger than anything that may seek to divide us.

Ambulance response times

Mr JENNINGS (South Eastern Metropolitan) — I am very sorry that I have to follow the Minister for Multicultural Affairs and Citizenship. I am totally with him in spirit, but I am about to ask a question of the Minister for Health and it is very hard to maintain that spirit when I am asking a question based upon the fact that more than 84 000 Victorians waited longer than they should have for an ambulance last year, according to the report of the minister's department tabled today. Some 84 000 Victorians were made to wait too long for an ambulance to respond to their healthcare needs. The report also indicates that the minister spent \$465 000 on an advertising campaign criticising the Ambulance Employees Union of Victoria and justifying his enterprise bargaining agreement proposals. How can the minister justify that expenditure in circumstances where Victorians are waiting too long for ambulances?

Hon. D. M. DAVIS (Minister for Health) — Let us be very clear here. The government is proud of the performance of Ambulance Victoria. It is an organisation with a very tough history. A forced merger in 2008 saw three ambulance services brought together. People will remember debating in this chamber in 2010 some ways forward on that. Let us be clear about this. In terms of the organisation, there has been a very significant increase in funding to Ambulance Victoria under this government — a very significant increase. As I said yesterday, we have also put additional resources into Ambulance Victoria, including 679 more paramedics than there were listed in Labor's last annual report. That is 679 more paramedics on the road — —

Mr Leane — Is that net?

Hon. D. M. DAVIS — Yes, it is net. It is an increase in effective full-time paramedics on the road — —

Mr Leane — I do not think so.

Hon. D. M. DAVIS — I do. I know it to be the case. Let me be quite clear — —

Mr Jennings — How many are on the roster?

Hon. D. M. DAVIS — The rosters have increased too, so the number of shifts has increased by very many numbers. I can also indicate that capital works across the state are seeing ambulance stations rebuilt around Victoria. We are turning old stations into new stations. We are building new stations in growth areas. We are making sure that people's access to ambulance services can be increased statewide. I can also say to Mr Jennings that his government never met the response-time target either.

It is true that for a number of years following the botched merger, through several governments, the task of dealing with the response times has been a challenge, but the corner has been turned. They are improving now. This year it is better than last year, and we are hopeful that that will continue further as the new resources go in. It is clear that you cannot train a new paramedic in a day. It takes some time, so each year we are putting in more paramedics. More paramedics are going through the courses.

Mr Jennings interjected.

Hon. D. M. DAVIS — There are more paramedics every year. Paramedics are a very stable workforce — there is less than 4 per cent turnover — but we are adding new paramedics to the workforce every year as

we go forward. The number of additional paramedics now in place is 679.

The government and Ambulance Victoria are increasingly focusing on the clinical outcomes that matter to patients. We are putting in place key measures, like the percentage of adult very fast ventricular tachycardia (VFVT) cardiac arrest patients arriving at hospital with vital signs. That target of 45 per cent has been met. In fact it has been exceeded. The target for the percentage of adult VFVT cardiac patients surviving to hospital discharge has been met. The target for the percentage of patients suspected of having a stroke who were transported to a stroke unit with thrombolysis facilities within 60 minutes has also been met. These new targets are about clinical outcomes that matter to patients and they are about getting better results for patients, getting patients to hospital and getting the right ambulance to the right place at the right time.

The government has put 10 mobile intensive care ambulance (MICA) paramedic units in big regional cities. I see that members for Northern Victoria Region in particular are nodding as I say that, because I know that Wodonga, Mildura and Bendigo already have a dedicated MICA service — —

The PRESIDENT — Order! I thank the minister.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — I was listening intently to the minister's answer. In fact the Leader of the Opposition encouraged me to listen for the first time the minister mentioned the word 'patient'. We waited for 3½ of the 4 minutes it took the minister to answer the question, but he did get around to talking about patients because I asked a question based on 84 000 patients who have been made to wait longer than they should have.

In this report, which mentions \$465 000, the minister also has a second version of that advertising campaign — another \$465 000. Is that total not equivalent to putting an additional 10 ambulances on the road? The minister crowed about 10 MICA units. Could he not fit out 10 ambulances for the cost of the advertising campaign that promotes the minister's industrial relations agenda?

Hon. D. M. DAVIS (Minister for Health) — The government makes no apology for communicating with paramedics directly rather than via the union, with their families and with the community, and for putting in place a very clear message about the offers that have been put forward to the union and to paramedics across

the state. Let us be clear: this is a very fair offer. There is a \$3000 sign-on bonus, there is 6 per cent up-front, there are two further tranches of 3 per cent — —

Mr Jennings interjected.

Hon. D. M. DAVIS — Mr Jennings asked about the ambulance officers enterprise bargaining agreement. I am going as fast as I can.

Finally, paramedics will have the ability to go to an independent umpire to seek further work value increases. That is a very fair offer, and that has been communicated to the broader community and to paramedics.

I note that the managers at Ambulance Victoria agreed to an outcome on Monday this week. That is an important step. I will go further and say that in relation to the MICA examples that Mr Jennings has talked about, his party wants to unpick those. It wants to stop them.

The PRESIDENT — Order! I thank the minister.

Crime prevention

Mr KOCH (Western Victoria) — Firstly I would like to thank all the ministers and our leaders on this side for providing those who are not contesting the next election on 29 November the opportunity to ask questions. I am very privileged because I have the last question on the last day of the Parliament. My question without notice is to my good friend and colleague Edward O'Donohue, the Minister for Crime Prevention. Can the minister update the house on recent progress on the delivery of important crime prevention initiatives?

Hon. E. J. O'DONOHUE (Minister for Crime Prevention) — I acknowledge Mr Koch and his outstanding contribution to this place, and also his strong advocacy for community safety in his electorate of Western Victoria Region. It has been a pleasure and privilege to be with Mr Koch at a number of announcements in this portfolio to improve safety in the Geelong region in particular. On Friday and Saturday nights Mr Koch and I had the pleasure of seeing the new CCTV camera system in operation in the Geelong entertainment and waterfront precincts, with the camera vision going back to the police station and being monitored by staff of the Geelong City Council. It is an absolutely fantastic outcome, and it shows strong leadership from Mr Koch. I wish him every success in the future.

This portfolio has delivered a number of benefits for the broader community when it comes to community safety. It has delivered hundreds of partnerships across Victoria with local communities responding to their particular issues about crime and perceptions of crime. CCTV cameras have been an important part of that.

Last week I was very pleased to join the Attorney-General, the member for Box Hill in the Assembly, to be part of the switch on of the new CCTV cameras at Box Hill. They offer greater protection to the people around the Box Hill Hospital, the park opposite it and the activity centre of Box Hill.

Last Friday Minister Dixon, the member for Nepean in the Assembly, announced that a re-elected coalition government will fund CCTV cameras for the Rye shopping precinct. This initiative has been much sought after by the local traders, and it will only be delivered by the coalition government. This builds on similar projects that have taken place in Shepparton, Dandenong, Hastings, Mildura, Traralgon, the city of Melbourne and a range of other locations where the local councils have worked in strong partnership and collaboration with the government as we strive to improve community safety.

Unfortunately not every council has been as diligent as we would have liked them to be in installing these cameras. While most councils have done a great job in holding up their end of the bargain, there have been some notable exceptions, such as Glen Eira City Council. In a remarkably irresponsible delay, it refused the funding for the CCTV cameras in Centre Road, Bentleigh. The City of Moreland also delayed and failed to have the appropriate focus on this most important project. I am very pleased that now, belatedly — months late — that project is complete.

I can also advise the house that there is another council that is failing in its duty to its residents when it comes to CCTV cameras. In June last year, 16 months ago, the government provided \$65 000 to Frankston City Council to expand its CCTV camera network into a number of locations, including the train station entrance. These cameras were due to be installed and operational in March this year. Unfortunately not all the cameras have been installed and only some of the cameras are operational. This is simply not good enough. It is unacceptable. In fact it is a disgraceful situation. The City of Frankston must turn its focus to this important project and get it completed as quickly as possible.

This sort of technology has been endorsed by the Chief Commissioner of Police, Ken Lay, who is on the record

as saying that CCTV cameras are a vital tool in not only solving crime but also in deterring crime. This government has delivered funding for more than 240 cameras across Victoria, and this initiative has been warmly welcomed by the community.

In concluding I will say two things: I acknowledge the member for Kew in the Legislative Assembly as the inaugural Minister for Crime Prevention, and I advise the house that the only risk to the continuation of these successful programs is Daniel Andrews, the Leader of the Opposition in the Assembly, and the Labor opposition, who on 19 December last year sacked crime prevention.

QUESTIONS ON NOTICE

Answers

Hon. D. M. DAVIS (Minister for Health) — I am pleased to say that we have answers to 400 questions on notice, and with the support of the house we might even, by leave, table a few more later in the day. I have answers to the following questions: 8405–53, 9250, 9794, 10 035, 10 061, 10 128, 10 135, 10 137–448, 10 460, 10 463, 10 474, 10 476, 10 477, 10 490, 10 491, 10 494, 10 500, 10 503, 10 507, 10 508, 10 514, 10 554, 10 555, 10 561, 10 562, 10 564, 10 565, 10 573, 10 574, 10 580, 10 587, 10 595, 10 608, 10 615, 10 744, 10 757–60, 10 764 and 10 768.

IMPROVING CANCER OUTCOMES BILL 2014

Second reading

Debate resumed.

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to.

Read third time.

Sitting suspended 12.52 p.m. until 2.02 p.m.

**EMERGENCY MANAGEMENT
AMENDMENT (CRITICAL
INFRASTRUCTURE RESILIENCE) BILL
2014**

Second reading

Debate resumed from 18 September; motion of Hon. D. K. DRUM (Minister for Sport and Recreation).

Mr SCHEFFER (Eastern Victoria) — The opposition is not opposing the Emergency Management Amendment (Critical Infrastructure Resilience) Bill 2014 because Labor supports its objective to update and strengthen the management of Victoria's critical infrastructure. The bill does this partly through establishing the Victorian critical infrastructure register, giving effect to the interim strategy, which, as the explanatory memorandum states:

... sets out the framework to reform Victoria's emergency risk management arrangements for critical infrastructure.

The Labor spokesperson for emergency services, the member for Williamstown in the other place, Wade Noonan, has set out the background to Labor's active and constructive engagement in the strengthening of Victoria's emergency response capacity and in ensuring the resilience of the state's critical infrastructure. We on this side have demonstrated this both when we were in government and during times in opposition.

In brief, Victoria has conducted a series of reviews that have defined and redefined those essential services that require high levels of protection, such as water; energy, including gas and electricity; emergency services; transport, specifically trains; telecommunications; banking; finances; and bridges. These services have been developed, reconsidered and reformulated over the last decade or so, particularly in the context of major catastrophes, such as the 2009 bushfires, floods and the legislative changes occasioned by the perceived terrorist threat in the aftermath of attacks on buildings in New York that resulted in very significant loss of life in that city.

Over the past couple of years an emergent conceptualisation has developed at the federal level that brings key players directly responsible for critical infrastructure into what is termed an 'all-hazards resilience framework' that both intends to be national in character and exist without regard to its members being from the private or public sphere. This new conceptualisation requires a different operational way of thinking that includes a risk-based approach, the development of partnerships, clear roles and

responsibilities for the relevant actors, and appropriate legislative regimes, assurance frameworks and organisational structures. For example, an outcome of the 2009 Victorian Bushfires Royal Commission was the establishment of Emergency Management Victoria, the supreme body responsible for coordinating policy, implementing reform and responding to emergencies.

The bill before us provides for emergency risk management arrangements for critical infrastructure resilience. Clause 3 inserts new section 74B, which defines critical infrastructure as any infrastructure:

... assessed by the relevant Minister to be significant critical infrastructure or major critical infrastructure ...

It lists essential services such as transport, fuel and gas, light, power, sewerage and any other service identified by the government.

The bill sets out the distinctions between significant, major and vital critical infrastructure on the basis of the level of the degree of impact on Victoria should the infrastructure fail. Matters relating to the assessment of infrastructure and the roles, responsibilities and powers of delegation have been discussed in the course of the debate.

Division 4 requires Emergency Management Victoria to establish and maintain the Victorian critical infrastructure register, and new section 74K restricts access to the register to certain officials and authorities specifically in relation to the information being relevant to the exercise of their powers and responsibilities relating to critical infrastructure, counterterrorism or other emergency management purposes.

The bill inserts a new part 7A into the Emergency Management Act 2013. Divisions 2, 3, 4, 5 and 6 set out how the minister designates infrastructure as major, significant or vital; the roles and responsibilities of the minister, his or her delegates and the responsible entity; the process for the nomination of the responsible entity's industry accountable officer; the operation of the Victorian critical infrastructure register, access to it and review procedures; and conclude with new section 74O, which details the operation and assurance processes of the resilience improvement cycle.

New section 74K, entitled 'Access to the Victorian critical infrastructure register', provides that access to the register will, in essence, be on a need-to-know basis, with Emergency Management Victoria required to ensure that information on the register is only available to certain persons because their function or responsibility requires it.

While the opposition is supportive of this legislation and, as I have indicated, has a longstanding commitment to protecting critical infrastructure in the state, and while we absolutely appreciate that some of the arrangements that need to be in place to give effect to our objectives must be secret, it is the Parliament's duty to ensure that government, so far as possible and without compromising the effectiveness of necessary security arrangements, is transparent and accountable. To this end the opposition has urged the government to provide better information on the obligations placed by the legislation on industries that own critical assets and on how well those industries are able to meet the mandatory requirements.

I support this call from the opposition. From my reading of the bill and the principal act I cannot see where there is any accountability or oversight by the Parliament, which is absolutely appropriate, given what is at stake — that is; the protection of essential infrastructure during an emergency that may affect the lives and health of many thousands of Victorians.

We have this oversight in the IBAC legislation through the Independent Broad-based Anti-corruption Commission joint standing committee of the Parliament, whose job it is to monitor and review the operations, duties and functions of IBAC and the operation of the Victorian critical infrastructure register. The processes set out in this bill are equally worthy of such parliamentary oversight.

I agree with the opposition spokesperson on emergency services, who urged the government to explain how industry is preparing for the mandatory requirements imposed on it through this legislation in order to give the house some confidence that appropriate consultation with industry and the red tape commissioner has taken place and also to explain the results of that consultation.

The opposition has raised the important matter of compliance costs to the industries that are responsible for the key infrastructure assets with which this legislation is concerned. We have asked the government to provide, in general terms that do not compromise security, estimates of the additional costs arising from this legislation both to industry and to the general community through the Parliament.

There is, of course, the matter of the additional responsibilities placed on our government departments through this bill, which come at a time when departments have sustained four budgets that cumulatively have reduced departmental resources and capacity. It is incumbent on the government to explain

the resource implications of the legislation. I am just touching on some of the matters that arise from the bill that the opposition has indicated the government might wish to clarify.

In setting the context for this bill the second-reading speech mentions the top priority that state and federal governments have placed on protecting critical infrastructure from terrorist attacks as well as other hazards, such as 'climate variability' — couched in the new Orwellian speak — which the government now agrees affects the frequency and severity of emergencies.

I have noted on many previous occasions that while in this house we hear hours of rhetorical nonsense from some members of the Liberal Party and The Nationals, including that global warming is a figment of the imagination of the political left, we observe that the bureaucracy and the government departments themselves continue — with the government's behind-the-scenes compliance — to ensure that citizens of this state are protected as far as possible from the impacts of real global warming.

The fact is that while we need to prepare for acts of sabotage that the current political exigencies demand, we know also that the planet is warming and that every effort must be made to ensure that as catastrophic events increase in number and severity we make certain that critical infrastructure continues to protect Victoria's citizens. This is a point worth driving home because we know how much pressure the state has been under in recent years with extreme heatwaves, one of the worst bushfires since white occupation, and extensive floods. We know heatwaves kill. At the personal level, who amongst us, especially people of my age, does not have to make special preparation for their ageing parents when a heatwave is forecast?

Deaths during heatwaves occur mostly amongst people who live alone and who do not have air conditioning or the means to move to a cooler place. During recent hot spells we have seen that air-conditioned cinemas and shopping malls are increasingly used by people purely as locations that provide some relief from the heat. Is there a public responsibility for the state to provide locations where citizens can find refuge and to ensure that more streets are treed and beaches shaded so that people can cool off without being burnt by the sun?

There is also the huge issue of cool workplaces. As the climate warms, provision will need to be made to ensure that factories, offices and workshops are designed to maximise passive climate comfort for

employees so they are not excessively dependent on conventional air conditioning powered by fossil fuels.

If people cannot work when it is hot, if students cannot study and if transport systems buckle in extreme temperatures, the consequences, in the form of the collapse of production and an inability for industry to meet deadlines and maintain competitiveness, will also be extreme. We need investment in appropriately sun-oriented buildings that are shaded, maximise air flow and intelligently use air conditioning powered by decentralised sources. Local renewable energy is critically important. The fact is that the conventional fossil fuel electricity production that presently runs millions upon millions of air conditioners is not working now and is not going to work in the future.

Mobility — transport — is an important form of critical infrastructure listed in the bill. In recent years we have seen how vulnerable our rail system is to extreme heat. Professor Currie from Monash University has from time to time reminded us that our rail system is just not designed to be resilient to extreme heat. Unless we can ensure that there is seamless mobility even during periods of extreme heat or flood, our cities and regions will be exposed to what could be crippling dysfunction, which is another reason the funds must be found to invest not only in public transport but also in resilient types of transport that can operate during times of extreme climate stress.

For these reasons, I commend the second-reading speech for making the link between global warming and critical infrastructure resilience. There is much work to do, and the bill before us is one element that goes to strengthen the state's resilience as we get closer to the climate extremes that scientists and international bodies have been warning us about for decades, warnings which, to our peril, I believe we have not sufficiently heeded. When we talk of climate catastrophe critics are often puzzled — and we hear it in this house — because each day is much like the one before and there appears to be no dramatic shock. In conclusion, while the opposition has raised a number of questions on this bill that we think the government should respond to, this bill is nonetheless supported.

Hon. R. A. DALLA-RIVA (Eastern Metropolitan) — I am very pleased to make a contribution on behalf of the government to the debate on the Emergency Management Amendment (Critical Infrastructure Resilience) Bill 2014. I thank Mr Scheffer for his contribution, and I wish him well in whatever he may end up doing post-Parliament.

Why are we introducing these changes? It is fair to say that critical infrastructure is infrastructure that is critical to the health, safety and prosperity of the Victorian community through the delivery of essential services. The complex, interconnected and interdependent nature of critical infrastructure necessitates comprehensive planning and activities by government and the private sector to build resilience to disruptions to essential services. This bill establishes a legislative framework for emergency risk management undertaken by critical infrastructure owners and operators and places separate obligations on both government and industry to ensure that risks to the supply of essential services are planned for.

The difference between the existing and new arrangements is that the existing tourism-specific critical infrastructure arrangements were developed in response to the elevated threat of domestic terrorism post-September 2001. While terrorism remains a high priority for the Victorian government, the risks to critical infrastructure from floods, fire, storms and other emergencies necessitate an all-hazards approach to critical infrastructure resilience. Therefore in December 2013 the government committed, through the Victorian Critical Infrastructure Resilience Interim Strategy, to implementing new emergency risk management arrangements for critical infrastructure that replace counterterrorism with all-hazards obligations for owners and/or operators of critical infrastructure. The proposed arrangements will fit into the state's broader risk and emergency management frameworks as outlined in the *Victorian Emergency Management Reform — White Paper*.

It is fair to say an all-hazards emergency risk management regime will assist owners and/or operators of critical infrastructure to prepare for, respond to and recover from the risks most likely to threaten the continuity of supply of the essential service they provide. The regular and sometimes catastrophic experience of natural disasters in Victoria, and overwhelmingly across Australia, means that the emphasis on maintaining continuity of service of essential services is paramount for effective social and economic wellbeing.

Resilience as a concept refers to the ability to bounce back after disasters with improved ability to withstand future impacts. Resilience recognises that while it is impossible to prevent the occurrence of natural disasters, it is possible to mitigate risks and consequences through effective planning. In key jurisdictions like the US and the UK governments are increasingly turning towards collaborative-based approaches to improve sector resilience. The 2009

Critical Infrastructure Resilience Final Report and Recommendations of the US National Infrastructure Advisory Council, Department of Homeland Security, says on page 16:

It is vital for government to work with (critical infrastructure) owners and operators to establish resilience goals, facilitate contingency planning, foster relationships ... and garner best practices all toward the ultimate goal: a more resilient nation.

The interim strategy provides for a risk-based graduated approach to requirements for critical infrastructure, with only critical infrastructure that is designated as vital carrying mandatory risk management requirements.

Infrastructure assessed as major or significant will be included on the critical infrastructure register, and these entities will be encouraged to adopt appropriate emergency risk management arrangements through voluntary arrangements that sit outside the legislation. Owners and operators of vital critical infrastructure typically have the means to undertake comprehensive risk management, and applying the mandatory arrangements only to vital critical infrastructure ensures that the arrangements are risk based and do not impose a significant burden across industry.

An integral part of the assessment of critical infrastructure is contained in the interim strategy and is the process for assessing the criticality of infrastructure. Under the critical infrastructure model, critical infrastructure will be categorised as local, major, significant or the highest category of vital. The assessments will be undertaken by critical infrastructure owners and operators. However, the relevant minister will ultimately have responsibility for assessing infrastructure as vital, significant or major for inclusion in the register. The relevant minister, with advice from the portfolio department, is empowered to make a recommendation to the Governor in Council to designate by order infrastructure that is assessed as vital. Using a standardised criticality assessment methodology owners and operators will be able to determine the criticality of their infrastructure and its significance not just for commercial operations but also in delivering the state's essential services.

The bill defines infrastructure in a way so as to ensure that risks to electronic and communication systems can form part of the mandatory risk management planning requirements. The interim strategy also contemplates cyberinfrastructure as forming part of the new arrangements. This is particularly important given the significant degree of integration and interdependency between physical and electronic infrastructure.

The bill provides for Emergency Management Victoria (EMV) to establish and maintain a critical infrastructure register, which I mentioned before, that will record all Victorian critical infrastructure designated as vital or assessed as major or significant. The relevant portfolio minister will be required to advise the Minister for Police and Emergency Services of infrastructure designated as vital or assessed as major or significant and provide a copy of orders designating vital critical infrastructure to a range of specified persons, including the relevant entity and Emergency Management Victoria. EMV will establish and maintain the register and will be required to review it on a three-yearly basis or at the request of the Minister for Police and Emergency Services.

Who will have access to the register? Emergency Management Victoria will be responsible for the establishment and maintenance of the register, including ensuring appropriate access arrangements for the register. New section 74K of the Emergency Management Act 2013 requires EMV to ensure that the register is only accessed by the persons specified or a person who EMV considers requires access in the performance of their functions or the exercise of their powers in respect of critical infrastructure, counterterrorism or emergency management. The persons specified include the minister, a relevant minister, the inspector-general for emergency management, any person who is the delegate of a relevant minister and Victoria Police.

Mr Scheffer asked about accountability and assurance. The inspector-general for emergency management is empowered to provide system-level assurance for the broader emergency management framework, of which the critical infrastructure resilience arrangements form part. The bill makes clear in clause 4 that the inspector-general will be empowered to monitor, review and assess critical infrastructure resilience at a system level.

The bill contains a default commencement date of 1 July 2015, which will allow sufficient time to transition the administration of the new arrangements to the portfolio of police and emergency services and will allow critical infrastructure owners and operators time to adjust to the new arrangements.

There will be some transition arrangements for industry that are currently declared essential services. The existing terrorism-specific risk management plans, prepared under part 6 of the Terrorism (Community Protection) Act 2003, will remain in force for declared essential services until they are designated responsible entities through order of the Governor in Council and until their respective industry accountable officers attest

to the first statements of assurance. The transition period will allow for the development of regulations and guidelines in consultation with the industry that will help to implement the new arrangements and provide clarity about emergency risk management obligations.

In terms of some of the amendments to the Freedom of Information Act 1982, the bill aims to protect certain information from disclosure, as one would expect, for the purposes of maintaining national security. The bill amends that act to ensure that even though part 6 of the Terrorism (Community Protection) Act is being repealed, information created for the purpose of that part remains protected. The bill also provides that any information created for the purpose of counterterrorism or critical infrastructure protection is exempt from disclosure processes.

I am pleased the government has brought in the Emergency Management Amendment (Critical Infrastructure Resilience) Bill 2014, and I look forward to its implementation over the foreseeable future.

Ms HARTLAND (Western Metropolitan) — My contribution to debate on this the bill will be quite brief. While the Greens support the bill, I want to speak about a few points. The Greens strongly support efforts to make Victoria more resilient to disaster and to make it safer. The bill establishes new emergency risk management arrangements for Victorian critical infrastructure, and it establishes a Victorian critical infrastructure register. Doing a comprehensive assessment of our infrastructure and ensuring that essential infrastructure has proper risk management plans to prevent and manage disasters is prudent governance, but I agree with the comments made by Mr Scheffer around the issues of national security and exemptions from the Freedom of Information Act 1982. So much is excluded from public knowledge now, but I do not understand why it needs to be in this case as well. If we have proper information about a range of things, it improves our ability to plan and manage to protect infrastructure. We need to be quite open about these things.

The bill is important in the face of growing disasters and the risks associated with climate change. One of the problems for this government is that not believing that climate change exists makes it extremely difficult for it to plan for things such as heatwaves. I will quote from an Auditor-General's report titled *Heatwave Management — Reducing the Risk to Public Health*, which notes:

The *Heatwave Plan for Victoria* is not a state-level plan. While Victoria has a *State Tsunami Emergency Plan* and a *State Earthquake Emergency Plan* —

two things that from my memory do not happen very often, and the few earthquakes we have had have been quite minor. We have had very serious heatwaves, but because the government does not understand that climate change is real it refuses to plan for heatwaves. The Auditor-General's report continues:

there is no equivalent state-level plan for heatwaves, despite the recognised significant risk heatwaves present to the state and to the community.

I remind people that those are the words of the Auditor-General; they are not the words of the Greens, although we totally agree with the statements. If we are to manage disasters, we have to face up to when and how they will happen. We have to face up to climate change, and we have to be able to plan for these things and not stick our heads in the sand. With those few words, the Greens will support the bill.

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to.

Read third time.

DRUGS, POISONS AND CONTROLLED SUBSTANCES FURTHER AMENDMENT BILL 2014

Second reading

Debate resumed from 14 October; motion of Hon. D. M. DAVIS (Minister for Health).

Mr RAMSAY (Western Victoria) — It appears that I am the only speaker on this bill in the chamber, so it gives me an opportunity to speak on many parts of this bill that I may not have had if there had been other speakers. Given that this is going to be my last contribution to debate on a bill in the 57th Parliament, it is pleasing that I have the opportunity to speak to a bill that is going to provide significant benefit to the farming communities of Victoria. I do so as a proud Liberal member who represents rural and regional Victoria, and I have done so all of my life both as a member of Parliament and in other roles.

I am one of the few members in this chamber who is still actively farming here in Victoria. This bill is

reasonably simple in nature. It provides an opportunity for farmers, particularly those in north-eastern Victoria, who have significant problems with wild dog control to have a portable manufacturing plant of a mixed bait that can be manufactured on site, and which will enable a speedy and efficient way to put baits out to control the significant problem of feral dogs.

Of course, 1080 is not only used in the control of wild dogs, it is used in the control of many pests. It is a longstanding and a very effective chemical to control what is a significant problem in rural Victoria. The bill introduces a new provision to enable a person to obtain a licence to manufacture perishable pest animal bait — that is, a schedule 7 poison used to bait wild dogs, foxes and rabbits from a mobile facility located in the field, usually by means of a trailer. The use of 1080 is an important tool to control wild dogs, foxes and rabbits in Victoria. In fact, I have used it myself.

The proposed amendment to the Drugs, Poisons and Controlled Substances Act 1981 will enable the mobile manufacture of fresh 1080 baits for control of pests, and the proposed amendment will enable licensed perishable — meaning fresh — 1080 bait manufacturers to apply for a licence to manufacture baits from a mobile facility. This will be either a trailer or another form of attached appliance. This complements the very successful wild dog action plan introduced by the Napthine government, and will provide greater efficiency for farmers, particularly in the north-east, who face a significant problem with wild dogs and attacks on their livestock. It will enable bait to be manufactured on site and dispersed quickly and efficiently so as to control the impact of wild dogs and other pests to their livestock, and will give farmers the ability to improve the productivity of their farming enterprise.

I will spend a little time on the technicalities of the bill. The bill seeks to improve access to good quality 1080 perishable pest animal bait close to the land where the bait is to be laid. It will particularly improve access to 1080 perishable pest animal bait for Victorian landowners located in the more remote areas. I have already identified the north-east of Victoria as one, but that is not the only area. Community groups like Landcare groups will be especially advantaged by having this mobile manufacturing opportunity for 1080 bait. It will not only provide for the manufacturing of the bait on site but they will have the opportunity to collect a number of farmers for a collective baiting program on sites in close proximity to one another. This will obviously improve the efficiency and timeliness of the baiting period. They will be able to arrange ready access to bait and treat a group of local properties on

the same day to produce more efficient baiting over a wide area.

The bill also requires the mobile manufacturer to have a registered trailer or other vehicle specially fitted out to securely transport the schedule 7 poison, such as 1080, as well as to have the equipment needed at the manufacturing site to safely carry out the task of preparing and supplying the poison baits to local landholders. It will be a condition of the licence that the mobile manufacturer already holds a licence to manufacture and sell or supply 1080 from a fixed premises, and that it complies with the manufacturing code of practice. This will ensure that only experienced 1080 perishable pest animal bait manufacturers can manufacture baits in the field.

The manufacture and supply of pest animal bait in Victoria is a commercial operation. The extent to which the option for mobile manufacturing of 1080 perishable pest animal bait is taken up by the manufacturer and bait users will be a matter for the marketplace to determine. The bill introduces a new provision that allows for compliance with codes or other documents to be made a condition of a licence, permit or warrant issued under the act. At present there is no express authorising power in the act to mandate compliance with codes or other documents as a licence, permit or warrant condition. This contrasts with other Victorian legislation where such authorising power is clearly expressed. This bill provides clarity that the compliance with codes and other documents can be mandated. The bill also puts beyond doubt that mobile manufacturers of perishable 1080 bait, which is a schedule 7 poison, are required to comply with a manufacturing code as a condition of the licence. A number of protections are being put in place in relation to those persons who are both manufacturing and distributing this schedule 7 poison.

The bill also enables other relevant codes to be mandated, and these include the National Coordinating Committee on Therapeutic Goods, the Australian Code of Good Wholesaling Practice for Medicines in schedules 2, 3, 4 and 8, and Medicines Australia's code of conduct with respect to the supply of prescription medicine samples to medical practitioners.

The bill also puts beyond doubt that, where relevant, licences, permits and warrants may be held only by those whose need for poisons and controlled substances is underpinned by any other licence, permit or warrant from Victoria or the commonwealth. The amendment clearly allows, for example, that a licence under the act to manufacture and supply certain medicines would not be valid unless the licence holder also held a

manufacturing licence for medicines with the commonwealth Therapeutic Goods Administration. Finally the bill makes several amendments that are administrative or technical in nature.

What this bill really does is give the opportunity to farmers to be able in controlled circumstances to have a manufacturing plant, whether using a trailer or some other appliance put on site, where the bait can be mixed with the schedule 7 poison and an appropriate filler to control feral animals that are creating a significant problem on their properties. I can well remember from my previous role with the Victorian Farmers Federation that this was one of the main issues in the north-east along with water. Water security and the ability of farmers to be able to catch water in dam storages has always been a contentious issue in the north-east, as Mr Barber would well know, particularly when irrigators downstream feel they have been compromised by some of that capture of water — but that is another story for another time. Certainly wild dogs was a most significant issue for those farmers in the north-east, particularly for those who have boundaries shared with state forests.

Sadly we find in many towns or suburban areas that people who have a domestic animal have a rush of blood to the head and suddenly decide for whatever reason that they do not want the animals anymore. They park them in state forests or on other uncleared native vegetation land, where they become feral and start hunting in packs. They are known to bring down even calves and small cows and, far more easily, sheep. The sheep industry was significantly impacted by wild dogs. They became such a problem for those trying to breed sheep and grow wool that those farmers decided they could no longer carry on that business and converted their farming land to either carrying cattle or being used for some other enterprise. We sadly lost some of the sheep industry in the north-east purely because of the impact that wild dogs were having on its productivity and viability.

Pest control or wild dog control has therefore been a significant problem for those in the north-east or those whose land borders on national parks and state forests where, certainly in previous years under the Labor government, there have been significant problems associated with the management of those lands in terms of not only pest animals but also weeds. There has been a significant need for a wild dog baiting program. It was sad to see that, under the Labor regime, aerial baiting was not supported, though it was considered to be a significant potential addition to baiting on land and a way of providing a cross-section of baiting methods, particularly in hard-to-access areas such as mountain

areas. The trials indicated aerial baiting was successful, but sadly it was hard to get agreement from both the state and national governments to provide a program of aerial baiting in this state. However, I am pleased to say that by the will of the Minister for Agriculture and Food Security we now have wild dog baiting programs in Victoria which are proving very successful.

This is not a significant bill, but it is an important one in terms of the farming industry having the opportunity to manufacture and distribute 1080 poison on site as pest bait for greater efficiency and timeliness, given there is a short period in which farmers can have a successful baiting program. It also provides great opportunities for groups such as Landcare and collectives of farmers to come together on site and distribute bait for use on foxes, rabbits or wild dogs. We know what those feral animals are doing to the sheep industry, given the killing and maiming of livestock by those animals.

While I have the floor, and given this is my last opportunity to speak, and while I am talking about drugs, I wanted to express my gratitude to Mr Scheffer — unfortunately he is not in the chamber — and acknowledge his contribution to the Law Reform, Drugs and Crime Prevention Committee, a joint parliamentary committee. I take the opportunity to acknowledge also the contributions made by Mr Lenders, Mr Viney and Ms Darveniza as well. I want to pay homage to Mr Scheffer's contribution to that committee, which I chaired for the past four years. I thank also current members Tim McCurdy, Ben Carroll and David Southwick, the members for Murray Valley, Niddrie and Caulfield respectively in the Assembly. I am glad to be able to acknowledge Mr Leane, who is in the chamber and who previously contributed to the committee over the course of three inquiries that we conducted, as did Brad Battin, the member for Gembrook, who has moved on.

I would also like to take the opportunity — and this is around the bill, Acting President — —

Honourable members interjecting.

Mr RAMSAY — It's very much around the bill! I pay homage also to my parliamentary colleagues on this side of the chamber, Mrs Jan Kronberg and Mrs Andrea Coote, who are both a breath of fresh air in the chamber and who always have very sunny dispositions. I have very much liked working with both those members.

Interestingly enough, like all good members in this Parliament, Matthew Guy started from a rural background; he came from the Victorian Farmers

Federation, where we schooled him beautifully to take on his important task as a member for Northern Metropolitan Region. In closing I congratulate Mr Guy and wish him good luck in the other house, and I will drink to his success in his future political life wherever it might be.

Lastly it would be remiss of me not to also acknowledge the wonderful contribution of David Koch, one of my parliamentary colleagues in Western Victoria Region. Like me, David comes from a farming background, and he has supported farming and rural constituents right across western Victoria and made a significant contribution to this Parliament, including as the whip. Well done, David Koch. I wish him well in his future life.

Ms PULFORD (Western Victoria) — Perhaps this is the last time I too will get to my feet before the election, so in the broad, wideranging style of the previous speaker, perhaps it is an opportunity to also congratulate those who are leaving us today and wish them all the very best for the future.

I indicate that the Labor Party will not be opposing the Drugs, Poisons and Controlled Substances Further Amendment Bill 2014. It is very straightforward legislation which seeks to improve access to perishable 1080 to enable bait to be produced and supplied close to the land on which it will be used. Fresh bait can be difficult to access, and as Mr Ramsay indicated, this is particularly the case in parts of north-eastern Victoria.

Less commonly known by its name of sodium fluoroacetate, 1080 is a potent poison that has been used in Australia as a pesticide since the 1950s, being widely used for vertebrate control and agricultural production. It has the potential to poison animals other than intended targets, and a study by the Tasmanian Department of Primary Industries, Parks, Water and Environment indicates that dogs can be far more susceptible to 1080 than other species. Other mammals, birds, reptiles and such can be much less vulnerable.

In laying poisons there are always risks for other species that are not the intended targets, and it is worth noting the view of the RSPCA on using 1080 for pest animal control. The RSPCA recognises the need to control introduced species to reduce both their environmental and their agricultural impacts. Members will not be surprised to learn that the RSPCA argues that the control methods used should be as humane as possible. The RSPCA has conducted a review of the available science on the humaneness of the effect of 1080. Whilst the RSPCA has some concerns that it is not a humane poison, from the RSPCA's perspective it

acknowledges that currently in many circumstances no alternative effective control method is available. The use of 1080 is widely accepted to be the best possible poison for use for controlling pests in agricultural production.

This bill's scope is very narrow. As Mr Ramsay indicated, the bill will enable a person to obtain a licence to manufacture a perishable pest animal bait that is a schedule 7 poison for baiting wild dogs, foxes or rabbits. The bill will require a licensee to have a trailer or vehicle fitted out for the safe transportation of the poison, and the standards surrounding this will be incorporated into the Department of Environment and Primary Industries 1080 code of practice.

It is important to note that this is not a wholesale expansion where anybody who wants to get into this production can; it is very limited. This bill provides for the capacity for mobile production to apply only to existing licensees. This is very much a controlled type of production that is heavily regulated, and there is an extensive code of practice which I believe is to be amended to reflect the passage of this bill when the house has concluded its consideration. The bill provides that relevant licences, permits and warrants may only be held by those whose need for poisons and controlled substances is underpinned by another licence permit or warrant from Victoria or the commonwealth.

The bill makes a number of consequential amendments, including, as Mr Ramsay indicated, changing the words 'commonwealth standard' to the words 'poison standard' to reflect national arrangements.

Labor supports the coordinated approach to pest control in rural and regional Victoria, including the use of baiting. In remote parts of rural Victoria accessing fresh bait can be difficult. This bill will enable manufacturers to respond to demand for fresh bait in parts of the state where this is currently an issue. Controlling wild dogs and pests is a matter of urgency for Victoria. Protecting our agricultural industries and their productivity is incredibly important for the wellbeing of the whole state. Baiting can often be the most effective means available of keeping wild dog populations under control. Protecting Victorian agriculture and indeed the native environment is important, and this bill makes it a little simpler to do in some parts of Victoria where it is currently difficult. The Labor Party commends the bill to the house.

Mr BARBER (Northern Metropolitan) — This Drugs, Poisons and Controlled Substances Further Amendment Bill 2014 neither authorises nor de-authorises the use of 1080 poison. The purpose of this

bill is to make changes to the way in which 1080 is regulated. In the view of the RSPCA — and I am using substantially the same material that Ms Pulford just quoted from — the evidence indicates that 1080 is not a humane poison. I think every member of this Parliament would agree that our methods used for controlling pest animals should be humane and that we should work towards making them as humane as possible. Of course we need to avoid any indiscriminate use of these poisons that could affect non-target species.

The RSPCA is campaigning for further research into alternatives to 1080 so that 1080 can be phased out and replaced with more humane alternatives once these are identified. The RSPCA says that it is closely monitoring the research into a new type of lethal bait containing para-aminopropiophenone, or PAPP, which is being developed to target wild dogs and foxes without affecting other species. While 1080 continues to be used, the RSPCA advocates that any baiting programs should be carried out in accordance with the codes of practice and standard operating procedures produced by various government departments. I was very surprised to learn that this is not the case now — that is, that the code of practice for 1080 use is not a condition for the licensing of 1080 use. This bill intends to correct that mistake or oversight.

Unfortunately in relation to aerial baiting there has been an indiscriminate use of 1080 baits. Despite what Mr Ramsay comes in and says, I have obtained through freedom of information the Victorian government's own reviews of its various aerial baiting trials. Those documents say that not only were the trials rather ineffective and very expensive when compared to other types of treatments that could be used to remove wild dogs from a given area but also there was a very real risk to non-target species. To put it simply, very few of our native predators are surviving on the mainland. Tiger quolls in particular have been dramatically reduced in numbers.

The situation in Victoria is that we have very few areas where there are strong and viable populations of tiger quolls, and we certainly would not want to risk those. At the same time, we have some small relict populations where a few animals are holding out, and any risk to those from aerial baiting creates the possibility of a local extinction.

It is very important that we control wild dogs. I have seen firsthand some of the carnage and cruelty that wild dogs can deliver to animals that are in enclosed areas and unable to defend themselves or run away when a group of wild dogs launches an attack. It is quite bloody and brutal to see the aftermath. So we do have a

problem to solve here, and we would hope that there is a lot of effort made to develop humane alternatives.

There is a project underway through the Invasive Animals Cooperative Research Centre, and the aim is:

To deliver a new shelf-stable manufactured lethal bait for fox and wild dog control, with activity based on incorporation of the novel toxicant para-aminopropiophenone (PAPP).

I think every member of this chamber would hope that research into more humane alternatives, particularly where they are more effective, is something that should be a matter of urgency, and I am sure all people with an interest in this debate will agree with that.

However, this bill does one very important thing, and that is that it makes the code of practice for 1080 use a condition of licence of 1080 use. As I said, I found it very surprising that that was not always the case. For that reason, this bill does a small thing that one would hope would improve the humaneness with which these programs are run, and therefore the Greens will support the bill.

Mr D. D. O'BRIEN (Eastern Victoria) — It gives me great pleasure to rise to speak on the Drugs, Poisons and Controlled Substances Further Amendment Bill 2014 and to add to the comments of previous speakers, who have highlighted the contents of the bill and some of the challenges it is seeking to address. It is important to recognise from the start that this piece of legislation is part of a suite of measures that are needed to control pests, in particular wild dogs, but also foxes, rabbits and others, including pigs. It is also a suite of measures that the coalition government has introduced to address this scourge. It is a scourge, as Mr Ramsay indicated, and as even Mr Barber acknowledged. Wild dogs and some other pest species cause significant problems in our rural areas, not just for farmers but also for our native wildlife, and we have seen that time and again throughout Australia, particularly in Victoria's north-east and in Gippsland, in my electorate of Eastern Victoria Region. This bill will add to the suite of measures that we have available to target these pests.

As has been identified, the bill allows for mobile manufacture of schedule 7 poisons, in particular 1080 but not limited only to 1080 at this point in time, to allow the poison baits to be prepared closer to the source where they are going to be used. That is important given the perishable nature of many of the baits, particularly the meat baits that are used for wild dogs and foxes. I think it was a particular problem in the north-east of the state, where land managers, farmers and others seeking to tackle a wild dog problem

had problems accessing fresh baits in a timely manner to get them on the ground and for them to be useful.

This bill allows for the secretary of the department to give approval for the mobile manufacture of perishable pest animal baits and schedule 7 poisons, most notably 1080, and importantly it is not an open slather approach. It will be restricted to currently licensed manufacturers of these poisons, of which there are nine in Victoria, and they will have to have a properly approved or registered trailer or other vehicle fitted out to securely transport the poisons and manufacture the baits on site. That is important and, as I said, part of the overall suite of measures. As Mr Barber just highlighted, there are a number of other more minor elements of the bill that ensure that —

Mr Barber interjected.

Mr D. D. O'BRIEN — Codes of practice — thank you, Mr Barber — are followed by those using the mobile manufacturer of 1080. That is an important safeguard in the process for these particular poisons because, as has been pointed out, they are quite significantly dangerous poisons. That is the whole purpose.

Those are the key points, and there are some other administrative matters that are addressed. As I said, it is a small but important part of the overall attack on pest animals. Wild dogs have been mentioned in particular, and foxes as well. Of course, foxes are not just a problem in the country. There are significant and growing fox numbers in urban areas, and rabbits too. Perhaps I will come to my own personal experience of rabbits in a little while.

These pests must be controlled. They cause significant damage to our agriculture sector. It is estimated that the cost of wild dogs across Australia is \$48.5 million per annum, but even the experts suggest that that figure is probably too low, and anecdotal evidence suggests that it is likely to be much higher. I think the Northern Territory Cattlemen's Association estimates that it loses tens of thousands of calves each year to wild dog attacks, and that could equate to something like \$80 million per annum just in the Northern Territory. It is certainly a significant issue right across the country. Wild dogs are not limited to just those mountainous, forested areas of eastern Victoria but can also be found in the more arid areas of northern New South Wales and in Queensland, South Australia and the Northern Territory, where they are a significant problem as well.

That is why it was pleasing earlier in the year to see the launch of the National Wild Dog Action Plan. It

recognises the fact that wild dog breeding and movement are not restricted by arbitrary borders — lines on maps — nor by geographic borders such as rivers, mountains and the like. The wild dog problem has grown and spread. It causes problems for us throughout this country, so a national approach is a good one. Credit is due to WoolProducers Australia, one of the organisations that picked up and drove this issue and indicated that a national approach was needed to target this problem. I am pleased that Victoria was able to become a signatory to that action plan through the agency of the Minister for Agriculture and Food Security, Peter Walsh, to ensure that as a state we play our part in addressing what is not only a scourge on our farmland but a big issue for native animals as well, as I said.

In addition to the National Wild Dog Action Plan, the Victorian coalition government has developed its own action plan for managing wild dogs, which was launched late last year. It contains a number of key actions that will be delivered over the next five years and will reduce attacks on livestock. It includes developing a flexible and responsive team of what the brochure refers to as 'wild dog controllers' — in rural areas we know them as 'doggers' — who are men and women who will respond to incident reports directly, quickly and efficiently, with maximum effect. Other key actions include increasing access to fresh meat baits, which is one of the key elements of the bill, and removing red tape on 1080 products for wild dog management. While the bill perhaps does not remove red tape it certainly makes it easier for land managers and farmers to access 1080 baits.

Actions also include aerial baiting in remote areas, which I will say a little bit more about in a moment, and looking for innovative research and development proposals to reduce the negative impacts of wild dogs. It is not as simple as shooting, trapping and baiting. There needs to be research and development on the impact wild dogs have and the best ways to tackle that impact as well.

Key actions also include working with the community to promote local approaches to wild dog management — something that is absolutely critical in my own electorate of Eastern Victoria Region and generally in Gippsland, where there are a number of local community action groups that work with the Department of Environment and Primary Industries (DEPI) to tackle the wild dog scourge together — and supporting local leadership to allow for delivery of better wild dog management. Another action is improving cost-effective local responses through the engagement of a flexible workforce. We have that, and

I have seen it in action as well through the DEPI doggers in east Gippsland.

Reviewing restriction on vegetation clearance along fence lines to better protect wild dog fences is a fairly simple action, but farmers whose properties border state forests or national parks often have had problems when trees that had fallen across fence lines have allowed dogs in. It is important that we allow farmers to clear away from fence lines to make sure that that does not happen.

The final action is considering new ways to enhance wild dog management. Again I point out that with that goes research and development and indeed one of the outcomes of the bill — that is, mobile manufacture. I had some experience with this issue. Shortly after I was elected I took it upon myself to spend some time with Jim Benton, one of our doggers in East Gippsland. He spent the morning with me, which was instructive. We travelled along some of the bush tracks he regularly patrols, where he had traps and had laid the type of bait we are talking about. Spending a bit of time in the ute with Jim gave me a fascinating insight into not only doggers but also wild dogs. People talk about foxes being cunning, but wild dogs are very cunning. If you get an old bitch — pardon the phrase — they are difficult to catch and they are a difficult problem to address.

Mr Barber — What happens when you take her out? A bunch of juvenile delinquents take over.

Mr D. D. O'BRIEN — Yes, you get all sorts of problems. That is one of the things that doggers work on. They spend time hunting a particular animal that is causing problems, but they also work to address the issues more generally. So it was good to spend that time with Jim and see what some of the challenges are. This is not a simple, straightforward process. As everyone in this debate so far has agreed, tackling wild dogs is a task that requires a suite of measures, and that is one of the measures.

Mr Barber — You and I should stop agreeing!

Mr D. D. O'BRIEN — It is unusual and somewhat uncomfortable that Mr Barber and I are agreeing on some of these aspects. I might take the opportunity to go to one issue we perhaps do not agree on as much — that is, aerial baiting. It was a commitment of the coalition ahead of the 2010 election to introduce aerial baiting into some of the more inaccessible areas of Victoria, in particular in eastern Victoria.

That was unfortunately stymied by the former federal Labor government, and in particular the former federal

Minister for Sustainability, Environment, Water, Population and Communities, Tony Burke. Thankfully on the coming to power of the coalition government federally in September last year we were able to make the approach again to the commonwealth and to the current Minister for the Environment, Greg Hunt, who saw more sense and has allowed a properly regulated approach to this to ensure that we can bait in those areas that are inaccessible or difficult to get to.

As an example of both the inaccessibility of those areas and also the professionalism of the doggers that we have, while I was with Jim Benton in Buchan one of his colleagues was off on a two or three-day ride via horseback with his own dog, checking his traps and baits in areas that were particularly inaccessible or difficult to access. There are parts of the high country in particular that are inaccessible for even a horse or a man on foot, and thus aerial baiting is a critical and important tool to help address that threat. So it is pleasing that the federal coalition government and Minister Hunt have seen fit to support aerial baiting as one of the suite of measures we must deal with.

There are a number of other things our doggers do. If they get a problem dog in a certain area, they will be called in and they will sit there and attempt to shoot the animal. Poisoning and trapping as well as aerial baits form a significant part of tackling this issue.

On the issue of 1080 baits — and Mr Ramsay may have alluded to this before — 1080 is a very active and dangerous poison which does a very good job of dealing with pest animals. It is somewhat perplexing that we have groups out there that campaign to have this poison banned. Yes, it is true that it causes pain to those animals that take the baits; in many respects that is the point. However, I am astounded at how little care these organisations and activists have for the pain that the dogs and foxes inflict on not only our native animals but also our sheep, lambs and calves. Unfortunately we have to do these things to try to maintain control over these very difficult pests.

I have talked a lot about wild dogs, but it is not simply wild dogs and foxes that are a problem, it is also rabbits as well, and this bill seeks to address that. We have had waves of rabbit problems in Australia ever since they were introduced in Mr O'Brien's electorate of Western Victoria Region. Was it at Winchelsea?

Mr D. R. J. O'Brien — Chirnside Park.

Mr D. D. O'BRIEN — Chirnside Park. Many years ago one of the great mistakes made by our forebears was to introduce rabbits. In the 1950s myxomatosis did

a great job of wiping out large portions of the rabbit population and getting it back under control. Any biologist will tell you that there will always be resistance, and those resistant rabbits were able to breed their numbers back up. The calicivirus, released as I recall in 1996, has had another impact. I believe we are close to the release of a new strain of calicivirus, and I would hope that will address those issues as well.

The rabbit situation is one dear to my heart, having recently moved onto a small farm on the outskirts of Sale and inherited 2 chooks and about 10 rabbits. There is now only one chook, but we have quite a few more rabbits than I suspect we had when we first moved in. With the aid of a neighbour and his firearms we have managed to reduce the rabbit population a little, but it is continuing to grow and cause problems. I am aware that it is our responsibility as landowners to deal with these pest animals. There is some way to go, and I am looking forward to dealing with that over the next couple of months.

Mr D. R. J. O'Brien — What about the chook population?

Mr D. D. O'Brien — The chook population has also grown, but that is by our design. Pearl the chook, who is a favourite of my three-year-old, now has four new friends. Beryl, Mavis, Myrtle and Gladys are doing a great job.

Ironically enough we have seen our own local rabbit population at least partially diminished by foxes. It is a little bit like the cane toad problem — you solve one problem only to create another. Whilst we have lost a few rabbits, we certainly seem to have a few foxes around.

Getting back to the bill and away from my personal arrangements — and I do apologise for that, Acting President — it will assist us to deal with all these challenges, in particular wild dogs, foxes and rabbits.

Rabbits of course have a different impact in that they are not obviously killing our native wildlife and stock but they are taking a significant chunk out of our land and eating us out of house and home in many parts of Australia and Victoria. This bill gives us another welcome tool in the arsenal to address the scourge of pest animals.

I will refer to some of the things the coalition government has done to improve wild dog control in particular. The fox bounty, which was introduced by the Minister for Agriculture and Food Security, Mr Walsh, has been extremely successful in reducing numbers. I think from memory the latest update showed

that over 300 000 foxes have been handed in and bounties claimed under the coalition government's fox bounty.

In terms of wild dogs, we have built a flexible and responsive team. We have reintroduced Lanes traps, which Jim Benton tells me are among the more effective traps. We introduced the wild dog pelt bounty. We doubled that to \$100 in January 2013. We are establishing the community baiting programs, including allowing farmers to bait outside their property boundaries, and most recently we changed the 3-kilometre rule, which prohibited baiting in state forests or on Crown land if it was further than 3 kilometres from private land boundaries. That will certainly make life easier for our land managers in dealing with this pest.

We established the wild dog control advisory committee, which provides advice to the minister and cut red tape so that wild dog controllers can work outside that 3-kilometre zone, as I mentioned. We have applied to the commonwealth for aerial baiting approval, which has been successful. While we were being stymied on the issue of aerial baiting by the Labor government, we managed to redirect the aerial baiting funding for 2012–13 to a large-scale ground baiting program, which was another means to attack the problem.

This almost sounds a little hokey, but we have provided wild dog controllers with iPads. I saw Jim Benton using an iPad to log data in the field and spend less time in the office. They allow controllers to send real-time information back to base and also to get direct access to monitoring a number of private and public cameras and camera sites where doggers can download photos and information while they are out in the field. That assists them in tracking the animals —

Mr Barber — You can get mobile coverage up there, can you?

Mr D. D. O'Brien — Even if you cannot get mobile coverage, you do not necessarily always need it. The cameras and photos can be very handy in helping people to know what they are dealing with in a particular area. Using that technology is another tool in the armoury, as I said before, and it has certainly made the job easier for the doggers. In the last 12 months the doggers have trapped or shot nearly 500 wild dogs and laid more than 18 000 baits. More than 1000 wild dog pelts have been handed in as part of the wild dog bounty since October 2011.

We are doing a lot to address this issue. It is one that, like rabbits and other pests, including vegetation pests, we will probably never be able to wipe out completely, but the coalition has played a strong role in improving wild dog management and ensuring that our farmers, our land managers and our parks are better protected from wild dogs. We need to continue to work across all agencies, including DEPI, private landholders, farmers, the Victorian Farmers Federation and organisations like WoolProducers Australia and Parks Victoria to ensure that we are addressing this in a comprehensive and coordinated approach.

Mr D. R. J. O'Brien — It is a benefit of the merger.

Mr D. D. O'BRIEN — It is a benefit of the merged departments, Mr O'Brien, through which we got the environmental land managers and the primary industries people together to work better on these issues. The approach also needs to be across agencies to ensure that we are tackling the issue on a whole-of-government and a whole-of-nation basis. As I said earlier, the National Wild Dog Action Plan seeks to do that.

On the National Wild Dog Action Plan, my job immediately before coming to Parliament was working for the now federal Minister for Agriculture, Barnaby Joyce, and wild dogs is an issue he was particularly passionate about. Travelling through north-western New South Wales and south-western Queensland with the Prime Minister earlier this year on a drought tour we saw the impacts that pest animals were having on the land and on farmland as well. These were not just impacts of the drought. The drought also brought pest animals into a concentration in certain areas. As I said, Barnaby Joyce was very keen to ensure that we attacked the wild dog problem and the explosion in kangaroo numbers in certain areas as well. These problems need to be addressed, and I know the Prime Minister was keen to ensure that that occurred. From memory, I think the commonwealth response to the drought included \$5 million for addressing some of these pest animals, which were a pretty significant stressor not only on farmers but also on the landscape.

This piece of legislation is certainly a welcome addition to the suite of measures available to our land managers to control pest animals. I am pleased that we have unanimous support in the Parliament for this bill. I know that many landholders in my electorate of Eastern Victoria Region will be very pleased that this legislation is being passed. Those in Mrs Millar's electorate of Northern Victoria Region, in the north-east in particular, will welcome this, because it gives them access — —

Mr D. R. J. O'Brien — And in the west.

Mr D. D. O'BRIEN — as it does those in western Victoria too, Mr O'Brien — to these baits, 1080 in particular, in a timely manner. It will allow the baits to be distributed in a way that is more effective than if they were coming by long-distance transport. Given the perishable nature of the baits, it is important that we have the ability to do that.

As I said, these pests must be controlled. It is important that we use every tool in the armoury to address this issue, just as we do in relation to weeds and other vegetative pests. There needs to be a coordinated approach to this to ensure that all groups are working towards the best outcome not only for farmers but also for our public land and our national parks, where we have significant problems. Once again, I hesitate to support Mr Barber, but I think it is important that — —

Mr Barber — Cut all the Parks Victoria staff.

Mr D. D. O'BRIEN — Governments need to provide more resources to our land managers, including Parks Victoria — —

Mr Barber — Staff numbers are down by 17 per cent.

Mr D. D. O'BRIEN — One of the reasons for my criticisms of the establishment of more parks and reserves is the 'lock it up and leave it' approach. I will be on something of a unity ticket with Mr Barber on this. We cannot afford to simply create lines on maps and say, 'This is now a national park', and then not manage it. The provision of the appropriate resources, including staff, to ensure that our land is managed is certainly something I will be pushing for. That includes addressing all the pests that I have talked about, whether they be vertebrate pests or weeds. Many people in my electorate have shown me around areas in their districts, particularly in the alpine country, and pointed out how things like blackberries and other weeds have been allowed to get away and cause enormous problems. It is important that we have the right resources to continue to address those problems. That is one thing we need to do.

I think we need to be conscious when establishing national parks and reserves that they require management. It is not like we inherited a land that was not managed. I am getting a little off the topic of wild dogs now, but I would recommend to people a very good book by Bill Gammage from the Australian National University in Canberra called *The Biggest Estate on Earth — How Aborigines Made Australia*, which highlights the role played by Indigenous

Australians pre-1788 in managing the land, particularly in the use of fire.

Mr Barber — I've read that one.

Mr D. D. O'BRIEN — Mr Barber has read that one. In some respects he has not taken it in, from what I have — —

Mr Barber interjected.

Mr D. D. O'BRIEN — It highlights that European settlers did not inherit a vacant land that was simply wild. They inherited a land that for tens of thousands of years had been not only randomly burnt but in fact quite systematically burnt. The Indigenous people of Australia had very clever and very intricate patterns of burning to create the right vegetation that they wanted for a given game species or for a particular type of hunting method — —

Mr D. R. J. O'Brien — Such as Victorian kangaroos.

Mr D. D. O'BRIEN — They did indeed eat kangaroos from all over the country. Thankfully the Victorian coalition government is moving away from some of the absurdities that have occurred in the past where kangaroos could be culled but not necessarily utilised. I am pleased that the minister announced earlier in the year that those animals that are culled can now be used in pet food, as I understand it. I am sure that when Mr David O'Brien, a member for Western Victoria Region, is returned after the election, he will continue to campaign to take it further and ensure that as with other states the kangaroo resource can be utilised for human consumption.

Mr D. R. J. O'Brien — We can eat New South Wales kangaroos.

Mr D. D. O'BRIEN — We can eat New South Wales, Queensland and South Australian kangaroos.

Again I recommend that book, *The Biggest Estate on Earth*, because it explodes a few of the myths about the sort of country the Europeans inherited when they arrived in 1788, and it was indeed a country that was very well managed. Obviously it was a very different situation to what we have in the modern age, but it highlights the importance of not simply saying, 'We must lock something up to preserve it'. We need to actively manage it. That includes the use of fire but also the activity of pest control and importantly the active control of feral animals, whether they be dogs, horses, pigs, goats or any of the others. I agree with Mr Barber that it is important that we properly fund our parks and

the people who work in them and in particular the activities we have there.

I welcome the government bringing in this relatively minor piece of legislation. It delivers another suite in the pool of options available to our managers to address the scourge of pest vertebrate animals, particularly wild dogs, foxes and rabbits. I look forward to the bill's speedy passage. It highlights that the coalition is doing all it can to assist in the fight against pest animals.

I certainly support this bill. I am glad that both the Labor Party and the Greens are supporting it. It is a small but important part of continuing the fight against pest animals, and I commend it to the house.

Mr D. R. J. O'BRIEN (Western Victoria) — It is a great pleasure to rise to make a contribution on this very important piece of legislation on a milestone day for the Victorian Parliament. It is a particularly important day for the beneficiaries of this legislation and for those who have worked so hard to bring this bill and similar pieces of important legislation forward that ensure that sensible, practical decisions are made by those best informed to make decisions in relation to regional Victoria, and that is those people who live, work and understand regional Victoria, including more particularly our farmers, agricultural producers and regional Victorians.

One reason it is a landmark day today is that one of the people who have led the way to the passage of this bill whose name is Bill, and I refer to Dr Bill Sykes, the member for Benalla in the Legislative Assembly, is concluding his term in the Parliament. In his most recent position he served as parliamentary secretary to the Minister for Agriculture and Food Security, Peter Walsh. It is a testament to both Dr Sykes as a veterinarian and to Minister Walsh that legislation like this has been produced, drafted and discussed with relevant stakeholders and brought to this house.

Another person I wish to pay tribute to at the outset in relation to the introduction of this important bill is another member of The Nationals, a member whose seat has been abolished, and that is of course the very hardworking member for Rodney, the Deputy Speaker in the other place, Mr Paul Weller, who has famously spoken at length in relation to the scourge of rabbits in his electorate. He has passionately supported the role of farmers in decision-making, particularly in his time in the Victorian Farmers Federation and also in his time as the member for Rodney. As has been said, Mr Weller is the last member for Rodney, an electorate that was established early in the time of this Parliament. It is a tragedy for the members for Rodney that this electorate

will no longer exist in its own right, but no doubt we will again be adequately served, assuming the member for Swan Hill and Minister for Agriculture and Food Security is re-elected to that seat.

It is for reasons like this piece of legislation that that ought to be the case, because Minister Walsh has presided over a number of measures that have returned decision-making to regional communities and that support farmers and other land users in relation to public lands and in relation to wild dogs, rabbits and other animals. This has been ably supported in the national sphere by the federal Minister for Agriculture, Barnaby Joyce, who with the launch of the National Wild Dog Action Plan has also seen this important issue tackled, importantly on a national level, because in many instances there are no state boundaries to these issues, but also to ensure that in all states private landowners can properly coordinate and respond in a national way.

It is a testament to both the state and federal ministers for agriculture that this legislation has been drafted and put through as part of the wild dog action plan. Just by way of context, the wild dog action plan is important in that it sets out three priority areas for government, community and industry over the next five years, which are: firstly, to reduce attacks on livestock; secondly, to promote community leadership; and, thirdly, to continuously improve how wild dogs are managed through innovation, flexibility in the workplace and regulatory reform, which is precisely what this bill delivers. By way of background I point out that this bill will enable a licence to be issued for the manufacture in the field of perishable pest animal bait that is a schedule 7 poison. That is not restricted to 1080 poison, but rather it anticipates the possibility of similar requests concerning other schedule 7 poisons being made in the future.

Currently the act does not expressly authorise a power to mandate compliance with codes or other documents as a condition of a licence, permit or warrant issued under the act. However, this bill provides that power. As an example, the Department of Health will be able to mandate the mobile manufacture of the 1080 perishable pest animal bait. That is done in accordance with the 1080 manufacturing code of practice.

This is important, as has been well set out by my colleague Mr Danny O'Brien, a member for Eastern Victoria. I pause to say what a fantastic contribution he has made in his relatively short time in Parliament following the legacy of Minister Hall, whom he succeeded. He presides over that very mountainous area

of eastern Victoria in conjunction with many other representatives, who from this house include former member Philip Davis, who has been succeeded by Mr Ronalds, and Mr O'Donohue, who was in the chamber just recently. I can also think of many lower house members who have served that area and continue to serve it well. They understand the need for flexibility in the field.

A range of action and management practices is required, depending upon how the animals need to be baited, whether it be by trapping, shooting, excluding, fencing or baiting, including aerial baiting, where necessary. This is something Dr Sykes is particularly passionate about, given his experience as a vet and his long service to animal welfare, animal husbandry and the primary industries sector.

It is important to note that this state is led by a Premier who is also a vet. He understands these issues and is equally knowledgeable about them. He worked with Dr Sykes in what I think used to be known as the Department of Agriculture, although it might have had another name at that time. They provided service to the state, gaining the background knowledge and experience that makes them the fine parliamentarians and leaders they are today. It is said that a vet must exercise practical and flexible knowledge as well as being an excellent communicator. Dr Sykes and the Premier exhibit those features in large proportion.

This bill also amends section 119 of the evidentiary provisions in part 9 of the act, which are jointly administered by the Minister for Health and the Minister for Mental Health. It updates the verification of practitioner registration that was missed in the move toward implementation by the Health Practitioner Regulation National Law in 2010. This is another important aspect that is tidied up.

In understanding the issue of wild dogs it is important to recognise what the coalition has also done recently with the much-lauded — but criticised cynically whilst it was proposed — fox and wild dog bounty. I am very pleased that on 1 October 2014 the minister announced the bounty will continue under a re-elected coalition government.

Mr Barber interjected.

Mr D. R. J. O'BRIEN — It is discredited by the Greens, which is why the Greens are the most discredited body in relation to agricultural politics in this country's history. I will not be lectured on farming or agriculture by that man; not in this place, and not at any time. Mr Barber is the most uninformed person

when he says that the fox and wild dog bounty is not important to regional Victorians. I say that the only good fox is a dead fox. What about the production of kangaroos? Is Mr Barber going to let us eat Victorian kangaroos? I ask that through you, President, rhetorically, because his answer on the record is no, and that is such a disgrace. The Greens will support animal activists in some of their illegal and nefarious activities, but they will not support farmers. They wish to use misinformation to try to scare up rural votes and secure preferences to try to secure the balance of power in this place, which would be a tragic day for all western Victorians. I am happy to debate Mr Barber outside this chamber on any of these issues at any time.

I very much look forward to the re-election of Minister Walsh, because some of the facts that Mr Barber might wish to acquaint himself with in relation to fox scalps and wild dogs include that since this scheme was introduced approximately 332 082 fox scalps and 1526 wild dog skins have been handed in. This compares to 20 000 foxes eradicated in the three years under the Labor's failed stop-fox program.

There are 332 000 good reasons to ensure that this government is re-elected, to say nothing of the 1526 wild dog skins that have been returned. This bill will further assist by providing the flexibility that is required in the field. We have knowledge of actual farming issues and consistency of environmental practices, such as consuming some of our native wildlife game where it is in abundance and is already being eradicated rather than letting it go to rot in the field, creating further environmental problems and food for foxes and wild dogs. The ideological so-called environmentalist Greens are actually environmental damagers because they do not respect the knowledge of farmers.

Mr Finn — They're vandals.

Mr D. R. J. O'BRIEN — I agree with Mr Finn; they are vandals. Mr Finn has seen it in his area, which he is passionate about, and we see it whenever the Greens put their hands up on these sorts of issues. What Victoria needs is the continuation of the sensible, common-sense, practical legislation that — —

Mr Barber interjected.

Mr D. R. J. O'BRIEN — I will ignore the interjections on wind farms so that I can stay on the issue of wild dogs. This is an important piece of legislation that again confirms that we need flexible, practical information in the field. We need a national approach that is coordinated under the National Wild

Dog Action Plan by Minister Joyce, who has done a great job of exposing some of the ridiculous arguments that the Greens have put at a federal level.

I have had baiting taking place on my farm. I can see firsthand the damage that dogs and foxes do to lambs on my relatively small-scale production, let alone the significant damage they can do in a single night to larger farming operations. It is important that we support our farmers and our agricultural producers.

Another aspect that Minister Walsh in particular has coordinated is a significant boost to research and development so that we can boost our productivity and rural exports and support the continuation of a country that is fed, clothed and housed by our rural communities in a sensible way so that we listen to our communities and not impose red tape from Brunswick seeking to get a headline in the *Age* whilst we cause jobs to be lost — —

Mr Ondarchie interjected.

Mr D. R. J. O'BRIEN — In the *Green Guide*, says Mr Ondarchie. In concluding, I urge the house to adopt this piece of legislation. I am not sure whether the Greens will support it. If they do, I congratulate them, but we will see when they vote. We know they have not supported — —

Mr Barber — I haven't seen a headline in the *Age*. Saw a few in the *Weekly Times*, though!

Mr D. R. J. O'BRIEN — Are you prepared to support the consumption of kangaroos, Mr Barber? Can we eat Victorian kangaroos?

Honourable members interjecting.

Mr D. R. J. O'BRIEN — I hear crickets! No, let us eat New South Wales kangaroos. I will give Mr Barber any time between now and 29 November to let us eat Victorian kangaroos. That would be a fantastic start and a demonstration that he is finally understanding something that is important to agricultural and rural Victorians. Until he does that, he should go back to Brunswick and leave regional Victoria to those who care for its future and understand its past.

Mr LEANE (Eastern Metropolitan) — It is good to follow an animated contribution from Mr David O'Brien. We all accept that in this chamber it is very rare that when we are debating a bill we have a full gallery. I can feed off his excitement on that particular fact.

As everyone has said — and I am sure that everyone in the chamber is in unison in supporting this bill — this is a bill to further control the wild dog situation we have in Victoria. We accept that it is a huge issue for our farmers and for our native animals, in our protection of which we need to be continually vigilant. As I said, I am sure the whole chamber is in support of this particular amending bill.

As a member of this chamber who represents a mostly metropolitan region in which there might be the odd dangerous dog, I find it interesting to hear the debate from the regional MPs, particularly Ms Pulford and Mr Danny O'Brien, who spoke of his firsthand experience of going out with someone who pursues these types of dangerous animals. That is one of the privileges we have in this chamber. There are many issues that Victoria and Victorians face, and they are not always locked into the CBD. Some very interesting issues need to be addressed, and it is a privilege to be here to be able to soak in the experiences and knowledge of regional MPs when it comes to rural issues.

Pest control is an ongoing issue for this state.

Mr Lenders will soon make his last contribution, and I will channel him on one of his particular bugbears in this term — that is what he called Goatgate. Some contractors from New Zealand were contracted to hunt 30 or 40 wild goats in regional Victoria, and they were paid quite a large amount for each goat. I cannot remember offhand what it was — Mr Lenders would be able to tell me — but it was thousands and thousands of dollars per goat. Mr Lenders raised for the Minister for Agriculture and Food Security many an adjournment matter about the goats. If you calculated how much was spent on those goats, it was a symbol of waste that we got used to in this last parliamentary term.

This is an issue that should concern all Victorians. The protection of our native animals should be of utmost concern, particularly with their habitat decreasing. The last thing we can afford is to have introduced species — particularly dangerous species like wild dogs — taking over important habitats for our indigenous animals.

Getting back to Goatgate, it was a very interesting issue in this term. I cannot remember how many adjournment matters Mr Lenders raised or how many ministers he asked about this particular peril that the state faced. There were about 30 goats. We brought in a crack SWAT, or special weapons and tactics, team from New Zealand to hunt them because the local shooting club, whose members would have done it for nothing, probably was not up to the danger that these introduced goats may have brought to its members' health and

wellbeing. A crack team of Kiwis who probably trained in Wellington for a few months — who probably crawled under barbed wire and that sort of stuff, practised their target shooting and toughened their abs — were brought over into the rugged outback of Victoria. I am not even sure if they got the goats!

An honourable member interjected.

Mr LEANE — I am getting some prompting from the expert on Goatgate. Apparently half the goats won. The Kiwis took them on and there was a 50 per cent strike rate — the goats took them on and half won. Despite my stories about Goatgate, we all accept that these controls are important and we all wish the bill a speedy passage.

The PRESIDENT — Order! One of the real disappointments for me is that I am probably the only person in the house who remembers David Evans, who was a National Party member for Northern Eastern Province. He filibustered better than any member today.

Motion agreed to.

Read second time.

Third reading

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — By leave, I move:

That the bill be now read a third time.

I thank all members for their contributions.

Motion agreed to.

Read third time.

ROAD SAFETY AMENDMENT (MANDATORY DRUG TESTING) BILL 2014

Statement of compatibility

**For Hon. M. J. GUY (Minister for Planning),
Hon. G. K. Rich-Phillips tabled following statement
in accordance with Charter of Human Rights and
Responsibilities Act 2006:**

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006, (the charter act), I make this statement of compatibility with respect to the Road Safety Amendment (Mandatory Drug Testing) Bill 2014 (Road Safety Amendment Bill 2014).

In my opinion, the Road Safety Amendment Bill 2014, as introduced to the Legislative Council, is compatible with human rights as set out in the charter act. I base my opinion on the reasons outlined in this statement.

Overview

The Road Safety Amendment Bill 2014 will amend the Road Safety Act 1988 (the act) to provide for mandatory blood testing of drivers in certain circumstances, and to include '6-monoacetylmorphine (6-MAM)' or 'morphine' in the definition of 'prescribed illicit drug' in section 3 of the act.

Human rights protected by the charter act that are relevant to the bill

Mandatory blood and urine testing of drivers

Clause 10 of the bill will insert a new section 55BA into the act which provides for mandatory blood and/or urine testing of drivers in an accident that has resulted in a serious injury or fatality. If a police officer attends an accident and believes on reasonable grounds that the accident has resulted in death or serious injury, he/she must require the driver of a vehicle involved in the accident to submit to either or both of a compulsory blood sample analysis or compulsory urine sample analysis conducted by a registered medical practitioner or approved health practitioner (new section 55BA(2)). A police officer may also require the person to accompany a police officer to a place where the sample is to be taken, and to remain there until it has been taken or until 3 hours after the accident, whichever is sooner (new section 55BA(3)). A police officer must not require a person to submit to a compulsory blood or urine sample analysis if the person needs to be taken to a place for examination or treatment.

Clause 4 amends section 49(1) of the act to provide that it is an offence under section 49(1)(ea) for a person to refuse to comply with a requirement made under new section 55BA. The penalty for the offence ranges from a fine of 12 penalty units to a term of imprisonment of up to 18 months depending on whether it is a first, second or subsequent offence.

Clause 4 of the bill amends section 49(1)(ea), which will provide that a range of consequences will flow if a person is charged with and/or convicted or found guilty of the new offence under the amended section 49(1)(ea), including: suspension of driver licence/permit if a person is charged with the offence; mandatory cancellation and disqualification of driver licence/permit if a person is convicted or found guilty of the offence; and various reporting requirements before a person may re-apply for their licence/permit if the person has been convicted of, or found guilty of, the offence.

A sample provided under new section 55BA may provide the basis for existing offences under the act if the sample indicates that the prescribed concentration of alcohol (or more) was present in the sample, or a prescribed illicit drug was present in the sample (sections 49(1)(g) and 49(1)(i)).

Clauses 4 and 6 of the bill are relevant to the right to privacy, the right not to be subject to medical treatment without consent and the right to liberty.

Right to privacy and right not to be subjected to medical treatment without consent

Section 13(a) of the charter act provides that a person has the right not to have his or her privacy unlawfully or arbitrarily interfered with.

Compelling a person to submit to blood and urine testing is relevant to a person's right to privacy. Privacy covers the

physical and moral integrity of a person, and includes the freedom from compulsory blood, breath or urine tests. In my view, the tests will not be unlawful or arbitrary. The obligation to submit to testing is clear and appropriately circumscribed, and consequently not unlawful. The requirement will also not be arbitrary. A police officer may only require testing in limited circumstances, namely if he or she believes on reasonable grounds that an accident has resulted in death or serious injury. Furthermore, there is a pressing public need to ensure that evidence of potential breaches of the act is collected in the case of serious accidents resulting in death or serious injury. The current regime of mandatory testing under the act applies if a person who is involved in a motor vehicle accident is brought to a place for examination or treatment due to the accident, which may mean that a person is not tested if he or she is not injured as a result of the accident. While other forms of testing, such as breath testing, may be less invasive than a blood or urine sample analysis, blood and urine sample analyses are the most accurate samples for collection and analysis, and accuracy of evidence collected is particularly important in the investigation of serious motor vehicle accidents.

Section 10(c) of the charter act provides, relevantly, that a person has the right not to be subjected to medical treatment without his or her full, free and informed consent. The term 'medical treatment' is not defined in the charter act. In my view, it is unlikely that a compulsory blood or urine test under new section 55BA(2) would constitute 'medical treatment'. In any event, even if the testing did constitute medical treatment, in my view, any limitation on the right not to be subjected to medical treatment without consent is reasonable and demonstrably justified under s 7(2) of the charter act. This is because the testing is conducted in limited circumstances, and for the important public purpose of ensuring that accurate evidence is collected in the case of serious accidents, as outlined above.

Right to liberty

Section 21(3) of the charter act provides that a person must not be deprived of his or her liberty except on grounds, and in accordance with procedures, established by law.

Under new section 55BA(3), a person may be required by a police officer to accompany the officer to a place for the taking of the sample and to remain there until it has been taken or until 3 hours after the accident, whichever is sooner. The Court of Appeal has found that requiring a motorist to accompany a police officer or to remain at a place for the purposes of testing involves some degree of restraint on liberty (although not a detention). This is because the refusal to comply with the requirement constitutes an offence which carries penalties (see *DPP v Piscopo* [2011] VSCA 275). In this situation, any deprivation of liberty, will occur on grounds, and in accordance with procedures, provided for in new section 55BA as described above, and in light of the important purposes of part 5 of the act, which are set out in s 47. Furthermore, the power to require a person to remain at a place is temporally limited to 3 hours. Accordingly, I do not consider that section 21(3) of the charter act is limited.

Human rights limited by the bill

Right to be presumed innocent

Section 25(1) of the charter act provides the right to be presumed innocent until proven guilty according to law.

Clause 3 of the bill will include ‘6-monoacetylmorphine (6-MAM)’ or ‘morphine’ in the definition of ‘prescribed illicit drug’ in section 3(1) of the act. This means that a person will commit an offence under sections 49(1)(bb), (bc) or (h) of the act if he or she drives a motor vehicle or is in charge of a motor vehicle while the prescribed concentration of drugs or more than the prescribed concentration of 6-monoacetylmorphine (6-MAM) or morphine is present in his or her blood or oral fluid. Under new section 49(3D) of the act, it is a defence to that charge, in respect of a concentration of morphine, for the person charged to prove that the presence of morphine in their blood was caused by the consumption of a substance for medical reasons or therapeutic purposes (clause 4(2)).

The right to be presumed innocent in section 25(1) of the charter act is an important right that has long been recognised under the common law. However, the courts have held that it may be subject to limits, particularly where, as here, the defence is enacted to enable an accused to escape liability.

Clause 4(2) imposes a legal onus on a person charged with an offence under sections 49(1)(bb), (bc) or (h) to prove certain matters in order to raise the defence. However, it imposes a limit on the right only in respect of the defence. The prosecution would first have to establish the elements of the offence. In my view, it is appropriate for an accused to establish on the balance of probabilities that he or she consumed morphine for a medical or therapeutic reason, as this matter will be peculiarly within the knowledge of the accused, and it is unlikely that it will be onerous for the accused to produce evidence to establish that fact. Accordingly, in my view, the limitation imposed on the right to be presumed innocent by this section is reasonable and justifiable in accordance with section 7(2) of the charter act.

Right to equality

Section 8(3) of the charter act provides protection against discrimination.

Clause 4 of the bill amends section 49(1)(ea) to include the offence to refuse to comply with a requirement made under new section 55BA(2), which will in effect amend 50A(1A) of the act to include the new offence in the list of offences to which section 50A(1A) applies. Section 50A(1A) currently provides that VicRoads must not issue a driver licence or permit to a person if their driver licence or permit was cancelled or they were disqualified from obtaining a licence or permit, following conviction or being found guilty of certain prescribed offences under section 49(1) of the act, and they were under 25 years at the time of the offence and the offence was a first offence, unless it is satisfied that the person has completed an accredited driver education program.

Section 50A(1A) may limit the right to equality in s 8 of the charter act, to the extent that it discriminates against persons under 25 years of age on the basis of age. Clause 4 may consequently limit section 8 of the charter act by extending the application of section 50A(1A). It is arguable that the requirement to undertake a driver education program is not unfavourable treatment, and therefore that the requirement is not discriminatory. In my view, the course fees for these education programs are generally reasonable, and drivers who attend these programs will receive education to help them become better drivers, which is to their benefit, as well as to the benefit of the larger community. However, even if the requirement was a detriment and consequently discriminatory

in nature, I consider that any limitation to the right to equality is reasonable and justifiable within the meaning of section 7(2) of the charter act. There is ample research available that demonstrates that drivers under 25 years old are at particular risk of being involved in motor vehicle accidents. Section 50A(1A) recognises this, and seeks to address it by ensuring that drivers under 25 years old receive education following being found guilty of particular offences. This is a proportionate response to the risk posed by those drivers and is necessary to protect other road users.

Edward O’Donohue, MP
Minister for Liquor and Gaming Regulation
Minister for Corrections
Minister for Crime Prevention

Second reading

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — I move:

That the bill be now read a second time.

It is a sad reality that people still risk their lives and carelessly put the lives of other innocent road users in danger by driving under the influence of drugs. Twenty-six per cent of all fatalities on our roads last year involved drivers who tested positive to drugs. Twenty-four people were killed and 121 people injured by drivers who tested positive to cannabis, ecstasy or methamphetamine. We know that people who drive under the influence of drugs cause too many road traumas.

Mr Lenders — On a point of order, President, the Labor Party is absolutely willing to give the government leave to incorporate the second-reading speech if it wishes.

The PRESIDENT — Order! It is quite short, so we will continue, but I thank Mr Lenders for the opportunity.

Hon. G. K. RICH-PHILLIPS — The government is already taking measures to catch drivers who are driving under the influence of drugs. The Transport Accident Commission (TAC) is providing Victoria Police with \$4.5 million of funding to catch drivers who have taken illicit substances. This bill will also help to catch those drivers who have been involved in a motor accident whilst under the influence of drugs.

The bill will make it mandatory for a person who has been involved in a motor vehicle accident occasioning serious injury or fatality to be tested for drugs, regardless of whether they go to a medical facility for treatment or not. Currently it is not mandatory to drug test a person who is a driver involved in an accident if they do not need to go to a hospital or medical facility for examination or treatment. The bill will close that

gap, so no person may get away with being under the influence of drugs when driving.

If a person required to undergo drug testing in these circumstances refuses to do so, they will be subject to a new offence which carries a penalty and a minimum licence or permit cancellation and disqualification from driving period of at least two years for a first offence and at least four years for a subsequent offence.

This bill will also include heroin as one of the drugs being tested for by Victoria Police. Currently the prescribed illicit drugs that are tested are ecstasy, cannabis and methamphetamine. This is yet another way to ensure no person will get away with driving under the influence of drugs.

The government is taking a tough stand in both law and policy against drug drivers, and this bill shows that we will not allow people to put themselves and others at risk by driving while under the influence of illicit substances.

I commend the bill to the house.

Debate adjourned for Mr TEE (Eastern Metropolitan) on motion of Mr Leane.

Debate adjourned until Thursday, 30 October.

DISTINGUISHED VISITORS

The PRESIDENT — Order! I acknowledge in the gallery today the federal Minister for Social Services, the Honourable Kevin Andrews. We also have in the gallery a former minister and member of this place, Candy Broad. Welcome, Candy and Mr Andrews.

VALEDICTORY STATEMENTS

Mrs COOTE (Southern Metropolitan) — Today is a day of celebration for me. It is my final day as a member of Parliament in this chamber, a chamber I have loved. I have over the past 15 years felt elated, humbled, challenged, happy, sad and successful, I have given good speeches and bad speeches, but this is my final speech.

The first time I sat in the Legislative Council in October 1999 I felt a mixture of anxiety and excitement. We had been told by the then Leader of the Opposition, Mark Birrell, to sit still and say nothing — not something I had thought I had signed up to! I have since gone on to make 3348 contributions in this place.

The first speeches I listened to were on the address-in-reply debate, and I was astonished at the bipartisan

nature of those speeches. I have since observed new members of Parliament arriving full of the dogma of the party they represent and full of disdain for and sometimes hatred of other parties. I have watched with some amusement their enlightenment as they begin to understand that nearly all members of Parliament, regardless of their political persuasion, come in here to represent their constituents as well as possible and there is therefore remarkable unity on many of the bills we debate.

Being one of the three freshly minted Liberal MPs in the upper house in 1999 I was astonished to listen to poignant, intellectual, humorous and respectful speeches from members on all sides of the political divide. I decided at that moment that if I could be held in high esteem by my colleagues and could leave this place with dignity and respect, I would consider I had had a successful parliamentary career. I hoped that although people in this place may not always agree with me or my views they would respect me as a professional and acknowledge that I had represented my constituents and my party in the best possible way.

This chamber has evolved over 15 years. I was terrified of the then President, Bruce Chamberlain. The culture here was very different: no-one spoke unless they were on their feet, and the language used was positively medieval. One lived in terror of actually calling the Legislative Assembly by its correct name instead of ‘the other place’.

We had quaint traditions like the excruciating President’s Dinner, which was a very formal dinner put on by the President. The Governor attended and it comprised heavy, self-congratulatory speeches. The light touch was the ‘interjection of the year award’. Now, with the fluid remarks being bantered around this modern chamber we would need a phone app to register the clever interjections — and I acknowledge your tolerance, President.

Astonishing as it may seem, there were no time limits on speeches and the florid after-dinner speeches were very lengthy, although they could be very entertaining. It was not unusual for members to speak for at least 2 hours at a time, and we were never, ever allowed to read our speeches.

All this changed in 2003. After vigorous debate the ALP changed the constitution to establish four-year parliamentary terms, which in practice is an excellent change, and to abolish the term ‘Honourable’ for Legislative Council members, which in my opinion is not such a great innovation. The Legislative Council went from two members representing provinces

consisting of 4 lower house seats to five members representing regions consisting of 11 lower house seats.

My friend and colleague from the ALP Johann Scheffer and I have the honour of being the very last members for Monash Province. Sir John Monash, for whom the seat was named, was an extraordinary Australian and Victorian, and we both feel proud to have held this title.

Since 2006 I have represented Southern Metropolitan Region, and as a final speech plea I ask all parties to address the issue of the name — Southern Metropolitan Region sounds like the name of a boundary in a government department. Surely we can be more imaginative than that. Southern Metropolitan Region currently comprises three Liberal MPs, one ALP member — John Lenders — and Sue Pennicuik from the Greens.

Despite heated arguments from time to time in this chamber, all five of us worked collaboratively to represent the 580 000 constituents of the Southern Metropolitan Region, and I wish to thank them all for their friendship and their support. Unusual as it may seem, I have made some firm friends from amongst the opposition parties. I wish to thank them for their friendship and their vigorous debate.

Parliament House is a very rare place and we form very close working bonds. The experience of the eccentricity, the drama, the responsibility, the challenges, the tiredness and the exhilaration is something not easily shared with the wider community. It is a foolish member of Parliament who does not comprehend the interconnectedness of all who work here. There are so many people here I wish to thank. Personally I owe the Hansard staff an enormous thanks for their professionalism and patience, and I especially want to acknowledge Maria, Marg, Linda, Lee, Andrea, Sue, Patrick, Joel and Heather and all the others. Our clerks and parliamentary staff are simply sensational: they are just so professional. The library is the most valuable resource and the librarians have always been exceedingly helpful. Paul McConville and his catering team, Jacquie and Karen in particular, give us wonderful service.

The staff of the Department of Parliamentary Services have answered every query with knowledge and grace. I thank all those gardeners who make this garden of von Mueller's so special; all those who maintain this building; and the protective services officers and security staff who keep us safe. And the attendants — I adore them all. The green coats and red coats alike have all been just so lovely to me, and if I am to miss something very badly about this place it will be all of

them. But it is the attendants here in this place that I want to individually acknowledge: Michael for his wry sense of humour, Chris for his friendliness and youth, Nick for his courtesy, Peter for keeping my office so beautifully clean, Philip for his cheery hello coming in the back door, Patrick for his wonderful jokes and songs, and Greg — what can I say about Greg that won't get me into enormous trouble? — Greg is a legend. I want to thank them all from the bottom of my heart.

I have been fortunate to have been the Parliamentary Secretary for Families and Community Service working with Minister Mary Wooldridge. Mary is a true professional in every sense and has guided the sector through difficult reforms and challenges and earned the sector's respect. The Legislative Council will be very fortunate to have Mary Wooldridge as a member after the November election. Her strategic mind and intellect will enhance the debates in this place into the years ahead. I wish her every success. Her office under the direction of her very able chief of staff, Ben Harris, has been a great support to the minister and to me as well, as have Odete, Sheena and Sarah. Christabelle Adjoyan, Mary's media adviser, with her professional outlook and lovely demeanour, has made working in the Lonsdale Street office a pleasure. Lyn Hall in the minister's office is the glue that keeps us all functioning and ensures our standards are of the highest calibre. She dispenses warmth and advice when we all crumble, and I owe her the greatest debt. Thank you, Lyn. So many people in the Department of Human Services have assisted me and it may damage their standing in the bureaucracy, but I really do want to acknowledge Maria Karvelas, Arthur Rogers, Gill Callister, Michael Cromie, Katy Haire, Brendan Fogarty, Jill Gardiner, Ann Congelton and their respective teams for their patience and understanding.

I know this is getting very longwinded but this is my last chance and I want to get on the record my thanks to so many people in the community services sector, including Laurie Harkin, Bernie Geary, Colleen Pearce, James O'Brien, Elizabeth McGarry, Kevin Stone, Tony Staley and the entire Victorian Disability Advisory Committee, Alex Gunning, Mike Debinsky, Noel Bates and hundreds of others. We all share a common cause — making life better for vulnerable Victorians.

I could not have done this job without Sally Kent, my true offside for over 10 years and the face and voice of the Southern Metropolitan Region. I have been most fortunate to have had so many wonderful staff members, including Tristan O'Dwyer and many others, but Sally is truly my rusted-on right hand. Sally has gone beyond the call of duty, and I think she has single-

handedly won hundreds of votes for the Liberal Party. She is our secret weapon. Sally and I have a deep and wonderful working relationship and have shared the ups and downs of both our personal and working lives for over a decade. Sal, any success I may have had is yours too.

I can hear you all breathe a sigh of relief as I now move onto what I consider to have been the highlights of my years as a member of Parliament. I am the longest serving Liberal woman in the Legislative Council, and I was the first Liberal woman of the Legislative Council to be a deputy leader. It was a great honour awarded to me. To have worked with Philip Davis during his time as Leader of the Opposition in the Legislative Council from 2002 to 2008 was a privilege. Philip raised the calibre of parliamentary process and parliamentary debate to a level not enjoyed since. He brought a sense of dignity to this place.

The decriminalisation of abortion was momentous. In 2008 I said in my contribution:

I believe in the rights of the individual. I think it is imperative that individuals make a decision on the very best, most up-to-date information. I believe they have the right to consult their own creed or religion to assist them in formulating that decision, and they therefore have the right to make a decision for themselves about themselves.

Should they choose termination, they should be supported by our health system with the very best possible advice and medical treatment, and they are entitled to expect a first-rate, First World procedure that is based on a clear and unambiguous law.

Today I still believe emphatically that this is the case.

Placing a wreath at Villers-Bretonneux on Anzac Day on behalf of the people of Victoria was an extraordinary highlight. Other significant highlights include being a member of a government that closed the last disability institutions at Sandhurst in Bendigo, Oakleigh in Warrigal Road and Colanda in Colac; being part of a government that signed up to the national disability insurance scheme; and presenting the clearways petition with 40 000 signatures, which is still the standing record in here. Chairing the Victorian Honour Roll for Women was a true privilege bestowed on me by minister Heidi Victoria.

Finally, I turn to my membership of the Family and Community Development Committee responsible for the *Betrayal of Trust* report dealing with child abuse. In my contribution on this report I said:

The notion of justice cannot be confined to the past or the present but must have regard to the rights of children in the future. The community must be confident that whatever dangers await children in the external world, the church,

synagogue, mosque, temple and school are places they can grow and learn in safety.

Collectively as a society we have failed these children by allowing them to be incarcerated in places and exposed to people who did not cherish them. This betrayal must cease.

How proud I am to have been a member of a Parliament that has passed several acts to ensure that this does not ever happen again.

So why am I leaving? I have felt so honoured to have been a Liberal representative in Parliament, and I want to thank all those hundreds of people from within our party who have supported me through the years, especially former federal Treasurer Peter Costello; the federal member for Higgins, Kelly O'Dwyer; state Treasurer Michael O'Brien; federal minister Mitch Fifield; Deputy Leader of the Parliamentary Liberal Party Louise Asher; the member for Caulfield in the Assembly, David Southwick; my federal colleagues Josh Frydenberg, Andrew Robb and Senator Scott Ryan; Ross Liebmann; Frank Greenstein; Tony Snell; and so many more. I feel very humble to have been your representative; thank you so much for giving me such a wonderful opportunity.

One of the things our great party could do better is succession planning. Fifteen years spent working as an MP is a privilege, but if we are to encourage fresh, intelligent young MPs, those of us who have been here for 15 years-plus should recognise that our party needs replenishment and give our best and brightest an opportunity to shine. This is a noble profession, and we need to attract the very best. I therefore wanted to set an example, an action the Liberal Party could turn to in the future and say 'That is how succession should be handled'.

I could simply not have had a more appropriate successor than Georgie Crozier. You all watched Georgie chair the parliamentary committee into child abuse with dignity and professionalism, and I know everyone in the Parliament felt that her delivery of the *Betrayal of Trust* report gave us all credibility within the wider community and beyond. Georgie's parliamentary acumen bodes well for a long and distinguished parliamentary career. My decision to leave was made just so much easier knowing I could pass the reins to such a capable and lovely person, and one whom I admire.

It was also very important to me to be able to leave in my own time, hopefully with dignity and respect, and to be young enough to make a difference in the community in the next exciting phase of my life. How often do we hear that an MP has left for 'family

reasons'? I think the public is very cynical about this phrase, but all of you in this place know exactly the sentiments behind that statement. None of us could do these jobs without enormous support from those closest to us and those who sacrifice the most — our families.

Being a member of Parliament is a very seductive job, and we thrive on the adrenalin, the late-night sittings, the nightly meetings and the weekend events, but this self-indulgence comes at the expense of our loved ones. Ultimately my greatest achievement in this job has been the love and support I have had from my family. My wonderful mother, Gwen Scoble, gave me unlimited support, and she was the most wonderful role model a daughter could have wished for, and my sister, Elizabeth Morshead, has been there for me throughout my parliamentary career. More recently I have been so fortunate to have accumulated the most fabulous in-laws: Geordie, Sean and Daisy. Having a mother-in-law is one thing, but to have a mother-in-law as a member of Parliament is a whole new level of dedication. You have all been remarkably diplomatic, and I am thrilled you are in my life.

Angus, Amelia and Charlotte are my three sensational children. Clever, worldly, cultured, intelligent, forceful, strong and loving, you have kept me grounded and focused on the true meaning of life, and I cannot tell you how proud I am of all three of you. Largely due to your own characters, you have all developed into very fine young people and contributors to the community in which you live. You not only supported me but defended my position and that of the Liberal Party when it was not always easy to do, and you gave me unconditional love.

To my husband, Alan Naylor, as you know, I am rarely stuck for words, but there is just so much I need and want to say about your support, love, friendship and understanding that I simply do not have time to say it all. I want to publicly thank you for learning how to cook, for establishing firsthand relationships with the stallholders at the Prahran Market, for forgoing so many weekends it is impossible to count them, for dealing with a fridge continuously bereft of food, for offering a cup of tea at 3.00 a.m. so many times after a late-night sitting and for always giving me sound advice; but most of all I thank you for trying to teach me to be patient. I love you and simply could not have done it without you.

I wish to end with our Premier, Dr Denis Napthine. Denis is one of the finest people you could hope to encounter. His values are worn on his sleeve; he is absolutely genuine. He totally believes in governing for all Victorians, and he is leading a talented, energetic

and hardworking team. I know it is Denis's integrity that will be paramount in leading our coalition to a second term of government on 29 November. Denis, I thank you so sincerely for your friendship and personal support of me, and I wish you and your team every success in November and beyond.

In my inaugural speech I quoted Hyman Herman speaking about Sir John Monash. He said:

He was a great leader and a genius at getting to the heart of any problem and finding its solution, the ablest, biggest minded and biggest hearted man I have ever known.

I said at that time that if I came to be regarded by the people of the then Monash Province as having just one of those attributes, I would have felt I had performed my duties well. I will never know what the people of Monash Province and Southern Metropolitan Region felt about me and whether or not they believed I had indeed achieved any of those attributes, but I have two small grandchildren, Tommy and Sybil Taylor, and I hope in the years ahead to be fortunate enough to have more grandchildren, and I hope they will all believe that I acquitted my duties admirably and will come to be proud of the work I achieved.

Finally, President, I bid farewell to all. It has been an honour and a privilege to have worked in this place with you all. Thank you.

Honourable members applauded.

Mr LENDERS (Southern Metropolitan) — That is a beautiful speech to follow, which represents all the more reason a member should give a valedictory speech. I start my contribution with two broken promises. One is that I told all my colleagues I would not give a valedictory speech, because they were self-indulgent; however, I was persuaded it was important to do — and Mrs Coote's contribution just goes to show why it is important to do.

I turn to my second broken promise. I should not refer to people in the gallery, but Richard Wynne, the member for Richmond, and I shared a bench in the Assembly when we were elected in 1999, and we both made a promise that our last speeches would be sung. I am glad I am going to break that promise as well on the basis that I am in the Legislative Council and not the other place.

I rise to speak for the last time as a member of this Parliament, and in doing so I will make a few remarks about being an MP and the journey to here. The short version would be to say, 'Wow! Thank you', and sit down, but members will get the longer version — not

as long by some other standards that have been set in the past. My speech will be about how we got here, why I am here, what this Council is about and perhaps what is next.

When Marg Lewis was sworn in earlier this year as an MLC to replace Candy Broad, she became the 582nd member of this house in its 158-year history, and the 74th MLC with whom I have served in my brief 12 years here. We are part of a continuum, and the ghosts of history run through this place in our short history. But with so many colleagues to mention, I will try to avoid names as much as possible. Marg was also the fifth person to join us since the 2010 election. These facts tell us that we are part of a continuum, and the constitutional reforms of the Bracks Labor government have changed this institution in so many unforeseen ways. I am confident there would have been no resignations in this term without the new casual vacancy rules, so already we are seeing change.

Why each of us comes here varies, but all 40 of us want to make the world a better place. Much of the angst in this place comes because our views differ on what makes Victoria — our part of the world — a better place, although we should never forget that our electorates overwhelmingly voted for our party and not us as individuals. I am in no doubt that virtually every one of the 95 228 people who voted for me in 2010 were actually attracted to the letters ALP next to my name rather than to some stunning personality. I am very confident of that.

Whilst our roles as MPs are much broader than what happens in this house, what we do here is essentially legislate and scrutinise the executive. How we do this varies from MP to MP. In my case, during my four terms across both houses of this Parliament I have been privileged to have been able to serve as a minister for almost nine years of that time, hence most of my time has been spent proposing legislation and being scrutinised, although the last four years have been a different challenge.

What you do here affects your perspective of the place and how you operate, but if the electronic *Hansard* is to be believed — and obviously Mrs Coote has been checking this as well — this contribution means that I am on the record as having spoken 6401 times in the Victorian Parliament. Without wishing to compete with Mrs Coote, my total is added to by the fact that I had to make second-reading speeches on a budget twice in both houses, so I repeated the speech, but also all those things that come with the formal role of being a leader of a party. But I guess when you see how many there are, it makes me appreciate the role of Hansard even

more, when I see how Hansard staff can record and, dare I say, polish so many of the contributions which are often made in a very raucous environment.

While we can often appear to be raucous and disrespectful, as the public often sees us, it is not surprising when we think about it. All of us have come here as members of parties committed to policies, and we made those policies without first listening to the words of our political opponents who tell us that our policies are not good. We form our policies before listening to the debate in here, hence it is hardly surprising that we are seldom swayed by the arguments of our political opponents. Nevertheless I have observed that when the government of the day does not have a majority, persuasion is required to get a majority. Particularly in the 1999 to 2002 Assembly and the 2006 to 2010 Council, the debate was notably improved because we needed to persuade.

Other debates that have been fascinating to watch — Mrs Coote touched on this — are the ones conducted on the basis of MPs seeking to persuade their colleagues, including the conscience debates on abortion, euthanasia and the use of stem cells.

In my final speech I must make one last plea about how boring set speeches are in this place when MLCs recite some weird formula to describe what a bill is about when it is already on the public record and is supplied via the whip's office rather than debate the bits of a bill that they are interested in. That is my last plea!

While I have been able to introduce many pieces of legislation during my time here, the one that stands out for this house as an institution and for me personally is of course the Constitution (Parliamentary Reform) Bill 2003. The Bracks Labor government reform was designed to synchronise all elections into fixed four-year terms and get rid of the stale mandate of carry-over MLCs, to remove the ability of the Legislative Council to block the budget, to be able to formally resolve deadlocks between the houses and to bring in proportional representation elections in this place. I guess it is an understatement to say that since its formation Labor has had issues with this house. Until 1985 we wanted to abolish it, and each year in general business the leader of the Labor Party would move to abolish the Legislative Council, so our position on this place was fairly clear, but in 1985 it changed.

For me, that day in 2003 was electric. It was my first bill in this house. Not only had I been part of the Labor team that had been working on a reform policy since 1992, but to me, if successful, the passage of the bill would help right many of the constitutional wrongs that

this house had inflicted on Victoria over the previous 146 years. Every MLC — other than the then President — spoke to the bill. The bill went into committee for days, and I needed to be able to speak on any clause MLCs wanted to debate. Both the second and third readings needed absolute majorities to pass, and it was the first time since self-government that Labor had such majorities in both houses. The pressure was on.

The passage of the bill would shorten the parliamentary terms of 17 Labor MLCs by four years or more, and in many cases obliterate potential parliamentary pensions, but every MLC stuck to the party's policy of reform and voted for the bill. For the final vote the galleries were packed with such Labor greats as Steve Bracks, John Brumby, Joan Kirner, John Cain, Frank Wilkes, Clyde Holding, Evan Walker, David White and many others watching on this historic day. For a Labor MP with an appreciation of history and passion for constitutional reform, it was as good as it ever gets in this Parliament.

Despite all of that excitement for me, a number of MLCs did not make it back to the Parliament at the next election, specifically because of their vote to shorten their terms. At the minimum we should acknowledge that, despite the enormous public cynicism of MPs, Lidia Argondizzo, Helen Buckingham, Geoff Hilton, John McQuilten, Rob Mitchell and Noel Pullen put principle ahead of personal gain to achieve the reform that their party had sought for over 100 years.

We operate in this place with the enormous support of those around us, be they family, friends, colleagues, staff or our parties generally, and I wish to pay tribute to them today. I have been married to Elisabeth for just short of 30 years, and she, her parents, Lois and Eric; our children, Rachel, Tim and Simon; and my sister Pat were with me at the start of this parliamentary journey and are with me at the end. For their total support and that of their partners and so many of our close friends, I am unbelievably blessed. I still pinch myself when I think that the son of Dutch immigrants who did not speak English until he went to school could have had so many opportunities in life, which Victoria and the Labor Party have given me.

I was surprised to count that I have worked directly with 43 people over the 15 years, 9 ministries, 5 departments and 3 electorates, appointed by me, plus another 34 seconded to me from departments and other offices to help me do my job. I must have needed a lot of help! They have brought so many talents and much enthusiasm to the task of helping me in my parliamentary, electorate and ministerial duties, and for

that, and for at times making me look good, I am very grateful. Some, like Fiona Richardson and Colin Brooks, have come into the Parliament; others, like Janice Munt and Jenny Lindell, were in the Parliament; and others again, like Daniel Mulino and Jadon Mintern, I certainly hope will be in the next Parliament. Roland Lindell, Steve Newnham, Nick Reece and Noah Carroll have gone on to be state secretaries of the Labor Party. I am so pleased to have worked with so many good people. All of them have made their own contributions, and many have become good friends. I particularly acknowledge Roland Lindell and Michael Mangos in their roles as my chief of staff, and Betty Appleton and Peter O'Keefe, who have supported me since my days in the Assembly — that is a long time now.

I thank you, President, for your stewardship of this place. You may vote with the Liberal Party day after day in divisions, as you were elected to do by your constituents, but you have conducted yourself in the Chair in an extremely fair manner and have consistently put the interests of this institution ahead of all else. It is no coincidence that this place functions so much more smoothly than the Legislative Assembly.

The staff of the Parliament support us all, and I like others here today would like to acknowledge and thank them for their professionalism and support generally. In particular I thank the staff of the Legislative Council, ably led by former Clerk Wayne Tunnecliffe and current Acting Clerk Andrew Young, for their support of us all. There are so many names, and I have a time limit, but we have an amazing staff supporting us, and on those nights when we are sitting until 11.30 at night or 1.00 in the morning and the place shuts down and we all go into the dining room to eat the sausage rolls, we see how many support staff there are for this Parliament, and it is an eye-opener.

I have thanked my Labor caucus colleagues and staff separately and will not repeat the specifics here today, but I particularly wish to acknowledge in the chamber the work of Gavin Jennings, with whom I have shared the Labor leadership for the entire 12 years I have served in this house; and our three whips, Shaun Leane, Matt Viney and Lidia Argondizzo, for their camaraderie, trust and support in this journey.

To the Labor Party itself I say thank you for the opportunities you have given me as your state secretary and campaign director from 1993 to 1999 and as an MP since then. On election day there will be thousands of people standing at polling booths supporting Labor candidates, and so many of them will have devoted countless hours to policy development, campaigning

and organisational support in the lead-up to it. The light on the hill that Ben Chifley described still burns bright to make this a better place through our collective action, and we as Labor MPs hold our positions in trust for these Labor Party members.

On my last day here, I also want to reiterate that the union movement makes Labor strong. I should declare that I have been a union shop steward for six people in a small workplace. People join unions all the time because groups of people working together are so much stronger than individuals in dealing with large employers and complex issues. I am still shocked to have read in 2002 when I was the Minister for Industrial Relations the South Carolina state website boasting that that state's wages were the lowest in the USA. A well-paid and skilled workforce underpins a just economy and society, and the broad base of the union movement engages Labor to the real-life issues of the working families we seek to represent here. In an era of relatively low participation in the political process, our link to union membership can engage tens and hundreds of thousands in the political process beyond the much smaller activist membership of most modern political parties.

I would also like to thank the three Labor leaders I have worked with in this Parliament for their contribution to the state and the party, and also for the opportunities they have given me. Steve Bracks led us to government in 1999, and as an MP from his class of 1999 there will always be a special bond between us 99ers. His talents in governing and winning elections are legendary, and he brought out the best in our caucus. He also brought me into the cabinet and allocated to me the two portfolios I particularly loved, education and consumer affairs.

John Brumby has served his party and state with distinction, and he did so much of the heavy lifting through what for us were the dark Kennett years. He then worked with Steve Bracks seamlessly as Treasurer for almost eight years and had his own three and half years as Premier. He showed amazing leadership during the 2009 bushfires and the global financial crisis, and his support for me in putting together the 2009 budget is something I am so appreciative of. For the record, the budget was in the black, we had a AAA credit rating, we were the only state with projected surpluses for the full forward estimates and 91 per cent of all full-time jobs created in Australia that year were in John Brumby's Victoria! I have got that out of my system!

I acknowledge the Leader of the Opposition in the Assembly, Daniel Andrews. I have known Daniel

Andrews for close to 20 years and first worked with him back in the late 1990s when I was the ALP state secretary. I have since worked with him as a government MP and minister and now as an opposition MP. I know he has all the attributes to be a great leader and Premier, which is reflected in his holding us together after the 2010 election loss and focusing so much energy and creativity toward the future. Personally he has treated me with respect seldom reported in politics. When I spoke to Daniel about my decision not to recontest the election because of my deteriorating eyesight he was genuinely concerned about my welfare — that was the first point — and he spoke of how I could best work together with the rest of team until the election. The contrast with what often happens in Australian politics, when upon announcement of retirement MPs are just booted out as debris, is amazing. It was a respectful conversation as to how I could help, and I could not be more grateful or more loyal to Daniel Andrews.

Stargardt's disease is a macular degenerative condition that for me means that, amongst other things, I cannot see faces in dim rooms and I am occasionally reduced to peripheral vision only, so that on occasions I cannot read. Needless to say, that makes so many events, including evening community functions, untenable and makes reading speeches hazardous. As a contingency during my budget speeches in the Assembly, John Brumby, the member for Hawthorn and then Leader of the Opposition, Ted Baillieu, and the then Speaker, Jenny Lindell, agreed that if I could no longer read — which often happens during a speech — John Brumby would step in and do so. For that, I particularly thank Ted Baillieu for his courtesy and understanding and for the respect with which he treated me in what was a difficult time for me.

I also thank you, President, for your support of me regarding this condition, such as being aware that I often cannot read the clock to see whether my allotted time is up. It has been a real bonus that you are aware of that, but also — and this is nothing to do with me — that you have had this bold new lighting installed in the chamber. That has been particularly good for me, but it has also probably been a help for all of us as we approach middle age.

All of us in this place get a regular stream of citizens into our electorate offices who need help or wish to share ideas with us. Particularly when you are a minister it is usually your staff who engage with those constituents, but I have thoroughly enjoyed the occasions when I have been able to be of assistance in fixing a problem or harnessing a new or creative idea. Steve Bracks sought to extend this engagement to

community cabinets, and it was at one of those in the Yarra Ranges that I first encountered the issue of no public liability insurance being available for pony clubs.

To cut a long story short, as well as structural problems with that part of the insurance system, there was an international perception that the equine industry was unsafe, fuelled by the relevant Lloyd's syndicate not understanding that pony clubs in Victoria are mainly made up of young women, who have a very different approach to risk mitigation than do rodeo riders in Arizona. Lloyd's literally thought they were the same thing. Eventually, through the good offices of the Victorian Managed Insurance Authority, some common sense and legislative change, we managed to get our pony clubs insured, and the community cabinet approach was vindicated. For many of us who went to a lot of community cabinets, it was really good to see that process vindicated and that it made a difference.

Finally, the future. I have absolute confidence that our state continues to have a great future and will continue to provide opportunities for our own citizens and for people like my parents, who made the great journey here to get a better future for their kids from the troubled other side of the world. We as MPs, however, need to be very vigilant about having a clear vision for the future and not being afraid to articulate that vision to our citizens so that we can re-engage them in the political process.

To conclude where I started — wow, what a journey I have been able to be on, and thank you to all who have helped me on that journey.

Honourable members applauded.

Hon. M. J. GUY (Minister for Planning) — I begin by first of all stating that I do hope my shortish remarks are a valedictory just from the Legislative Council and not from the Parliament itself. Like all of us here, I am utterly privileged to have been a member of the Legislative Council. While I have had great days and challenging days in my eight years in this career to date, there really has not been a day when I have not pinched myself, looked around the splendour of this chamber and wondered what on earth a boy from Montmorency High School is doing here. I have loved being an MP in this chamber, and to represent the northern suburbs for eight years has been an absolute honour. I am leaving the chief Liberal role in the north to my good friend and colleague Mr Ondarchie, who will no doubt fill those shoes and more.

I have served here under the leadership of two Davises. They are very different fellows. One is a horseriding, no-nonsense, pro-cattle country man — that is, Philip Davis — and the other one a bit more urban and urbane, in David Davis. I put on the record my appreciation for their guidance and leadership. I know mentioning colleagues is risky, and I do not intend to leave Parliament but rather to try to transfer chambers, so I will make some remarks about my coalition colleagues from the Council who are retiring at this election.

Jan Kronberg has been a friend of mine for a long time. She is a wonderful woman who has a deep love for and commitment to her family. Jan is part of a team, the Jan and Mike show. Mike is dragged everywhere with Jan, and he comes willingly. I feel that I am farewelling Mike from my professional life as much as I am farewelling Jan. Jan has been, as I said, a friend, an adviser and someone who still has much to offer this state, particularly in urban planning. My love and best wishes to Jan, someone I have known and respected for so long, and her family.

David Koch is just an all-round good bloke. He is like your country uncle. David and I have known each other for many years, as with Mrs Kronberg, before election to this Parliament. If anyone in the south-west knows that place better than Kochie, I am yet to meet them. He is the man who has kept us in line, kept us together and reminded me that I actually do need to do chamber duty. Kochie, we will all miss you from Parliament. We know that while you are leaving Parliament, you are not retiring.

Andrea Coote is a wonderful person. She is genuine, she is sincere and she will tell you the truth to your face. As we know, President, many in politics find that hard. Andrea never has, and as such she is a gem to know and someone to call a dear friend. Andrea is one of those people who cannot help but have others, myself included, gravitate towards them. This is probably because, as I said, you do not know the fearless and frank advice you are going to get, but you will indeed appreciate it. While she has a wonderful humour about her, Andrea has seen more hard times in her life than many would realise. She has come out stronger and more resilient and as such has been a positive example to her children and to so many in the Liberal Party, myself included. Good luck to you, Andrea, Alan and your family.

Finally, I take the chance to make a few comments about the retiring member for Bulleen in the Assembly, Nicholas Kotsiras. Nick arrived in Australia as a young Greek migrant with his parents and sister in the 1960s.

His story of growing up in 1970s Australia, becoming a teacher and finally being elected to Parliament in 1999 is one that he should be proud of. It is a story of postwar Australia, of multiculturalism and of the true values of reward for effort. He is a friend of mine — a close friend, as many of you would have guessed — and he is also someone I deeply admire. I want to put on the record my admiration for Nick and to wish him, Angela, his children and his grandchildren all the best. If I have the chance to be elected to the seat of Bulleen, it will be an honour to follow him.

To the Labor comrades in here, I leave here even with you. I have had one term in government and one term in opposition. I have sparred with many of you, particularly Mr Madden and Mr Tee. I am very sure that you will not miss me, but surprisingly I have come to get along with a number of you very well — Matt Viney in particular. Matt Viney said to me after my maiden speech in November 2006 that he and I would go head to head plenty of times and would always chat civilly afterwards. He was always true to his word. Matt's courage this week said everything about his strength and character.

To my Greens friends, I thank them for their parliamentary camaraderie. I cannot wish you luck, but I want to wish you the best of health. While Mr Barber and I have sat in this chamber many times at night and discussed topics from transport to Tasmanian tigers, I cannot say I want to see more of you in the lower house or indeed here, but I wish you personally all the best.

To my parliamentary coalition colleagues in the Legislative Council, you are a fantastic team, a great support and great friends. I hope that over these four years I have made planning a little more exciting than structure plans, ministerial orders and design and development overlays sound. I wish you all the best of luck, and may you be joined by many more newbies in two months time.

Finally, President, I thank you. You have been patient and tolerant with me over the last four years. I thank you for your wise words, including the ones with which you told me to moderate my words — particularly the ones in English.

I also acknowledge the clerks, the staff of the Parliament, Hansard, in particular the attendants — especially Patrick, with his love for skyscrapers — and everyone associated with the running of the Legislative Council over these years.

When Bernie Finn and I sat up in that gallery in 2006 we said to each other, 'When we get elected in

November, we're going to shake the place up'. I think Mr Finn and I have come good on that commitment to each other. I hope I get the chance to continue to be part of a stronger Victoria through a stronger coalition government as the member for Bulleen, but as I said, that is a decision Victorians will make in 50 days time.

Until then, ladies and gentlemen, *Дуже прямо. Дуже дякую. До побачення.* I hope to see you from that little spot over there which says 'Reserved for members of the Legislative Assembly'.

The PRESIDENT — Order! Dare we ask what the other bits were?

Hon. M. J. GUY — Thank you, and goodbye.

Honourable members applauded.

Mr SCHEFFER (Eastern Victoria) — Thank you for the opportunity to say a final few words. Twelve years is not a long time in the Parliament, but it represents a quarter of my working life and most likely concludes it.

At critical times throughout my life I have been fortunate to find myself in the right place at the right time, and I seem to have had enough sense to appreciate my luck and try hard to work to make the most of it. But luck and hard work only get you some of the way. To make a wider social contribution it is in the end necessary to enlist in a movement greater than oneself. For me this larger movement has always been the labour movement, and participation in many campaigns and causes eventually brought me to the Labor Party, the oldest and greatest political party in the country.

The Labor Party has been the vehicle through which I have been able to make some small contribution to the greater good, so I pay tribute to the members of the Labor Party who nominated me on three occasions to stand for the ALP in three state elections and to the voters of the former Monash Province and Eastern Victoria Region, who in voting Labor saw me elected to this place.

As others have said, one of the great privileges of working as an MP is to be able to actively engage with so many wonderful individuals and organisations. Throughout my years working firstly in Monash Province and then across Eastern Victoria Region I have had the great privilege of working with many fine and remarkable people. I take this opportunity to thank each and every one of them for their inspiration and support. I hope they are satisfied in at least some of the things I have been able to accomplish on their behalf as

a result of them having elected Labor representatives to Parliament.

Yesterday in my contribution to statements on reports and papers I took the opportunity to thank some of the many people who work in the Parliament, including the attendants, the protective services officers, the cleaning staff, the maintenance and grounds teams, the Hansard staff, the clerks and the officers who join us in the chamber day in and day out, the parliamentary committee researchers, the library staff, the IT team and the catering and service staff in Strangers and Sessions.

It has been a privilege to have been led in this chamber throughout my 12 years by John Lenders and Gavin Jennings, men of the very highest standing, whose integrity, humanity and intellect is unrivalled in this place, and I thank them from the bottom of my heart for their friendship and support.

I am deeply indebted to the members of the Labor caucus, whose collegiality, dedication to their electorates, commitment to the great aspirations of the Labor Party and to winning government has unfailingly impressed and inspired me.

I make special mention of Lily D'Ambrosio, the member for Mill Park in the other place. Lily and I have known each other for many years. We were both elected in 2002. Her advice, support and friendship have been very important to me over the last 12 years. I extend my respects to members of the Greens party, The Nationals, the Liberals and you, of course, President, who have brought order, respect and a mood of working harmony to the house.

I owe a huge debt of gratitude to Vivien Gunn, who has worked with me in my electorate office for the entire 12 years I have been an MP. That is the last chapter of an unbroken working relationship that started exactly 30 years ago, in 1984. Constituents in both Monash Province and Eastern Victoria Region knew that effectively Vivien and I job-shared, and each of us knew as much as the other about the work at hand. I was just the one who fortunately — or unfortunately! — signed the nomination paper.

Without Vivien's profound understanding of public policy, correct procedure, the public, private and non-government sectors, business management, all things financial and speech writing, and her unwavering political acumen, I would have found myself in trouble more than once. Besides Vivien, I have been fortunate that a number of wonderful people have worked with me in my office, and I make special mention here of Jacob

Clifton, Sarah Kennedy, Micah Palmer, Peter Lorentzen, Silas Palmer and Judith Armstrong.

I cannot truthfully say that this job took me away from family and friends, but as in all jobs we hold, the support and interest of the folk we live with and love is important. I thank my partner, Angela Palmer, and our sons, Julian and Titian, for never letting up, for making me account for every single thing the Labor Party does, in government and out, and for reminding me that ducking responsibility is just not an option.

Finally, my conduct in this place has been guided by two insights. The first comes from the *I Ching*, the great Chinese book of changes, and it is an image of water in a ravine, where water symbolises ourselves and the ravine circumstantial danger. Like water flowing through a ravine, we should find the path of least resistance. Our responses must always be proportionate to the difficulty confronting us. Like water, we ourselves should be invisible, shaping ourselves completely to our environment and circumstances, and, like water, our character must be absolutely, completely incompressible.

The second guiding insight comes from T. S. Eliot, from *The Love Song of J. Alfred Prufrock*. I should say that I do not offer this as an image of myself, and I do not offer it as an image of anybody in this chamber, but for me I have always found it cautionary for political players, including myself. It goes like this:

... I am not Prince Hamlet, nor was meant to be;
Am an attendant lord, one that will do
To swell a progress, start a scene or two,
Advise the prince; no doubt, an easy tool,
Deferential, glad to be of use,
Politic, cautious, and meticulous;
Full of high sentence, but a bit obtuse;
At times, indeed, almost ridiculous —
Almost, at times, the Fool.

Honourable members applauded.

Mrs KRONBERG (Eastern Metropolitan) — It has been a privilege and an honour to serve the people of Victoria in the Legislative Council and the Parliament. In December 2006 I stated:

As a legislator I hope to bring forth the enduring values of our history and apply them to the care of our times.

In attempting to preserve our enduring values, I hope I have made my mark, and this coalition government continues to apply them to the care of our times. Along the way I believe I became a conviction politician. John Howard in his new book, *The Menzies Era — The*

Years that Shaped Modern Australia, describes a conviction politician thus:

The description of someone as a 'conviction politician' did not exist in Menzies' time. It has been used in the modern era to describe someone who is not driven wholly by focus groups, public relations considerations and an almost desperate search for a stance on an issue that offends no-one. It describes a person who has a clear set of principles and beliefs, and is unafraid to express them.

From the perspective of my eight years here, I believe there is more goodness in this world than evil. However, there is a developing problem that is so terrifying that many are in denial. A sure way forward would be for the good to be far more assertive and confident in their belief system, their mission and the role they will play in the future of humanity as we enter an era that includes many challenges, such as the clash of civilisations.

Perhaps those who feel worried with the new dynamics in Australia and the world could draw strength from the thoughts of Edmund Burke, who was writing almost 250 years ago. He said:

He that struggles with us strengthens our nerves, and sharpens our skill. Our antagonist is our helper.

In my absence from this place I trust that others will join in the quest to enhance and strengthen Western civilisation and the values that made this country strong. There are so many utterly corrosive forces and influences lined up against these values, and the momentum is relentless. We risk losing so much, including our freedoms, inherited from centuries of refinement, brought here by our British founders and enhanced on this continent by the sacrifice of our heroes, our innate humanity, our genius, our enterprise, our hard work and our conviction.

My ancestors, of whom I am immensely proud, sailed across the oceans from Ireland, Scotland and England to settle here in the 1840s and 1850s. They helped to forge this nation. They explored and then pioneered Gippsland, and others constructed this city's built heritage. Whilst some were lost in World War I on Flanders Fields, some rode proudly as mountain cattlemen. Daniel Hannan, in his book *How We Invented Freedom and Why It Matters* provided us with the essence. It says that our proud British tradition is:

A tradition that gave us liberty, property and democracy, and that raised our species to a pinnacle of wealth and happiness hitherto unimaginable.

Here in Victoria we still flourish as a result of this legacy.

I leave this place with a heavy heart. Heavy, because there is so much I still want to do for the cause of liberalism and to provide sound government for future generations. What will observers in the future make of one's record in this Parliament? For the sake of my sons Andrew and Stephen, in London, stepchildren Guy and Kerri, grandson Hamish Andrew, born in London in 2013, my next grandchild, due in December, step grandchildren Joshua and Jacob, daughters-in-law Madeline and Michelle, and family and friends here today, I now place on the record what I did before I came to this place and also offer them something else to be proud of in what I was able to achieve for the state of Victoria.

My offering to this Parliament was an extensive history as a business pioneer of the computer industry, who grew the enterprise to become an employer of over 40 technical staff, followed by decades as a business services consultant to the financial sector, manufacturers, multinationals, local government, start-ups and lead technology transfers to Asian markets. I was a tertiary educator; a published author; a survivor of life's travails; for a while a sole parent of two sons; a stepmother of two, operating a blended family with two religions, Christianity and Judaism, and a Liberal Party member for 31 years.

Where I was given responsibilities, together with splendid teams, I provided stewardship as chair of two committees that produced excellent results, such as the Outer Suburban/Interface Services and Development Committee's report on the inquiry into liveability options in outer suburban Melbourne, which provided 132 recommendations and 50 findings, and the report *Inquiry on Growing the Suburbs — Infrastructure and Business Development in Outer Suburban Melbourne*, which had 56 recommendations and 24 findings. Later, while I was chair of the Education and Training Committee, we completed reporting on the inquiry into the extent, benefits and potential of music education in Victorian schools and, most recently, the inquiry into the approaches to homework in Victorian schools.

I was delighted when invited to become the co-chair of the Victoria/Taiwan Parliamentary Friendship Group. What an opportunity to learn about the remarkable achievement of freedom and democracy that is the Republic of China in Taiwan. Equally, I continue to stand up for Israel, and I have found my time here with the Friends of Israel to be an important vehicle for learning, community interaction and the expression of my support.

Politics is and will always be a bittersweet experience. It is a place where human emotions are often stretched

tighter than the surface of a drum and it is the intersection of so many challenges. We all work hard — very hard — whatever responsibilities we are given. Being blooded in opposition, and being called upon to vote with one's conscience, transforms you into a very different person, with a reservoir of strength you never realised you had. The result of the struggle many of us mounted in supporting amendments to ameliorate the worst aspects of the abortion bill in 2008 still causes me much distress. However, we did achieve a victory for life, when a euthanasia bill was defeated right here in the Legislative Council.

We all come to public office in this nation, Australia, standing on the shoulders of giants. When I gained a fuller appreciation of the towering achievement of William Wilberforce, I had an epiphany. Wilberforce was able to achieve the impossible in 1807 when his bill to abolish the slave trade was passed by the House of Commons, thus leading to the abolition of slavery in Britain. After learning about Wilberforce I was completely consumed by what it meant to be a legislator. I am overwhelmed by his humility at the time.

My thanks go to Amanda Millar for her work on the Education and Training Committee, and to Craig Ondarchie and Cindy McLeish, the member for Seymour in the other place, for their work with the former Outer Suburban/ Interface Services and Development Committee. I also thank Bruce Atkinson, for his collegiate role not only as President but also as a member of the Eastern Metropolitan Region team. I make special mention of the leadership roles of David Davis, Wendy Lovell, Gordon Rich-Phillips, Damian Drum, David Koch, Georgie Crozier, Andrew Elsbury, Simon Ramsay, Andrew Ronalds and Danny O'Brien and thank them for being such fine colleagues.

I would like to make special mention of the people I had a particular closeness with. My first friend is Andrea Coote; some call her Saint Andrea. I am greatly indebted to Andrea for her friendship and wise council, and together in 2003 we became grandmothers. I wish Andrea well in her retirement, which like mine is more likely to be just a change of gears. Richard Dalla-Riva: a friend through thick and thin in this game called politics. What a great sounding-board and someone with whom I still enjoy a laugh. Bernie Finn: what a great man; what a caring person. Many call him passionate. Bernie is all that and more. I prefer to simply call him my friend and fellow believer.

Matthew Guy and I first worked together in 1994 when he was at La Trobe University. I almost feel maternal about Matthew. Matthew is an extraordinarily capable

human being, whom I know will one day fulfil his destiny. Ed O'Donohue was my first roommate here. We have shared so many ideas and values. Ed is still the one I would want in my corner. I learned so much from Inga Peulich. I thank her for her wise counsel and friendship. David O'Brien, despite being a Nat, is a fellow Virgo, soulmate, keeper of the faith and upholder of the flame, which under his care will burn bright for decades.

I want to thank the many committee members of the Eastern Metropolitan Region electorate conference, especially those who worked so hard to see me elected in 2006, and again in 2010. It has been a great pleasure to work with the electorate conferences of Bayswater, Box Hill, Bulleen, Doncaster, Ferntree Gully, Forest Hill, Kilsyth, Mitcham, Scoresby and Warrandyte, and since the redistribution the fine team members of Mount Waverley and Ivanhoe.

My time as buddy MP for the state seat of Eltham involved extremely hard work and adopting the focused approach needed to win the seat. It was a really lonely odyssey until 2010. Then, together with the members of the Eltham Woods branch, led by Susan Turner and Stewart Donald, who are here today, we brought Eltham back from 6.49 per cent to 0.8 per cent — parenthetically it is 0.9 per cent after redistribution.

I salute Eva Nagy, who is here today, and acknowledge the fine work of Cr Meralyn Klein from the Nillumbik Shire Council, the only person there who can read a financial statement. Together with fine teams, we founded two business groups, the Yarra Plenty Women's Group and the North Eastern Business Circle, which is chaired by John Mignano. As our candidate, Steve Briffa, is working so hard, and I have every confidence he can bring Eltham home for us in November.

My work with the Manningham Interfaith Network taught me much. I can attest to having worked with members of all the Christian denominations, including the Copts, and members of the Jewish, Muslim, Baha'i, Buddhist, Hindu and Sikh faiths. In the spirit of leaving a legacy, we founded the North Eastern Prayer Breakfast in 2009. Our annual ecumenical gathering unites local communities in faith to alleviate suffering and social isolation and to give thanks. As patron, I pay tribute to chairman Reverend Russell Crockford, assistant pastor Hal Grix, Lydia Tweedie, Dawn Gubb, Sue Lee, Andrew Murphy and former chairman Philip Ratcliff.

Who would I be without the love, teachings and inspiration of my late mother, Eileen Alice Burgess,

nee Lindsay? I am still quietly keening that she was not here for my inaugural speech. My father, the late Roy Burgess, was here in 2006. He passed in 2011. Roy Burgess, a freemason and a World War II Royal Australian Air Force veteran, fought the Japanese on Numfoor, Morotai and Kiriwina, and he is our hero.

My son Andrew Paranthoiene, in London since 2006, missed my inaugural speech. Andrew, now married to Madeline Paranthoiene nee Brady, has established himself in a stellar career in the world of finance. My second son, Stephen Paranthoiene, continues apace to build his career in London and has gained the respect and confidence of many in the property field.

Politics is a team game and without my loving husband, Mike, and his unwavering support, I cannot imagine how I would have covered so much and aspired as I did. Thank you, Mike. I love you.

The wonderful Trudy Brady set up my electorate office in 2006 and has maintained her commitment and professionalism until this very day. Thank you. My other dedicated staff deserve plaudits and thanks too. They are Gwen Dixon and Robbie Burns; Ben Greenwood; Nora Lamont, Maroondah councillor and immediate past mayor of Maroondah; Lloyd McGeary, former president of Melbourne University Liberal Club; Jack Gange, Liberal candidate for Yan Yean in 2010; Laura Lloyd; and Andrew Murphy.

Thank you to our clerks for all their support, advice and professionalism from the perspective of the management in the chamber, and I thank our Acting Clerk, Andrew Young, who has supported me in my role as a committee chair. I salute and thank the redcoats in here for everything they do — for their detailed attendance, for their humour and for just being great blokes. I thank all of the parliamentary staff from every department.

I offer my best wishes to retiring opposition members.

I joined the Liberal Party back in 1983. Over the decades I learnt about unspoken conventions, accepted leadership roles and worked on every campaign. Thus I was equipped for this role with the necessary political wit. Robert Menzies once said:

Modern history is, as you all know, full of examples of great movements that disappeared because they had ceased to have any genuine reason for existence ... the important thing is to have a faith to live by, and that goes for us in this party.

Matthew Spalding gave us this:

All nations change over time. We have wandered far for many years. Yet our constitutional faith has not been erased

from our consciousness. Nor has it been defeated in our politics. Our principles always await rediscovery, not because they are written on faded parchments in glass cases, but because the immutable truths of liberty are etched on the human soul.

Henry Kissinger once said:

It is, after all, the responsibility of the expert to operate the familiar and that of the leader to transcend it.

With his visionary outlook and courage, our Premier, Denis Naphthine, does just that for all Victorians. Long may he continue to lead Victoria, by any measure the jewel in Australia's crown.

I hope that my commitment and hopefulness have shown through. For those who have listened well and for future generations who may examine the text, I trust that I have demonstrated a capacity and a diligence to ensure that I did not wittingly let anyone down, neither the Liberal Party nor my electors. The obvious and best way for prosperity and security in this state is to re-elect the coalition government, for I still want to see Victoria at its best and the world at its most hopeful.

Honourable members applauded.

Ms DARVENIZA (Northern Victoria) — I am very pleased to rise to make my final speech and in doing so I am struck by a couple of things. The first is just how fortunate I have been to have the opportunity to serve in this place. The second is just how quickly these past 15 years have flown by. In so many ways it seems like such a short time since we first came to this place, bright eyed and bushy tailed, back in 1999.

In fact I remember just as if it were yesterday the very first time that then Premier Steve Bracks asked me to represent him at a function. I was quite nervous and a bit excited about the prospect of representing Steve. It was at a yacht club sail past. I knew nothing about sailing, except how to get seasick whenever I was on water, so I dragged my husband along. He is always a reluctant starter at political functions — most members would never have clapped eyes on him — but I dragged him along because he had been sailing a few times and he understood and appreciated what marine grade meant and what it cost.

Off we went to the function. We arrived on the set day and were greeted by a very pleasant woman. When I announced that I was representing Steve Bracks there was a bit of a flurry of activity. The commodore was called in, there was rearrangement of table settings and we were ushered to our table and sat down. It was a beautiful day, the sun was shining, the wine was flowing and the nibbles were plentiful. They divided us

into teams if we wanted to participate and put us on two former America's Cup yachts. One was *Kookaburra III* and the other was *Kiwi*. We had a race. My yacht won and I did not get seasick, which I was even more pleased about.

Then it was onto a barge, a cruiser, which was very flash and palatial and had lots of nice soft furnishings. I was there with the commodore, we had champagne in our hands and then the beautiful yachts sailed past one by one and people on them said 'Ahoy!'. We in the barge raised our glasses and said 'Ahoy!' back. This flotilla of yachts went by marking the start of the sailing season on the water for the club. The yachts all sailed by and the cruiser was about to head back to the club and in the distance I heard 'Ahoy! Ahoy!'.

I asked the commodore, 'What's the ahoy coming from across the bay?', and he said, 'That's the Williamstown yacht club; they have their sail past today as well'. I looked at my husband and said, 'Oh, my God, we're at the wrong function. This is the wrong gig'. I never told Bracksy; I might never have been made his parliamentary secretary had I confessed. But I learnt a valuable lesson, and maybe this should be passed on to the newbies when they come on next term: when you get an events brief, always make sure it has a street address. I learnt that early and as far as I know that is the only one I turned up to that I should not have been at. In many ways that seems like just yesterday.

It has indeed been a pleasure and privilege to have served as a member in this place, first as a member for Melbourne West Province and then as a member for Northern Victoria Region. There is often much made of the divide between the city and the country, and having served both places I am more aware of that, but my experience has been that there is more that we have in common and more that unites us than there is that divides us. Rural and regional communities have the same aspirations as their metropolitan counterparts. They want and expect governments to deliver accessible and affordable, high-quality services. They want high-quality health care, they want kindergarten options for their preschoolers, and they want an affordable, first-class education for their children.

They want well-maintained roads to travel on, whether for business or for pleasure, and they want affordable public transport. They want access to jobs so their families and communities can continue to thrive into the future. They want to feel safe and supported by emergency services, and they want to be confident that if they or their family need those emergency services, they will get them in a timely manner. From my perspective and experience I do not think it matters

whether you live in the western suburbs, which I have represented, or in the far reaches of north-east or north-west Victoria: the aspirations of the community and the expectations they have of government and of us as parliamentarians are the same.

Many stand-out things happen to you over a career of 15 years, but one thing I will take away with me from my time representing northern Victoria for the past eight years is the vibrancy and strength of the communities that make up the electorate. I have witnessed the incredible resilience of these communities when they are faced with floods, fires and droughts, and no more so than in the aftermath of the Black Saturday tragedy of February 2009, an event that will forever be etched in all of our minds. We will never forget the loss and devastation that occurred as a result of the bushfires, and the emotional scars will be there for a lifetime. However, we now see the regeneration and rebuilding of those communities as they come back to life. Businesses are reopening and we are seeing tourists visiting the area once again.

There have been a number of very severe and nasty floods in northern Victoria — too many in fact to mention — but each and every time these tight-knit communities have rallied together and supported each other. During my time in office we also faced the longest drought in living memory. The financial and emotional hardship that many in the agricultural and farming sectors faced was devastating and has had long-lasting consequences, but once again we saw communities come together to support and help each other through these tough times.

Northern Victoria has so much to offer to visitors and also of course so much to offer those who live there. I have especially enjoyed getting out and about and meeting with the wonderful schools, community groups, businesses, councils and constituents that make up the region. They have warmly welcomed me over the past eight years, and I have attended many events celebrating a number of community achievements, which I have greatly enjoyed.

I would now like to turn my mind to the thank-yous. First of all, I thank you, President. Bruce, you do a sterling job. You had very big, designer-quality boots to fill when Bob Smith left the building, but you have done a great job. I thank you personally for your wise counsel, your friendship and your support. I thank the clerks, past and present; Hansard, who make us all sound so good and grammatically correct; and the red coats — the attendants — who look after us so well, thank you so much. The staff of the Department of Parliamentary Services provide us with great support,

whether in our electorate offices; those who provide support with budgets; those in IT services, the papers office, the library, catering; or the engineers and the security staff, all of whom look after us during our time in this place.

I would also like to thank all of my parliamentary colleagues, particularly Candy Broad — for a long time my Labor other half in Northern Victoria Region — and Assembly members Jacinta Allan, Maree Edwards and Joanne Duncan. I have had to rely on particular consideration, understanding and support from the Opposition Whip and his office, and I have been very fortunate to have a very good whip, so thank you very much, Shaun. I also take this opportunity to thank the Government Whip, Mr Koch. You too have given me consideration, and I thank you for that.

I thank my electorate staff: Marc Elliott, Mary-anne Balabin, Vicky Hope, Fiona Lloyd, Rod Shephard, Annika Smethurst, Marli Kelly and of course the many casuals who have worked with me over the past 15 years. Vicky Hope has been with me for the past six years. She is an extremely competent and capable woman, and she is a very good person. I have been blessed to have her with me for the past six years. I have also been very fortunate to have Marli Kelly with me in the office for the past three years.

I want to thank my family. I thank my husband, Rob Elliott; my daughters, Paley and Amelia; my mother, Patricia; and my sister and her husband, Gail and Peter Gago. As has been said by every speaker before me, we would not be able to do this job if it were not for the love and support of our families. I started by saying that these 15 years have gone very quickly, but the scary question is: just how quickly are the next 15 years going to go? That is what I have my mind on now, and I assure you that I will make the best of every one of them.

Honourable members applauded.

The PRESIDENT — Order! Unless Mr Koch can pull a rabbit out of a hat, I think Ms Darveniza has the best story.

Mr KOCH (Western Victoria) — What terrific contributions we have had here today, an absolute credit to all those who have chosen to go to greener pastures. Today brings my parliamentary sittings in this house to a close, and what a privilege it has been to represent western Victoria over the last 12 years, initially as a member for Western Province and since 2006 as a member for Western Victoria Region.

My arrival in 2002 was against the flow away from the Liberal Party. The only sitting Liberal member who survived the 2002 election under the old constitution and voting system in the Council was our leader, David Davis, then a member for East Yarra Province. Only three new members were successful in going against the tide — me; my dear friend and colleague Wendy Lovell, then a member for North Eastern Province; and my good friend Richard Dalla-Riva, a former member for East Yarra Province.

Being elected to this place was only possible with the immense support of party members, community leaders and constituents and is a measure of the confidence and trust placed in me to work hard for western Victoria and the Liberal Party. The opportunity to represent my own community at this level is very special. The honour has been somewhat humbling as I reflect on the years that have gone past so quickly.

As a Liberal member for more than three decades, I have had the opportunity to be involved in the party at all levels. This has included the great privilege of supporting our current Premier as his electorate chairman from 1988 until entering Parliament in 2002. We had both previously contested the former lower house seat of Portland on the retirement of the well-known and respected Honourable Digby Crozier. We are very proud to have his daughter Georgie sitting in our ranks. This is the first father-daughter team to have ever been elected to this chamber.

I gained an understanding of the responsibilities and functions of government before entering Parliament through my involvement in local government in the former Shire of Wannon as shire president in 1991 and 1992 and later as a commissioner at the West Wimmera Shire during the local government restructuring from 1994 until 1997.

I also had the opportunity to chair the inaugural Glenelg Hopkins Catchment Management Authority, to be a board member of Southern Rural Water, based in Maffra, and to be a board member of a great regional hospital, Western District Health Services, based in Hamilton. Like all of us in this place, I have found it inspiring and rewarding to meet people from all walks of life and from different areas within the community, hearing the worthy needs of constituents while endeavouring to pursue and lead in achieving better outcomes for all.

Regional Victorians, like those in Western Victoria Region, make a significant and ongoing contribution to this state's economy and wellbeing. Regional members, perhaps unlike some of our metro colleagues, are very

aware of the ups and downs of country life. This recurrent pattern is not easily understood and is sometimes lost on those living in the city who may not have the close connections to rural Victoria that we have seen in past generations. Volunteerism and in-kind contributions made by rural Victorians have, in my opinion, no equal. This remains part of country living to this day.

As a former farmer from Nareen I have lived in the knowledge that rural towns are only as prosperous and as strong as our farming communities. Even after my 12 years in Parliament, it remains the same to this very day. If farmers are having it tough, so are our townspeople.

The Koch family property, 'Wando Dale', has been held for three generations spanning 85 years during which the family has been very much involved in serving our rural community. The example of my grandfather and my late mother are clearly remembered. They were treasured for their considerable commitments. This led me towards politics and the Liberal Party, where I became active in my home branch at Coleraine and at many of the other local branches in close proximity. I was never left in any doubt of what was involved and expected of me so that our region could gain the recognition, support and resources needed to keep it viable and competitive in a tough environment. Likewise, that continues to this day.

It was with much support from the Liberal community that I put myself forward in 2002 on the retirement of a former member for this region, the Honourable Roger Hallam, who made and still makes a considerable contribution to the Victorian community.

I would like to take a moment to pay tribute to those in the party organisation who encouraged me to seek preselection, especially at my own Coleraine branch. These stalwart members included my late mother, Marj; Mrs Mary Hope, an inaugural member of the Liberal Party; Carol and Don Richardson; Lorna Baulch; Ken Fitzgerald; and the Bunge brothers, to name but a few.

Leaders in the statewide organisation, including former Premier and past Liberal Party president, Ted Baillieu, Caramut farmer Joy Howley and Melbourne businessman Ian Carson, should also be remembered for their marvellous contributions. Past party administrative committee members Daryl Williams, Ruth de Fegely, Marie Thornton, Louise Staley and more recently Tony Snell should be thanked, and the current administrative committee, which includes

country vice presidents Peter McWilliam and Norma Wells, should be mentioned for its ongoing contribution. I thank my many friends, particularly Phillip Baulch and Bill Gough, both of Branxholme, who helped me so much as I went forward for preselection.

Upon arriving here the reality of becoming a member of Parliament really struck home. I well remember our first Liberal team photo of 2002, taken in the vestibule with all of the only 34 members of both houses representing the Liberal Party out of a total of 132 parliamentary members. All of us, it seemed at the time, could have fitted into a phone box!

The result of the 2002 election was quite a shock, but after the dust settled the focus and purpose generated by that small team was extraordinary. Then opposition leader Robert Doyle made sure we all had a role, and we were kept busy with our various portfolio responsibilities. I was given charge of the racing and forestry industries as spokesman; they are both great industries, large employers and the glue in many country towns.

Racing was always close to the Koch family's heart through our long association with the Casterton Racing Club, and forestry was a good fit for a bloke from the bush. While the role offered many opportunities, the government of the day was hell-bent on securing other allegiances in order to gain as much small party support as it could, and that was especially recognised by the Greens. The result was devastating from my perspective, as it saw Victoria's once great timber industry sidelined, as indeed were the businesses and workers who relied on this industry for their livelihoods. The shame of this became apparent and notably is one of the biggest disappointments in my time here.

While Victoria was celebrating the 2006 Commonwealth Games in Melbourne and some of our provincial cities, not one stick of Victorian timber was used to build the infrastructure to accommodate this international event. All of the timber used was imported, and ironically, mostly harvested in third world countries without the environmental constraints imposed on the local timber industry. This reflects the typical hypocrisy of Labor politics.

Time moves on, and after four years in opposition, we faced another election under the more-than-capable leadership of Ted Baillieu from May 2006. Although we were not successful, the margin narrowed by six seats, and a new purpose was awakened in our ranks. Having become Opposition Whip, a new challenge

unfolded to make sure we strongly debated all issues and delivered 100 per cent of our members at every division. We all grew a bit taller as it became apparent the then Labor government was running out of ideas and had started to take major risks that continue to haunt Victorians to this very day.

Many business cases remain unexplained. The desalination plant and the Geelong to Melbourne water connector, like the north–south pipeline, were never commissioned. Likewise, the water grid pipeline out of Rocklands Reservoir near Balmoral, which was built to service Hamilton, Dunkeld and Peshurst, suffered a similar fate. All were very expensive, yet to be paid for and never likely to be required. In addition, the myki card project with its funding overruns — from \$400 million to a staggering \$1.5 billion — and the smart meter rollout debacle added to the former government’s uncontrollable spending which exceeded the revenues received. Victorians were then asking, ‘When will this spending spree end?’.

By 2010 and after 11 years of hard Labor, Victorians had every reason to be optimistic and look to an alternative government. The case put forward by the coalition was rewarded, albeit by the narrowest of margins. The renewal undertaken over the last four years has been outstanding, especially with improved transport management, including the future east–west link and getting the Victorian economy back on track. This has been achieved while retaining a AAA rating, the only state in Australia to do so, and delivering real surpluses, not the shadowy ones created by Labor through the unloading of debt into agencies to cover off on their deficits.

Being whip across the last two parliaments has been a real privilege. I appreciate the trust placed in me, the many confidences shared and, where possible, having been able to make sure pairs were granted to all in the house as necessary. The latter would not have been achieved without the consent of the Opposition Whip, Shaun Leane, who I sincerely thank. Achieving harmony in this area is something I have really valued, and my thanks again go to Shaun for his support.

My participation in committee references, including in the Law Reform Committee, as deputy chair of the Road Safety Committee and more recently as chair of the Environment and Natural Resources Committee, has been very rewarding. I have especially enjoyed participating in inquiries that demonstrated the success of our bipartisan parliamentary standing committees, and I certainly hope they go well into the future.

I would like to take this opportunity to thank my colleagues, especially our leadership group, for the efficient flow of business in the chamber. I would also like to acknowledge Andrea Coote for her much-welcomed whip training and mentoring back in 2006, Wendy Lovell for her magnificent support and assistance as manager of government business in the house, Leader of the House David Davis for his counsel on a wide range of issues, our upper house ministers for being available when called upon and all my colleagues in this engine room for their contributions. Thank you all for your presence of mind when things did not go exactly as planned.

I will not forget the outstanding work of the clerks and the attendants in the chamber. What a great effort they accomplish on sitting days with the running of this place and the even hand with which everyone is treated. Welcome to Andrew and Anne in their new roles, and a big thank you to Stephen and Richard for the work they do.

I know time moves forward, and I am sure we all appreciated the tireless work of Matthew Tricarico and Wayne Tunnecliffe, who both retired recently, as deputy clerk and clerk respectively. Wayne and I had the privilege of being born on 24 October 1949, so I guess he was leading by example by retiring in his 65th year — a position I totally support.

Hansard reporters are to be congratulated for recording and tidying up our contributions where necessary, improving our grammar and making our speeches more readable. Their efforts, time and professionalism reflect their skills and expertise in a dying art.

My thanks go also to the catering staff led by Paul McConville, capably assisted by Jacquie, Karen and Mary-Dee, always smiling, even on those late nights at short notice.

I gratefully appreciate the perseverance and endurance of my electorate office staff in both Hamilton and Geelong. I have been very fortunate to have capable staff, loyal and committed to their work. Over 12 years there have been only two staff changes, and both were for personal reasons. My current staff, Ian and Tracy — Ian having been with me since 2002 — have both done a great job in keeping the office running and assisting all constituents with their every inquiry. I am most grateful for their professional effort and their skills, and I thank them both.

I would also like to acknowledge the support of my Western District colleagues, including Premier Denis Napthine, Minister for Public Transport Terry Mulder

and my former Western Victoria Region colleague John Vogels. All will be remembered for the way good mates work together and respect each other. I am sure the relationship between my current Liberal colleague in Western Victoria Region, Simon Ramsay, and the member for South Barwon in the Assembly, Andrew Katos, will be remembered likewise.

Although I will not be here to welcome my successor, Josh Morris, the immediate past mayor of Ballarat City Council, I take this opportunity to wish him well. I am sure he will make a valuable contribution as a strong advocate representing Western Victoria Region. The friendships and memories of all in this house, irrespective of personal politics, will be fondly remembered, perhaps more so out of this chamber than during debates.

Finally, I pay a very special tribute and give loving thanks to my wife, Jan, who has been the best companion a bloke could have in every respect. Jan's critique of my contributions, her willingness in maintaining our circle of friends and devotion to our three daughters is appreciated beyond words. Her support of our grandchildren is unbelievable. Jan's early retirement from her professional career also allowed us to move home and my electorate office to Geelong in 2008. I assure the house that this was no accident, and the move was vindicated when the coalition won the Assembly seat of South Barwon, which was vital to us in securing government in 2010. Jan has kept a close eye on our farm at Mount Duneed, and at times faced challenges such as grassfires and flooding, often while I was away travelling around the vast 80 000 square kilometres of Western Victoria Region. I would be misleading the house if I did not say how much I look forward to being home more often, doing more of the postponed jobs and enjoying Jan's company. To have Jan and my office staff here today is great.

President, thank you for your stewardship over the last four years. You have left us all in absolutely no doubt about who is running this chamber, and can I say it is always with respect for every member in the house.

Colleagues, we are all fortunate in being members of this Parliament. I wish all those going on and incoming members well in the future, especially Matthew, who is risking his hand in contesting the Assembly seat of Bulleen. Good luck and good will to you all.

Honourable members applauded.

PAPERS

Laid on table by Acting Clerk:

Interpretation of Legislation Act 1984 — Notice pursuant to section 32(3) in relation to Statutory Rule No. 165.

VALEDICTORY STATEMENTS

Hon. D. M. DAVIS (Minister for Health) — We have heard a remarkable set of contributions today and earlier this week. I should begin by noting the remarkable contribution of Matt Viney earlier this week and his courage and fortitude in the face of adversity. I also note Marg Lewis's statement on the Council's annual report yesterday. Very briefly, I want to acknowledge my colleagues on both sides of the house and note their contributions. Some remarkable themes came through in their valedictory statements: a commitment to the people of Victoria, a commitment to their electorates, a commitment especially to their families and the understanding that their families are central to the contributions we make.

Andrea Coote has been my colleague in Southern Metropolitan Region. Andrea's commitment and generosity over the period since 1999 is remarkable. I particularly want to thank her for the contribution she made as Parliamentary Secretary for Families and Community Services. It has been a magnificent contribution not only in support of the Minister for Community Services but also as a unique contribution to a very important sector. I think she should take huge pride in that.

I have great respect for John Lenders as leader of the opposing party in this chamber, both in government and in opposition. The contribution he has made as leader, finance minister, Treasurer, education minister and Leader of the Opposition is very significant. He should take enormous credit for that. The Constitution (Parliamentary Reform) Act 2003 certainly changed the nature of the chamber, and while I do not necessarily agree with every aspect of it, I note the very significant challenges that were faced in getting it through. I also note the challenges Mr Lenders as leader and this chamber faced with the difficult bills on euthanasia, stem cell research, abortion and others in the previous Parliament.

I wish my colleague the Minister for Planning, Mr Guy, well in the Assembly. I have no doubt about the contribution he will make into the future. This will be a long-term and major contribution to Victoria, to the Liberal Party and to the coalition, but to the people of Bulleen too. I wish him incredibly well in that role.

The genuineness of Johan Scheffer comes through time and again. In his 12 years in this place he has made a very significant contribution.

Jan Kronberg mentioned her great commitment and the certainty of a committed person, and she is certainly a person who has the courage of her convictions. I respect that greatly. I believe it is something she can be very proud of. I know she will now spend more time with her sons and extended family, including her grandchildren. I think her first trip is booked for as early as December. I wish her well with that trip and much more beyond.

I think the President summed it up when he spoke about Kaye Darveniza; the sailing lesson was a good one. I think the need to have a street address is a very important start. During her 15 years her good humour and generosity have come through, and I wish her well in her endeavours.

My dear friend David Koch's contribution here has been frankly quite remarkable. In 2002 he came into this place against the tide, with just a small band of people. It was a desperately bad time for our party. We were not even in coalition in those days, and it was a desperately challenging period — a period of limited resources. His addition to the chamber then was significant. His role from 2006 onwards as whip has also been very important. I very genuinely take my hat off to him for the good grace, the sense and the calmness with which he has managed the job as whip. In 2010 his contribution in moving house, family and office from one side of western Victoria to another, to Geelong, in no small measure contributed to the party's success, and that should be marked. David Koch has operated in a tough environment. I pay tribute to Jan for her support of him during that period. It is something I think he should be deeply proud of.

My friend, I wish you well. I know you will do great things not in retirement but in further activities.

Mr JENNINGS (South Eastern Metropolitan) — My very generous and gracious leader has asked me to represent the Labor Party in responding to the very powerful and moving valedictory speeches we have heard. In terms of his generosity I note that when he made his valedictory speech the gallery was at its peak; now the gallery is somewhat dwindling, and I thank those who remain.

Nonetheless let me start in reverse order of the parties in question. Mr Koch demonstrated that even though he is leaving the chamber, he is still campaigning. Let it be very clear that it was a campaign-rich contribution by

Mr Koch, and he is very focused on what is organisationally required to win an election. When he invoked the name of his former colleague Mr Vogels, I was particularly mindful of the fact that when our paths have crossed Mr Vogels has sometimes commented on the fact that in all his time in this Parliament he was never a member of a government, and he is very clear about what difference it makes being on this side of the chamber versus being on the other side of the chamber. Mr Koch, from the beginning to the end of his contribution, was particularly mindful of that profound difference.

I also note that Mr Koch was very respectful of the clerks who are retiring from Parliament. That was a hallmark of not only his contribution but also those of other members who have commented on the support we receive from the clerks, from the Chair and from all the staff who work in Parliament. It was a pleasure to be an active listener and hear every single contributor to the debate being thankful and respectful of the parliamentary staff and indeed of the public service that supports the Victorian community. It holds us all in good stead that we never lost sight of that. Mr Koch got an additional point because he was very kind to Mr Leane in the spirit of the important roles they have played in the Parliament.

I note that Mrs Kronberg drew particular attention to her sense of self — her sense of commitment to the community and to her values. All of us are better in our community and our contribution to political life if we are clear in our convictions, if we are passionate in conveying them and if we seek to represent those convictions with great vigour and determination. Mrs Kronberg has certainly done that. I note that when she refers to some of her friends — the important friends she has made in this place and whom she is leaving — her convictions and her particular positions on important law reforms that have taken place in Victoria do not create a barrier for whom she considers to be her friends, her allies and the people she is very proud to work with. That is a hallmark of great strength of character, and I congratulate her for doing that. I heard that Mrs Kronberg was leaving the Parliament with a sense of heavy heart at one stage. I was a bit concerned that that heaviness may have been a burden for her, but she concluded in a hopeful spirit and with a commitment to her family, her friends, her community and her values. That is a very hopeful spirit which I hope carries her in good stead in years to come.

Mr Guy's contribution was extremely gracious and generous, particularly to his colleagues, and in that context he roped in the President. I thought that was interesting in terms of the relationship he has had with

the President. It was a hallmark of his respect for not only your work, President, but also for what is best about this chamber. If Mr Guy does win a seat in the Legislative Assembly, he may in retrospect think very highly of the calibre of the Chair of this chamber. I was also struck by the kind words he offered, not only today but which I also witnessed the other day, to Matt Viney. After Mr Viney completed his speech the other day Mr Guy came across to recognise Mr Viney's contribution to the house. At the very end of my contribution I will come back to one point Mr Guy raised.

Mrs Coote started off her contribution by saying that she had made over 3000 contributions in Parliament. I was very worried that we were going to get to a word count, particularly when Mr Lenders identified how many speeches he had made. I thought it was going to become a bit unseemly at that point in time, but there was nothing unseemly about the contribution of Mrs Coote in terms of not only today but the vast majority of those in excess of 3000 speeches, of which I have heard many. I have heard her deliver them from many locations in the chamber. I remember starting here, here, here and coming over to here. I have plotted that course with her in the reverse cycle — and I hope to not complete the reverse cycle! That is not my intention, but from whatever vantage point she has made a contribution to the Parliament she has done so with great passion, great commitment and great compassion. I congratulate her for that.

When she refers to the professionalism of people she has worked with, including folks in the public sector, I want her to know that in fact there is total immunity for all of those members of the public sector that she has put on the public record. There will be no barrier in terms of the quality of their professional life in years to come. I appreciate the point she made that we in public life are well served by the public service and we rely on the capability of the public service for much of the work we do. I thank her for recognising that, and I also thank her for including in the major aspects of her parliamentary career the legislative reform introduced by the government that I was a part of — the abortion law reform — and stating that she was proud to be a full participant in it and very pleased to find better legislative protections in the decriminalisation of abortion in the state of Victoria. That was one important public policy outcome she referred to. The other was the parliamentary inquiry into child abuse, ably led by Georgie Crozier, the woman Mrs Coote is very proud to call the successor to her seat — a seat that she is a bit uncomfortable with the name of. Nonetheless I congratulate the current government for its leadership and Georgie Crozier for her chairing of that committee

and for the recommendations that came out of the inquiry. I think Mrs Coote is quite correct to be very proud of her association with those important policies.

In the reverse order of my colleagues' valedictory speeches, I am glad that the Leader of the Government mentioned Ms Lewis's leaving the Parliament. It was a shorter stay than she may have originally envisaged when Mr Drum beat her by a blip some decade ago, but from small things big things have grown. Ms Lewis has made a vital contribution to the Parliament of Victoria in the last six months, and we thank her for her contribution.

We are also very grateful that Matt Viney's valedictory speech was recognised by the Leader of the Government. I join him in congratulating Matt on a mighty speech. He showed great resilience and determination to come back to this Parliament and to bring his family with him and to see his final day in the Parliament. It was a very profound moment that we shared.

In terms of sharing profound moments, I was not quite sure when Ms Darveniza started her speech in such a colloquial way that we were going to have profound moments, but we did have one or two. She certainly taught us something about storytelling. If only she had made 3500 contributions like that, we would have laughed a lot more in the Parliament of Victoria and those 15 years indeed would have flown by. Ms Darveniza's easy storytelling conveyed not only the strength of her character but the strength of her humility in relation to her story, because this story started by saying how daunted she was with representing the Premier at an event, and after describing a very oppressive environment she concluded the story by saying, 'I didn't tell Bracksy'. I thought that was a great leveller, and I think we all should be mindful that life brings us great levellers from time to time, and Ms Darveniza certainly demonstrated that. To on the one hand talk about designer boots, not only as an endearing term invoking the memory of her dear friend Bob Smith but also to position the current President, and then to segue seamlessly into talking about whips, was I thought a very courageous thing for her to do.

In keeping with Mr Koch's contribution, recognising the compassion and the confidence that has been undertaken by the whips in this place on our behalf over the years is a totally appropriate thing to do.

I will not do justice in my contribution to Mr Scheffer's valedictory speech, particularly as I have my back to him, but there are a number attributes of Mr Scheffer's contribution that I would like to draw attention to.

When Mr Scheffer talks about water finding the path of least resistance, I do not want anybody in this chamber to take that at face value — as superficially being the path of least resistance. I want members to remember the phrase ‘the incompressible character of water’ and in that context, the incompressible character is something that I have come to love in Mr Scheffer’s attributes and in his make-up. If I meet a better man in life than Mr Scheffer, I will be very pleasantly surprised and my life would be enriched by it. He is an extraordinary man, not only of great politics but great interpersonal character and determination. He is a man who understands that politics is a matter of being organised and having the ability to organise. He has the most thorough and comprehensive mind with regard to policy development in particular, but also inclusion and the way he goes about his work. There is nobody more committed to inclusion and empowerment of people within a political party or within a community than Mr Scheffer. I am extremely proud to call him my friend, and I will continue to call him my friend. I cannot imagine what my life might be like in this place without my continual connection with him. That is something that I will have to contemplate if and when I come back.

That is not in any shape or form to diminish the contribution of Mr Lenders and his personal attributes. If there are any two people in life that I know have spreadsheets, they are Mr Scheffer and Mr Lenders. Mr Lenders is a man who knows all about probity, he knows all about process and he documents it very thoroughly. He has time frame gantries and he has databases of the highest order. That is because he is a man who is concerned to make sure that all the bases are covered, all the t’s are crossed and all the i’s are dotted, and that he can account for anything he undertakes in his political life. It is a thoroughness, a completeness, a decency that I have witnessed over many years, and it has been a privilege for me to do so. I am very grateful that Mr Lenders broke a promise. The promise that he has broken was not to sing his final contribution, and we are all blessed because of his ability to do so. But he would not have broken a promise willingly or flippantly; it was probably done only in the name of our collective good. I thank him for that.

I am also pleased to be part of a government that introduced constitutional reform. That is something that we as a Parliament will increasingly find to the betterment of our representation in the interests of the community, even though we may have difficulty finding our levels. We may have difficulty finding the appropriateness of our relationships with one another and the way in which we find agreement. It is very

telling that Mr Lenders reminds us that in terms of what might happen in this chamber after the next election, the art of persuasion may be far more important than it may have been for quite some time. I think that is very useful for us to remember.

One of the great tragedies of Mr Lenders’s life, and which he shared with us a little bit, is that he is a man who literally may not be able to see that his time is up, but he is a man who knows that his time is up. Not many people in political life know that and he should be given credit for it. He will be missed, but he will not be lost to us, because we will seek his counsel, his guidance and his support in years to come.

The last thing I will say relates to Mr Guy’s contribution when he said that there may be some members of this chamber who do not return, and we are not talking about them today because the electoral consequences may mean that they may leave us. We cannot necessarily assume that we are saying goodbye appropriately to everybody who may be leaving the chamber. Where I vary a little from Mr Guy is on the basis of luck. I am not necessarily wishing anybody in the chamber ill will — I wish them justice. I think justice is the outcome that I wish for you all in terms of the judgement of the people come 29 November. I thank all members, I thank the house for its indulgence in my summing up of the outstanding contributions of the people who are knowingly leaving us.

Mr BARBER (Northern Metropolitan) — I wish all of Victoria’s citizens could have seen and heard the contributions made here today rather than seeing what they perhaps may see and hear of us on TV news tonight or any other night. They would have seen a diversity of personalities and beliefs rather than the political monoculture they might have been told about; they would have seen commitment, including at the expense of family life, rather than a group of people whom they believe are often self-serving; and of most importance in a place where quality of debate sometimes sways the vote, they would have seen a very articulate group.

To Matt Viney, Andrea, John, Matt, Johan, Jan, Kaye, David, Marg and of course Wayne and Matt, who served us so well during this term but are not here with us tonight, you are more than just acquaintances or workmates; you are friends and colleagues. Also, President, you know the regard in which the Greens hold you in terms of the performance of your role and also as a person. Thank you very much for the time we have shared here tonight and in this parliamentary term.

Hon. D. K. DRUM (Minister for Sport and Recreation) — Just very briefly, I concur with Mr Barber; it is a highlight of this chamber when we act in such a bipartisan manner. I want to take this opportunity to talk about some of the opposition members. I will have plenty of time to acknowledge my colleagues and their contributions, and we will catch up, I am sure, over many years to come. But I am perhaps not so sure in that respect about Mr Lenders, Marg, Matt, who is no longer here, and Kaye. It has been a pleasure to do combat with you —

Hon. D. M. Davis interjected.

Hon. D. K. DRUM — And Johan — sorry. Now, you will not be thanking Hansard, Johan, because the Hansard staff have never had to do anything to your speeches!

To Mr Lenders, the combative warrior in me says, ‘Good luck, good riddance and get out of here!’, because you have been a seriously formidable opponent, both as a Treasurer when in government and when in opposition. With Kaye there is friendship going back many years, and it has been a pleasure to be on the benches opposite you. As Marg said, going back 12 years ago, Marg missed out by about 1 per cent —

Ms Lewis — Point three five.

Honourable members interjecting.

Hon. D. K. DRUM — As I said, Marg missed out by about 1 per cent!

Anyway, again I just want to take this opportunity to very briefly thank the opposition, members of which had also spent 11 years in government. On behalf of The Nationals I want to acknowledge, as Andrea Coote mentioned, that we often come into this place with very strong, gung-ho views, believing we know what is going on and that the opposition is the enemy, but you very quickly realise there are high-quality people on both sides of this house. We need to acknowledge that into the future.

The PRESIDENT — Order! I will be brief, but on behalf of all members of this place I wish to place on the record our appreciation for a number of people, particularly within the organisation. I wish to extend the thanks of all members of this chamber first and foremost to the clerks for the work they have undertaken — and not just the clerks who appear at the table during sitting days but also those who have supported our committee system. We have a very different approach to our work here in the Council to

that taken in the Assembly, and the work our clerks have undertaken, the knowledge they have demonstrated and their commitment to the practices of this house are certainly appreciated.

As some of the retiring members have done, I extend our appreciation also to the attendants for the way in which they go about their business and the way in which they support members of Parliament. It is certainly appreciated.

I extend thanks to the other staff within the Department of the Legislative Council, some of whom are closeted away in burrows throughout this building, who are all doing very important work in supporting this department. I extend also our appreciation to those staff in the Department of Parliamentary Services. I thank those people not just from Hansard, who have been mentioned quite a number of times in the speeches today — and we certainly do appreciate the work they have done. As somebody who has been here for quite some time, I know that the careers of a number of the retiring members today cover a period during which we have seen quite an extraordinary change in the way Hansard works and some of the innovation we have had in that area, particularly with the broadcasting of proceedings and so forth. The way it has adapted to those changes and in fact been at the forefront of making many of those changes has been very much appreciated.

At least one member referred to the library as well, and its importance. I am very mindful of the importance of the library in terms of research material, particularly for opposition parties, and the work it does in that regard. Ms Mikakos on a number of occasions has had discussions with me about the importance of the library in that sense of its research. I definitely acknowledge that the library staff have done a wonderful job.

What is interesting about some of these departments serving the Parliament, too, is that we have been through some significant service reviews, which members may or may not be aware of, as part of my work as a Presiding Officer. I have to say the positive way in which these departments have approached those service reviews, and the restructuring that has occurred in those areas such as the library, IT and certainly in catering, has resulted in a better service to members, which has therefore enabled members to do a better job on behalf of their constituents.

I extend our appreciation to IT, organisation development (OD) and finance. OD often has had to intervene in a number of circumstances where members have needed support. Most people would not be aware

of just how accomplished its advice and support has been, but I certainly appreciate it and indeed also those people involved in finance.

The security and properties unit has done a splendid job supporting members, and again its workload has perhaps had a little bit more focus in recent times, sadly. But the manner in which it has approached some of the challenges has been good. It recognises, as I have enunciated in this place previously, the importance of having some openness and accessibility of this building, as the building representing the people of Victoria and the people's building, while at the same time ensuring the safety and security of members, of staff and of the visitors to this Parliament. I extend that thanks also to the protective services officers and private security people who also do such a splendid job in that regard and to the buildings and grounds team that has also been mentioned by a couple of members in their retirement speeches.

It would be remiss of us if we did not acknowledge the electorate officers of all of the members for the extraordinary work they do in supporting us. From my own point of view, as Presiding Officer, I indicate to you what a privilege it has been to have this role for the last four years. I have enjoyed and very much appreciated the goodwill, support, encouragement and advice that has been provided to me. The manner in which this house has behaved in the past four years has certainly distinguished it from many other legislatures around this country, not just the other place.

I offer a bit of warning to Mr Guy. I have noted from *Hansard* that the Speaker traditionally has a much sharper trigger finger than I have in terms of ejecting people from the house. Indeed that was probably the most persuasive thing that kept Mr Leane in the Legislative Council rather than trying his luck in one of the Legislative Assembly seats at this election.

I hope the trust that you all placed in me and the way in which I have discharged my duties has met your expectations and that, not only in this place but outside this place, I have represented your expectations and the requirements and expectations of the people of Victoria in the other work that is encompassed in a presiding officer's role, which of course means meeting with many organisations and international visitors and delegations and so forth.

I express my personal appreciation to Wayne Tunnecliffe and Matt Tricarico for the support they provided to me for most of my term as presiding officer, and I thank Andrew and Anne for their roles in recent times. It was a great privilege for me to have the

opportunity to go through applications for the position of Clerk of the Legislative Council and to arrive at a decision, which I ran past leaders of the parties, to appoint Andrew Young as the Clerk going forward. His appointment had the wholehearted support of the party leaders, and clearly he had earned the respect and support of members of this house, so it was terrific for me to be able to confirm Andrew's appointment and to look forward to his continued support of members going forward. I know that Anne Sargent will be an able assistant to him in that regard.

I also put on the record my appreciation of Jessica Pattison, who has been fantastic.

Mrs Peulich — Crack a joke!

The PRESIDENT — Can you tell me that story again about the — —

Honourable members interjecting.

The PRESIDENT — I place on the record my appreciation of Jessica Pattison, who has been a terrific support to me throughout this entire period. I know that her work has been well regarded by other members of the Parliament as well, and that she is held in very high regard.

I also take this opportunity to thank the leaders of the parties and the whips for their support and assistance to me in discharging my role, because obviously it would have been a much more difficult role had I not enjoyed their support and their goodwill.

I have nothing to add to the remarks that have been made by the four party leaders in respect of the retiring members. The party leaders have covered the field well, and they have recognised the tremendous depth of each of the people who have contributed to this place. There is no doubt that each one of the retiring members will be missed not just by a handful of people or their colleagues in their own party but indeed more broadly throughout this Parliament and by the people they have represented with distinction in their respective electorates.

I congratulate each of them on behalf of all of the members of this house and the staff of this Parliament on the contribution they have made to Victoria, the contribution they have made to their parties and the contribution they have made particularly to their electorates. I recognise that those contributions have come at some sacrifice, particularly for their families and friends, but it is a sacrifice that has been made to ensure the betterment of this state, which is really

why — as I think Mrs Coote said — we all come to this place.

As I said, thank you for the privilege of serving as your Presiding Officer.

Honourable members applauded.

ADJOURNMENT

Hon. W. A. LOVELL (Minister for Housing) — I move:

That the house do now adjourn.

Geelong region police resources

Ms TIERNEY (Western Victoria) — My adjournment matter is for the Minister for Police and Emergency Services. It is in relation to a media release dated 15 July 2014 from the member for South Barwon in the other place, Andrew Katos, claiming that there has been a major increase in police numbers in the Geelong region. In fact the media release states that there are:

... an extra 60 police officers in the western Victoria region, which covers the Bellarine, Corio, Drysdale, Geelong, Lara, Portarlington, Queenscliff, and Torquay police stations.

Community members are rightly confused, as the assertion leads people to think that 60 extra officers have been specifically allocated to the stations mentioned. The fact is that the western Victoria police region is half the geographical size of the state. Added to this, Police Association of Victoria secretary Senior Sergeant Ron Iddles has challenged the government's claim, stating that since November 2010 the number of first-response police officers in the Geelong region has actually declined, not increased. He said:

If this wasn't the case we wouldn't be seeing resources at Lara, Portarlington, Queenscliff and Drysdale being diverted to Geelong at the expense of policing in those communities ...

We've recently seen the Bellarine night shift van do 10 jobs in Geelong in one night then another 14 jobs in Geelong the next night, including jobs all the way to Little River.

We're also about to see the Corio police station doors close at night from August. This wouldn't be happening if there were sufficient first-response members in the region.

...

We need to further boost the number of first-response officers in Geelong and surrounding stations and not keep robbing Peter to pay Paul.

The action I seek is, firstly, for the minister to clarify the number, allocation and location of police officers

allocated to stations in the Geelong region and, in particular, how many of the so-called 60 extra police officers in the western Victoria region are actually stationed at the Bellarine, Corio, Drysdale, Geelong, Lara, Portarlington, Queenscliff and Torquay police stations.

Secondly, are there 60 police officers working in the Geelong region's police stations in addition to the number that were there in 2010 or have there simply been 60 police officers allocated to these stations over the past four years to replace retired officers and officers who have moved from the region? Thirdly, how many police officers in total were stationed at the Bellarine, Corio, Drysdale, Geelong, Lara, Portarlington, Queenscliff and Torquay police stations at the beginning of 2011 and how many police officers in total are at these stations now?

Waubra wind farm

Mr BARBER (Northern Metropolitan) — My adjournment matter is for the Minister for Planning who, despite leaving this chamber, will remain Minister for Planning in some sort of capacity until another Minister for Planning is sworn in. It relates to the Waubra wind farm operated by Acciona. The wind farm has a permit condition that requires it to deliver, post-construction, a noise monitoring report. That report has been in the minister's in-tray for the entire time that he has been minister. On a number of occasions in this chamber I have requested that he finalise compliance of the wind farm with its noise monitoring requirements under its permit. The company has done everything required of it. It has submitted the document to the minister; however, unfortunately it has not received the minister's signature.

I believe the minister is a highly determined individual. I do not believe it is a technical or bureaucratic barrier preventing this from happening. Rather, I believe that there is a lot of politics being played by his federal colleagues and other allies in the federal Parliament who would like to be able to say that the wind farm is non-compliant in order to suggest that somehow it is in breach of its permit. There has even been a campaign mounted against the renewable energy target generally and the Waubra wind farm specifically. That is unfortunate because this is one of many billions of dollars worth of operating wind farms, and I do not think it is fair or right that a particular operation — an important business that generates clean power, income for workers and a significant amount of money in rates — should be held to ransom as part of a broader political battle.

It is my understanding that at all times the wind farm has been compliant and that the withholding of a signature has been the problem for the company, which has been operating and doing what it is permitted to do. My request of the minister is that in his remaining time as minister he finalise all the necessary paperwork in relation to this wind farm and give it the all clear that it should have had over the past four years so that we can go on and provide confidence that clean energy generators can invest in Victoria without being tied up in the internal politics of the coalition.

Kindergarten funding

Ms MIKAKOS (Northern Metropolitan) — President, I begin by thanking you for your stewardship of this chamber over the past four years.

My matter this evening is for the Minister for Children and Early Childhood Development. I raise this matter reluctantly, given that it is the last sitting day prior to the election, and out of frustration because I have not received a response to a question on notice. The information that I was seeking relates to clarity on the breakdown between state and federal funding for kindergarten infrastructure.

I have noticed that the minister has been putting out media release after media release, talking up her government's contribution to kindergarten infrastructure. In a media release on 14 August she claimed the Victorian coalition government had invested \$120 million in kindergarten infrastructure since December 2010. However, this figure does not stack up with the figures in the state budget papers. In the 2011–12 state budget the coalition allocated \$15 million to children's capital infrastructure; in 2012–13 it allocated zero; in 2013–14 it allocated \$7 million; and finally, in this year's budget, for the 2013–14 financial year it allocated a further \$8 million so that it could make a series of pre-election announcements. However, it has not funded anything for 2014–15 and beyond. The total allocation over the four state budgets is \$30 million, yet the minister has been claiming it is \$120 million.

We know a great deal of funding has come from Canberra. I am concerned that there has not been appropriate acknowledgement of that contribution, which has been received through a series of national partnership agreements. Victoria has derived a significant benefit of \$368.7 million under those successive national partnership agreements, which were primarily funded to extend universal access to 15 hours of kindergarten for all four-year-olds but also to provide the infrastructure necessary to enable that access.

I call on the minister to advise how much funding for the children's facilities capital program over the past four years has come from her government and how much has come from federal contributions so that we can clear up this.

Monash councillor

Mrs PEULICH (South Eastern Metropolitan) — Before raising my adjournment matter, I want to say how human the whole process of the valedictory speeches was. It was a narrow window of opportunity to see each other's humanity, which happens all too infrequently. If it only happened at the start of members' political careers, we may even be a little more human towards one another. It almost feels, metaphorically speaking, like a funeral, although obviously there is a lot of life yet to be lived. So congratulations to all those members. I think we all understand a little more keenly what makes those individuals tick. Regrettably the cut and thrust of Parliament does not allow that to occur more often; regrettably we then revert to type.

I would like to raise a matter in relation to a current campaign being conducted by Cr Geoff Lake of the City of Monash on what he calls a local government poker machine system reform. I have mentioned previously how Cr Lake typically acts beyond his power, and this is yet another example. Clever as he is, he has written to most mayors — I do not believe every mayor — stating that the names of their councils will be used in a campaign about electronic gaming machine reform unless they opt out of it. I thought this rather odd and indeed quite improper. I know that a number of mayors were very irate at this presumption, especially given that Cr Lake had convened a roundtable meeting of some 10 or 12 councils and now purports to represent a sector of 79.

I have had personal experience of gambling addiction. The life of a family member of mine was destroyed as a result of his being a compulsive gambler. He lost his family and his home. His children became alienated from him and eventually he lost his life. If Cr Lake were genuinely interested in helping compulsive gamblers, he would look at wider gambling reform, including, for example, outlets such as the TAB. Clearly this is a political campaign. It is reportedly costing \$60 000, and Cr Lake is using the Monash council as a source of funding for the campaign. I believe this is an improper use of the local government resources of the City of Monash, which is of course in my electorate.

The campaign is called Enough Pokies and claims to represent councils across Victoria, but clearly this is a misrepresentation. It is a political campaign. Cr Lake is from the same union and faction as a number of members here, but he has fallen foul of the hierarchy and wishes to redeem himself. However, given the caucus rules of the Labor Party municipal councils, he must be acting with the imprimatur of the Leader of the Opposition in the Assembly, Daniel Andrews, given that he represents the same area. I call on Mr Andrews to curtail Cr Lake's activities and his misuse of funds.

I invite the minister to discuss this campaign with the Municipal Association of Victoria (MAV) as the peak body for councils, as opposed to a politically aligned mayor. Let me say to anyone who is not a card-carrying member of the Labor Party that I would not be having a conversation with just two people in a room. He is not a person who can be relied upon, he is not a person one can do business with and he turns every situation into a political ambush, as he has done in the past.

Ms Mikakos — On a point of order, President, a matter raised in the adjournment debate is meant to be a question or an action sought of a minister. The member has called on the Leader of the Opposition in the Assembly to take a certain action, which would effectively be directing a local councillor to do something that would cause issues with the local government inspectorate and a number of other parties. It is highly inappropriate, and I do not think the matter relates to government administration under the rules of the adjournment.

Mrs PEULICH — On the point of order, President, my call for action was to invite the minister to discuss a campaign called Enough Pokies with the MAV as the peak body for the councils as opposed to a politically aligned mayor. That is the action that I called for.

The PRESIDENT — Order! In regard to the point of order, there is some substance to it in the sense that the minister at the table did not hear which minister the matter was being directed to and nor did I, but we have determined between us that it is the Minister for Local Government. Is that correct?

Mrs PEULICH — No, it is actually the Minister for Liquor and Gaming Regulation.

The PRESIDENT — The reason that was not mentioned is that Mrs Peulich gave that wonderful introduction and sidetracked herself. I was a little more concerned about the remarks towards the end, which I thought were outside the adjournment matter in terms of reflecting on Cr Lake and outside the matter

Mrs Peulich was raising with the minister and seeking an action on. At any rate, we have established to which minister the matter is directed.

Responses

Hon. W. A. LOVELL (Minister for Housing) — I take much pleasure in responding to what will be the final adjournment debate for this Parliament.

I have written responses to adjournment debate matters raised by Ms Tierney on 4 February, Ms Hartland on 29 May, Mr Ronalds on 11 June, Mr Barber on 26 June, Ms Tierney on 5 August, Mr Melhem on 6 August, Mr David O'Brien on 7 August, Mr Elsbury on 19 August, Ms Darveniza on 20 August, Mr Ramsay on 21 August and Mr Ondarchie on 16 September.

Ms Tierney raised a matter for the Minister for Police and Emergency Services regarding the major increase in police numbers in the Bellarine Peninsula and Geelong regions. I can advise Ms Tierney that there are actually around 1800 additional police in the state of Victoria today under this government than there were under Labor.

Mr Barber raised a matter for the Minister for Planning regarding a wind farm report that he wishes the minister to finalise.

Ms Mikakos raised a matter for me regarding our government's record investment in kindergartens of \$120 million, asking for information about the split between state and government infrastructure. We know Ms Mikakos does not support our investment in kindergartens because she tweeted some time ago that we had given enough, but I can advise Ms Mikakos that the \$120 million is made up of budget allocations from the state budget, internal budget prioritisation within the Department of Education and Early Childhood Development and some funding that this government has prioritised from its federal national partnerships funds, which we have the authority to direct to the various areas of the national quality framework as we wish. As for Ms Mikakos's claim that there is nothing in the 2014–15 year, just over the last few weeks I have been announcing about \$20 million in both major and minor capital grants for kindergartens.

Ms Mikakos interjected.

Hon. W. A. LOVELL — Believe me, Ms Mikakos, there is more to come before the election, so you can tweet once again that I should stop giving money to kindergartens.

Ms Mikakos — On a point of order, President, the minister has not addressed the specific matter that I asked about, which related to a breakdown of state and federal funding. She has been giving me a wideranging response, but she has not actually addressed the specifics of the adjournment matter.

Mrs Peulich — On the point of order, President, clearly the minister cannot be directed as to how to answer. Her answer was relevant, and there is no point of order.

The PRESIDENT — Order! The minister indicated how the funding had been derived, and she conceded that some federal money had been allocated as part of that under a program where the state government has some discretion in terms of the use of those funds. I am not able to direct the minister to indicate percentages. I am not sure whether she has those figures at hand given that it is a shandy arrangement, if you like, with some of that funding. However, she has covered the areas from which the funds were derived. To that extent she has addressed Ms Mikakos's matter, albeit that the proportions were not given, and I understand that.

Hon. W. A. LOVELL — Thank you, President. I consider that matter dismissed.

Mrs Peulich raised a matter for the Minister for Liquor and Gaming Regulation regarding a campaign called Enough Pokies and what she considers to be inappropriate use of local government resources by the mayor of the City of Monash, Cr Lake, and she asked the minister to investigate that.

I will pass all those matters on to the appropriate ministers.

Ms Tierney — On a point of order, President, I seek clarification as to whether my adjournment matter is being referred to the Minister for Police and Emergency Services.

Hon. W. A. LOVELL — Yes.

The PRESIDENT — Order! Thank you, one and all. I wish you all well. The house stands adjourned.

House adjourned 6.39 p.m. until a day and hour to be fixed.