

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-SEVENTH PARLIAMENT**

**FIRST SESSION**

**Tuesday, 24 June 2014**

**(Extract from book 9)**

**Internet: [www.parliament.vic.gov.au/downloadhansard](http://www.parliament.vic.gov.au/downloadhansard)**

**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
Treasurer . . . . .	The Hon. M. A. O'Brien, MP
Minister for Innovation, Minister for Tourism and Major Events, and Minister for Employment and Trade . . . . .	The Hon. Louise Asher, MP
Minister for Local Government and Minister for Aboriginal Affairs. . . . .	The Hon. T. O. Bull, MP
Attorney-General, Minister for Finance and Minister for Industrial Relations. . . . .	The Hon. R. W. Clark, MP
Minister for Health and Minister for Ageing . . . . .	The Hon. D. M. Davis, MLC
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 Lenders, Ms Pennicuik and Mr Viney

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

*Parliamentary Services* — Secretary: Mr P. Lochert

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

**President:** The Hon. B. N. ATKINSON

**Deputy President:** Mr M. VINEY

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

**Leader of the Government:**

The Hon. D. M. DAVIS

**Deputy Leader of the Government:**

The Hon. W. A. LOVELL

**Leader of the Opposition:**

Mr J. LENDERS

**Deputy Leader of the Opposition:**

Mr G. JENNINGS

**Leader of The Nationals:**

The Hon. 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 <sup>2</sup>	Western Metropolitan	LP
Broad, Ms Candy Celeste <sup>9</sup>	Northern Victoria	ALP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Coote, Mrs Andrea	Southern Metropolitan	LP	Millar, Mrs Amanda Louise <sup>4</sup>	Northern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	O'Brien, Mr Daniel David <sup>8</sup>	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 <sup>5</sup>	Eastern Victoria	LP	Pakula, Hon. Martin Philip <sup>1</sup>	Western Metropolitan	ALP
Drum, Mr Damian Kevin	Northern Victoria	Nats	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Petrovich, Mrs Donna-Lee <sup>3</sup>	Northern Victoria	LP
Elasmr, Mr Nazih	Northern Metropolitan	ALP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Elsbury, Mr Andrew Warren	Western Metropolitan	LP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Ramsay, Mr Simon	Western Victoria	LP
Guy, Hon. Matthew Jason	Northern Metropolitan	LP	Rich-Phillips, Hon. Gordon Kenneth	South Eastern Metropolitan	LP
Hall, Hon. Peter Ronald <sup>7</sup>	Eastern Victoria	Nats	Ronalds, Mr Andrew Mark <sup>6</sup>	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
Lenders, Mr John	Southern Metropolitan	ALP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP
Lewis, Ms Margaret <sup>10</sup>	Northern Victoria	ALP			

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

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

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

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

<sup>5</sup> Resigned 3 February 2014

<sup>6</sup> Appointed 5 February 2014

<sup>7</sup> Resigned 17 March 2014

<sup>8</sup> Appointed 26 March 2014

<sup>9</sup> Resigned 9 May 2014

<sup>10</sup> Appointed 11 June 2014



# CONTENTS

---

## TUESDAY, 24 JUNE 2014

ROYAL ASSENT .....	2007
QUESTIONS WITHOUT NOTICE	
<i>Ambulance services</i> .....	2007, 2008
<i>Netball</i> .....	2008
<i>East–west link</i> .....	2009, 2011, 2012
<i>Monash Health</i> .....	2010
<i>Kindergartens</i> .....	2012
<i>East Werribee employment precinct</i> .....	2013
<i>Community health workers</i> .....	2014, 2015
<i>Prisons</i> .....	2015
QUESTIONS ON NOTICE	
<i>Answers</i> .....	2015
SCRUTINY OF ACTS AND REGULATIONS COMMITTEE	
<i>Alert Digest No. 8</i> .....	2016
<i>Regulations and legislative instruments review</i> .....	2016
PAPERS .....	2016
NOTICES OF MOTION .....	2017
BUSINESS OF THE HOUSE	
<i>General business</i> .....	2017
MEMBERS STATEMENTS	
<i>Dave McFadden</i> .....	2019
<i>Sunvale Primary School site</i> .....	2019
<i>Euthanasia</i> .....	2019
<i>Jobs4Geelong</i> .....	2020
<i>1st Moe Scout Group</i> .....	2020
<i>Climate change</i> .....	2020
<i>Oakleigh level crossings</i> .....	2021
<i>It's all about YOUth!</i> .....	2021
<i>East Gippsland bushfires</i> .....	2021
<i>North East Support and Action for Youth</i> .....	2022
<i>Emergency services</i> .....	2022
EAST–WEST LINK .....	2022
TREASURY LEGISLATION AND OTHER ACTS	
AMENDMENT BILL 2014	
<i>Second reading</i> .....	2043
<i>Third reading</i> .....	2043
PUBLIC RECORDS AMENDMENT BILL 2014	
<i>Second reading</i> .....	2043, 2046
<i>Committee</i> .....	2048
<i>Third reading</i> .....	2049
DISTINGUISHED VISITORS .....	2046
ADJOURNMENT	
<i>Moriac Primary School</i> .....	2049
<i>Neonatal intensive care</i> .....	2049
<i>Kindergarten funding</i> .....	2050
<i>Mount Macedon Road</i> .....	2050
<i>Bus route 451</i> .....	2051
<i>Werribee railway station</i> .....	2051
<i>Fisheries regulation</i> .....	2051
<i>Responses</i> .....	2052



**Tuesday, 24 June 2014**

**The PRESIDENT (Hon. B. N. Atkinson) took the chair at 2.04 p.m. and read the prayer.**

### ROYAL ASSENT

**Messages read advising royal assent on 17 June to:**

**Appropriation (2014–2015) Act 2014** (*Presented to the Governor by the Speaker of the Legislative Assembly*)

**Appropriation (Parliament 2014–2015) Act 2014** (*Presented to the Governor by the Speaker of the Legislative Assembly*)

**Building a Better Victoria (State Tax and Other Legislation Amendment) Act 2014**

**Justice Legislation Amendment Act 2014**

**Vexatious Proceedings Act 2014**

**Witness Protection Amendment Act 2014.**

**The PRESIDENT** — Order! I have previously mentioned Wayne Tunnecliffe's retirement and that there is a process in place to appoint a new Clerk of the Parliament in the Legislative Council. At this stage I take the opportunity to formally advise the Council that it is my intention to recommend Mr Andrew Young to the Governor in Council for that position. There is a little bit more process to go through, but I hope to be able to confirm that appointment to the house in due course.

### QUESTIONS WITHOUT NOTICE

#### Ambulance services

**Mr JENNINGS** (South Eastern Metropolitan) — My question is to the Minister for Health. When responding to the opposition's call to review five cases of ambulances in regional Victoria arriving after the 15-minute target for code 1 response times, the acting regional manager of Ambulance Victoria told Bay FM:

... the benchmark in Melbourne for the 90 per cent of code 1 response times is 15 minutes; it's not the same in outlying areas in rural Victoria. It is unlikely to be achieved; it is an unreasonable expectation.

Does the minister endorse this view that for Victorians who live in regional Victoria the target is unlikely to be achieved and that it is an unreasonable expectation?

**Hon. D. M. DAVIS** (Minister for Health) — The house would be familiar with the scurrilous activities of the opposition and the union. Mr Jennings was caught out last week being handed material by the union, and it did not prove to be quite the way he thought it was. It

turned out, tragically, that one of those cases was a suicide. For example — —

**Mr Jennings** — On a point of order, President, I did not debate the issue last sitting week, and I am not debating the issue today. I am asking the minister whether he believes that the response of his regional manager was reasonable or unreasonable and whether he endorses it. I did not invite him to debate the matter or to attack me from his very first sentence.

**Hon. D. M. DAVIS** — On the point of order, President, the member directly referred to a list he presented last week. In the first instance, before coming to my substantive response, I was responding to the matters around the list the member raised in his own question.

**The PRESIDENT** — Order! The minister would be aware that I do not like to have debate as part of answers and that I request ministers to be apposite in their answers to the questions that are asked. Notwithstanding that, the minister is certainly entitled to put some context to his answer, and these are his opening remarks. If the minister is to direct his remarks through the Chair, they will perhaps be less hostile to an individual member of the Parliament and not represent an overt attack on that member. I am not suggesting that the minister was doing that, but as a manner of process it would be easier for him to direct his abuse at me — and I might handle it — rather than at another member of the chamber.

**Hon. D. M. DAVIS** — President, thank you for your guidance. I want to express my disappointment that the opposition took a list from the union — a list that had already been discredited — —

**Mr Jennings** — No, I asked you a question.

**Hon. D. M. DAVIS** — No, it is important to understand the context. A number of the cases on that list were not as they were construed by the union, and indeed — and I do not think this is a wilful thing on Mr Jennings's part — not as they were construed by Mr Jennings here either. I think he was misled by the material presented by the hardline union.

I make the point that the government seeks to expand the ambulance service. We are putting in nearly \$700 million of spending this year, the biggest in the history of the ambulance service. There are more than 465 new paramedics on the road now, new mobile intensive care ambulance units, new ambulance stations, new capacity and improved survival rates overall. I make the point that clinical measures of

outcomes for patients show our ambulance service performing at a very high level indeed.

When it comes to the matter of response times I want to put this in some context. Let us take a little trip down memory lane in terms of context about response times. Labor went to the state election in 1999 promising 10-minute response times statewide. That was the promise in 1999 — 10 minutes — and at the time the response time target was 13 minutes.

**Mr Lenders** — On a point of order, President, Mr Jennings asked a specific question about government administration of the minister. The minister says he is talking about context. He is now referring to the last millennium. I ask you to bring him back to the context of government administration today under his watch and not to allow him to stray back to the last millennium.

**The PRESIDENT** — Order! I would be concerned if the minister were to maintain this line of argument for the rest of his answer. However, I have been listening intently to this response and I think the minister has moved on to provide the house with a context benchmark, if you like, for what he is about to talk about in terms of response times today. That is the direction I am hearing the minister going in. I am not perturbed about his answer at this point, but as I said, I would not want to see it continue as a debate rather than as a matter of benchmarking. I think that is a fair enough matter for the minister to put to the house.

**Hon. D. M. DAVIS** — As I said, in 1999 Labor went to the election with a 10-minute benchmark response time. It never introduced that. It stuck with the 13-minute target that was in place under the Kennett government, and in the mid-2000s Labor unexpectedly changed the response time to 15 minutes — 90 per cent within 15 minutes. Let me just give the record of the former Minister for Health, Daniel Andrews, now the Leader of the Opposition and member for Mulgrave in the Assembly: he never ever delivered the response time that his government set.

**Mr Jennings** — Have you? Have you delivered it once?

**Hon. D. M. DAVIS** — We have not changed the benchmark response time from that of the previous government. It is true to say that that benchmark response time was tough to achieve under the previous government and is tough to achieve under this government. We have put in massive new resources, but my focus is on the clinical outcomes. What matters most to patients is that they are able to get the services

they need, the quality of care they need and the right care they need, and the evidence is that the clinical outcomes for patients with our ambulance service are improving. Our paramedics are better trained, they have a greater set of skills and they have more resources. More mobile intensive care ambulance units have been deployed by this government — 10 in the regional cities, which are making a very big difference to clinical outcomes and which are not being supported by the Labor Party, as it seeks to unwind the rosters in those 10 big regional cities.

Further, the government is also putting in place a number of key measures in terms of the use of thrombolytic drugs in country Victoria to improve key outcomes for those types of conditions.

*Supplementary question*

**Mr JENNINGS** (South Eastern Metropolitan) — My supplementary question is: does the minister stand by his promise to actually meet the target of 15 minutes, which he has not achieved but which is in fact an ongoing benchmark and target within the budget papers? Does he stand by that, or does he stand by his regional manager, who says it is an unreasonable expectation?

**Hon. D. M. DAVIS** (Minister for Health) — As I pointed out, it is a tough target to achieve. The last government did not achieve it, and it is challenging for this government too, but let me be quite clear that we are focused on getting better clinical outcomes for patients, and we are achieving better clinical outcomes as we put more resources, staff and other capacity into our ambulance service. What is important here is that the government is actually achieving better outcomes overall. That is not to say that every case is perfectly managed; it is not true to say that every case is perfectly managed. Some have to be reviewed from time to time, and there are learnings for Ambulance Victoria from cases that are not managed perfectly, but by and large our paramedics do a good job. By and large the clinical outcomes across the state are improving. The government is giving the resources to Ambulance Victoria, with 465 new paramedics.

**Netball**

**Hon. R. A. DALLA-RIVA** (Eastern Metropolitan) — My question without notice is to the Minister for Sport and Recreation, the Honourable Damian Drum. Could the minister inform the house as to how the Victorian coalition government is supporting netball in Victoria?

**Hon. D. K. DRUM** (Minister for Sport and Recreation) — I thank Mr Dalla-Riva for the question in relation to all things netball in Victoria. It was an amazing weekend during which the Melbourne Vixens were able to get over the Queensland Firebirds and produce an amazing last quarter to give the club and this city a national championship. It was an amazing game culminating an amazing year for the trans-Tasman league.

It is worth noting how much stead both captains — both Laura Geitz from the Firebirds and Bianca Chatfield from the Vixens — put in the importance of junior and grassroots participation in their sport during their pre-grand final press conference. That is evident in the work we as a government are doing in relation to a whole range of grassroots facilities, including the important work in the last few weeks at venues around Riddells Creek, where we have put \$90 000 into a football and netball grant. In Gisborne we have put \$100 000 into netball courts and lighting around the football ground, with the major beneficiary being the netball club. We announced an \$80 000 grant three weeks ago for resurfacing in Melton. There are new courts in Hepburn and North Bendigo, resurfacing at Mirboo North and a new pavilion at Bonbeach's netball facility as well.

When the Vixens made the grand final it was great to be able to go into negotiations and talk to Netball Victoria and the Vixens about how we could make the upcoming grand final — as per last week, with what was the upcoming grand final — an even better event. The government stepped up and assisted with the event. It assisted with all the pre-match entertainment and the promotional work that was needed to assist the Vixens to sell out Hisense Arena. What we ended up with was effectively akin to a major event coming to the city, with an amazing number of fans from all around Victoria descending on Hisense Arena to cheer home the local team.

It is also worth noting that we have invested around \$60 000 from our Significant Sporting Events program to take the Australian Diamonds netball team to a regional venue. In October, for the first time ever, the Diamonds will play England in a test match in Bendigo. That will bring a sell-out crowd, and the stadium in Bendigo will need additional seats to deal with that crowd. The City of Greater Bendigo is very excited about this event. The government is also excited about taking these major events out of Melbourne, showcasing Tegan Caldwell and Maddie Robinson's speed, strength, skill and endurance to all of Victoria and not just to the crowds at metropolitan stadiums such as Hisense Arena.

It has been a great weekend, not only because the Vixens claimed the championship but also because of the culmination of the different levels of support for netball, from grassroots through to regional championships and into the trans-Tasman league.

### **East–west link**

**Mr TEE** (Eastern Metropolitan) — My question is to the Minister for Planning. At the parliamentary Public Accounts and Estimates Committee hearing on 20 May the minister was asked whether he would release the east–west assessment committee report in full. The minister took the question on notice. Since 30 May the minister has had the report in full and the recommendations, and he is due to make a decision on the approvals by 30 June. Therefore I ask: will the minister release the report in full?

**Hon. M. J. GUY** (Minister for Planning) — I think everyone in this chamber would know that given the sensitive nature of that report, under the Major Transport Projects Facilitation Act 2009 the best thing to do is for me to make a decision, and I will make commentary about the full details of the report after that.

### *Supplementary question*

**Mr TEE** (Eastern Metropolitan) — It is a bit unclear from that answer whether or not the report will be released at all. In terms of the subject matter, and indeed the recommendations that flow, these are issues of great anxiety and concern to the community. They go to the removal of pollution and to issues such as dangerous soil dust and so on. In terms of the recommendations that the minister has had and his decision in relation to those, will he accept the recommendations of the assessment committee in full and provide a public explanation for any recommendation that he does not accept?

**Hon. M. J. GUY** (Minister for Planning) — Anyone in this chamber who knows the details of the Major Transport Projects Facilitation Act and what it states about the imperative that the Minister for Planning consider the projects in isolation of influence from colleagues, other parliamentarians or anyone external from the department, would know that those things are very important as a consequence. Mr Tee should know that because this act was passed when Labor was in government. Therefore, making commentary, as has been sought from me today — —

**Mr Tee** — It is not commentary, it is process.

**Hon. M. J. GUY** — I am sorry, but Mr Tee is making commentary and, with due respect, should know what is in that legislation. He should know what is in that act because it passed when he was in this chamber. Frankly I, unlike Mr Tee, intend to respect the details and the processes contained in that act, and if he wants to behave otherwise, that is a reflection upon him and how poor he would be as a minister.

### Monash Health

**Mrs PEULICH** (South Eastern Metropolitan) — My question without notice is directed to Mr Davis, the Minister for Health. Can the minister inform the house as to how the government is responding to growing health demands in city of Casey, and is the minister aware of any alternative proposals?

**Hon. D. M. DAVIS** (Minister for Health) — I thank the member for her question and her strong advocacy for health services in the south-east of Melbourne. She has been a very firm advocate for expanded services, whether they be at Frankston or the Monash Children's, at Casey or Dandenong hospitals. The government understands that Monash Health, our largest health service, is an important service that manages services at Casey, Moorabbin, Monash and Dandenong Hospital, and a range of community services in addition. By and large, it does a very good job.

I note that it has recently made a decision to relocate six special care nursery cots from Dandenong Hospital to Casey Hospital. In addition to the expanded spending at Monash Health, the additional capacity we have put into Monash over the last 12 months, it is within the remit of Monash Health to make decisions about how it organises its services and where it locates different aspects.

Therefore when Monash Health made the decision that it was best placed to put six special care nursery cots in the fast-growing Casey area, I was somewhat surprised that that was opposed by the Leader of the Opposition and member for Mulgrave in the Assembly, Daniel Andrews, and by Mr Jennings — by Labor. It is clear that Labor intends to move those cots back to Dandenong. That is what is going to happen. It is going to strip out the new cots that are going to Casey and move them back to Dandenong. If that is not the case, Mr Jennings should come clean.

**Mr Jennings** — I raise a point of order, President, in relation to anticipation. The minister is anticipating that I will be the Minister for Health in the next government.

**Hon. D. M. DAVIS** — On the point of order, President, we understand the role of the opposition in advocating and pushing for certain things. In this case it is pushing for the services to go back to Dandenong — to remain in Dandenong rather than go to Casey. That is what it has said on the public record.

**The PRESIDENT** — Order! That was not helpful to the point of order; that was more helpful to the minister's debate. Whilst anticipation is an adventurous gambit to make in a point of order, I am not quite prepared to go down that track, but I am prepared to say that as an alternative point of order Mr Jennings might have suggested that there was some debate in the minister's answer. Mr Jennings would have got a lot more support for me in regard to that proposition. I think the minister has made that point well. Perhaps he could move on to a little less commentary on the opposition and more about the achievements he has seen at Monash Health.

**Hon. D. M. DAVIS** — As the chamber will understand, the government is determined to see more services for children and mothers at Monash Health, particularly the development of the Monash Children's hospital. I know that Mrs Peulich, Mr Rich-Phillips and others in this chamber have worked very hard to see the Monash Children's hospital coming forward. The government has allocated the money, the tender contract has been awarded and the design is proceeding apace. The government is determined to build the Monash Children's hospital.

It was in that context that I was very surprised to see the opposition in the form of Mr Andrews and Mr Jennings criticising the decision by Monash Health to allocate its resources in such a way that it was constructively dealing with growth in the Casey corridor. In doing so it is obviously committing itself into the future and into the election campaign to moving those beds back to Dandenong. I think the people of Casey and in the surrounding area will be very surprised to hear that that is the opposition's policy as we go forward. I for one would rather allow Monash Health —

**The PRESIDENT** — Order! Minister, I have now heard that proposition put twice and, as I said, I believe that it is debating. If the minister is about to move on and go back to Monash Health, I would be pleased to take that journey with him.

**Hon. D. M. DAVIS** — We have health services that have responsibilities in this state and Monash Health, our largest health service —

*Honourable members interjecting.*

**The PRESIDENT** — Order! I am trying to keep the minister to that point. The minister is perfectly entitled to go off on different tangents if he is provoked by interjections. I dare say the minister went back to talking about the opposition's policy because he was provoked by interjections. For me to keep the minister apposite to the question that has been asked by Mrs Peulich I really need members of the opposition to also respect that process.

**Hon. D. M. DAVIS** — As I said, we have health services that make real decisions about the health needs of their communities and seek to match the significant increases in resources provided by this government to the needs of those communities. Monash Health clearly made the decision to move some special care nursery cots to Casey to deal with the ongoing demand and population growth in that corridor, and I support its right to make decisions of this type.

It was opposed by the Australian Nursing & Midwifery Federation. As I said, the opposition quickly chimed in and attacked Monash Health before making that decision. But in the context of the improved paediatric services that are going to be provided at Monash Health and the ongoing growth in maternity services that will occur at Casey, Clayton and Dandenong over the time, it is clear that there will be a need for more special care nursery cots. What I do not think is helpful is for the opposition to indicate that it is going to strip resources out of Casey and move them to other areas.

### East–west link

**Mr TEE** (Eastern Metropolitan) — My question is to the Minister for Planning. I refer to the announcement made on 29 April by the Prime Minister and the Premier that \$1.5 billion would be allocated by the commonwealth for the western section, stage 2, of the east–west link. Of that funding, \$1 billion is due by 30 June, yet there are no details about the planning process or even the precise route of the section. Some of those details will of course be included in the project proposal required under the Major Transport Projects Facilitation Act 2009. My question is: when will a project proposal be released?

**Hon. M. J. GUY** (Minister for Planning) — Mr Tee is asking about the entire project proposal; he is not asking about the planning content of that proposal. If Mr Tee is asking me to comment on the Minister for Public Transport's responsibilities or indeed the federal government's responsibilities for this matter, then maybe he should direct his questions to them or the Linking Melbourne Authority, which is the proponent. I would have thought that Mr Tee would know who the

proponent is, and more to the point, I would have thought he would know who the proponent reports to. It is not to me.

### *Supplementary question*

**Mr TEE** (Eastern Metropolitan) — My question to the minister was in his capacity as Minister for Planning and his responsibilities in that capacity under the Major Transport Projects Facilitation Act, and I ask by way of a supplementary question: can the minister guarantee that the project proposal will be released before the state election?

**The PRESIDENT** — Order! I will allow the minister to answer, but I am mindful — as I was with the previous question — of jurisdiction in terms of this minister not having carriage of the entire project. In fact the integrity of the process requires the minister to be involved in only part of the process. I am therefore mindful of the question straying beyond the minister's jurisdiction. In this instance, particularly given that I have allowed the first question, I will allow the minister to answer. But I am mindful of his answer to the substantive question, and I am of the view that this matter goes beyond the minister's jurisdiction. Nevertheless, I will let Mr Guy respond to the supplementary question posed by Mr Tee.

**Hon. M. J. GUY** (Minister for Planning) — President, I appreciate your guidance to the house. Rather than commenting on the specifics that Mr Tee is asking me to do, I will talk about the broad principles. What this side of the house supports is the broad principle of a second crossing from the end of the Eastern Freeway right to the end of the Western Ring Road. We make no apology for saying that the broad principle of having a second crossing of the Maribyrnong River is so important. Let me put one thing on the record. At the end of the day, who can the people of the western and north-western suburbs rely on to put in place the broad principle of a second crossing of the Maribyrnong River? The Labor MP for the Assembly seat of Altona? No. The Labor MP for the Assembly seat of Derrimut? No. The Labor MP for the Assembly seat of Tarneit? No. None of those Labor MPs is standing up for the west. Only Mr Finn, Mr Elsbury and the coalition government will get on with this project.

**The PRESIDENT** — Order! I will make further comment on this. I am not sure what further questions might be brought to the house this day, but I am mindful that Mr Davis has proposed a motion on the east–west link project for the agenda today. It is my understanding that the house is likely to proceed to a

debate on that motion today, which is on page 4 of today's notice paper. Therefore, there are perhaps issues around anticipation in questions seeking information on this project and on matters to be canvassed in the debate. I caution members on the framing of any further questions and ask them to ensure that they do not offend the anticipation rule.

**Mr Tee** — On a point of order, President, on that matter, I am alive to the fact that there is a motion on the notice paper. I have framed my questions so that any reference to the east–west link is incidental and therefore does not overlap that motion, and I have had some discussions with the Clerk about that matter.

**The PRESIDENT** — Order! I only raised the matter to avoid problems; I did not raise it to censor the questions. I simply raised it so that there will not be a problem going forward if the opposition has further questions on this matter. I raised it as an alert to the house, not necessarily to try to discourage members.

### Kindergartens

#### **Hon. R. A. DALLA-RIVA**

(Eastern Metropolitan) — My question without notice is to the Minister for Children and Early Childhood Development, the Honourable Wendy Lovell. Can the minister update the house on any recent exemplary performances against national ratings standards by Victorian kindergartens?

**Hon. W. A. LOVELL** (Minister for Children and Early Childhood Development) — I thank the member for his ongoing interest in early childhood development, and I note that prior to coming to Parliament he was a member of the then Kindergarten Parents Victoria board. The member has a longstanding interest in early childhood development.

Last week, together with Professor Collette Tayler, who is the deputy chair of the Australian Children's Education and Care Quality Authority, Mr Dalla-Riva and the Liberal candidate for the Victorian seat of Ivanhoe, Carl Ziebell, I was thrilled to attend the Children's Protection Society children's centre to congratulate the society on being awarded an 'excellent' rating under the national quality standards. This is the highest rating a service can receive. The national quality standard brings together the seven quality areas that are important to achieving good outcomes for children.

The Children's Protection Society is a child-centred and family-focused organisation. In 2009 it commenced early childhood education in care services, including a

kindergarten program for highly vulnerable children. I commend the Children's Protection Society children's centre for providing a unique early childhood education and care service that delivers tailored support to referred children and families.

This excellent rating acknowledges the success of the service in assisting vulnerable children. It is great to know that Victoria's most vulnerable children are receiving the best quality care in this state. Parents in more affluent areas can often vote with their wallet and choose a higher quality of care for their children. Families that access the Children's Protection Society children's centre do not have that ability, but their children are receiving the highest quality care in Victoria.

Victorian services continue to do well in the assessment and rating process, with 77 per cent of our services assessed as meeting or exceeding the quality standards, compared to only 61 per cent nationally. What is really pleasing is that around 85 per cent of our stand-alone kindergartens have met or exceeded the national quality standards.

### East–west link

**Mr TEE** (Eastern Metropolitan) — My question is again to the Minister for Planning. It relates to the western section, or stage 2, of the east–west link, and it is in the context of the fact that \$1 billion is about to be paid to the state government without there being any assurance about the planning process or even basic details like the route. Is the minister able to provide some information in relation to the comprehensive impact statement? Specifically, will there be a comprehensive impact statement for the whole of stage 2, the western section?

**Hon. M. J. GUY** (Minister for Planning) — First of all, we have got to get to stage 1 of the process, and that is still with the Linking Melbourne Authority. This process has not even begun to get to me; at the moment it is with the transport portfolio and the Linking Melbourne Authority as the proponent. If it is used under the Major Transport Projects Facilitation Act 2009, the same process would be followed. With due respect, Mr Tee may as well ask who is on the grassy knoll. At this point in time he is asking so many hypotheticals that it is quite frankly irrelevant.

### *Supplementary question*

**Mr TEE** (Eastern Metropolitan) — It might be hypothetical, but the Prime Minister has indicated that —

**Hon. M. J. Guy** — I'm glad you admitted it.

**Mr TEE** — It might be hypothetical in the sense that people do not believe you are going to do it. The Prime Minister has indicated that construction will start next year. If there is to be a comprehensive impact statement, that process will need to commence shortly because, under the time line that the Prime Minister has announced, the two projects will run concurrently; the government will not wait for the first to finish. My supplementary question in relation to the comprehensive impact statement is: can the minister assure the community that we will get a comprehensive impact statement before the state election?

**Hon. M. J. GUY** (Minister for Planning) — In his long, odd preamble Mr Tee said that nobody believes we are going to do it. I would have thought the fact, as he said in the rest of his question, that \$1 billion is about to be handed over might be a pretty good indication as to the future of the project. If Mr Tee would like, I am happy to talk about his government's extension of the railway to Cranbourne East, the attempt to standard gauge the entire western section of our country railways and some flows down the Snowy River. I am happy to talk about the Vineland. If Mr Tee would like talk about projects that he was a part of, including — what was it? — the \$180 million for fast rail that came to \$1.3 billion, we could go through a whole list. If Mr Tee wants to talk about people who come into this chamber and make commitments that will never be agreed to, then we have got \$1 billion coming onto the table. I just want to know, where is the railway to Cranbourne East?

### **East Werribee employment precinct**

**Mr ELSBURY** (Western Metropolitan) — My question is to the Minister for Planning, the Honourable Matthew Guy. Can the minister inform the house of what action the government is taking to advance new services for Australia's largest growth area employment precinct, East Werribee?

**Mr Barber** interjected.

**Hon. M. J. GUY** (Minister for Planning) — I am glad Mr Barber piped up to say, 'Another hypothetical'. I thank Mr Elsbury for his wonderful question. Let me inform the chamber that this morning the Minister for Health, Mr Elsbury and I launched part of the health and education precinct of the new East Werribee employment precinct, a \$95 million investment by St Vincent's Private Hospital into Melbourne's western suburbs. It is a \$95 million investment into the brand-new East Werribee employment precinct. There

were some who said, 'It's a dream; it'll never happen in Victoria, never happen in Wyndham and never happen in Werribee'; that is what people were saying.

At the end of the day it has taken the lobbying of Mr Finn and Mr Elsbury and the work of the Metropolitan Planning Authority with the Wyndham City Council to come up with a project, a structure plan and a process that have today delivered and realised the largest investment ever of a private hospital in the city of Wyndham. Wyndham is a place where 80 babies are born every week and is one of the fastest growing growth corridors ever in this country. Through Mr Davis's work, through my work in planning and with the Metropolitan Planning Authority, and through Mr Elsbury's work, this government — with St Vincent's Private Hospital — has realised a \$95 million investment for Melbourne's western suburbs.

Let us put this into perspective. We are talking about the concept of a second river crossing for people living in Melbourne's western suburbs, as well as a whole host of new primary schools and a brand-new private hospital to be opened in 2016. That is \$95 million of private sector investment in an urban renewal precinct that was talked about and yacked and ranted about by the previous government for 11 years.

**Mr Ondarchie** — What did they do?

**Hon. M. J. GUY** — Those opposite did nothing, Mr Ondarchie. They talked, they ranted, they reviewed, they promised, they committed, but they did nothing. At the end of the day it was this government and the Metropolitan Planning Authority that brought a structure plan to the process, reviewed the responsible authority management and actually worked with the council to deliver to that precinct a 700-hectare site, an enormous water reticulation system, a brand-new integrated bus facility and kilometres of bike tracks and open space. The Sneydes Road interchange for Point Cook residents was long promised, talked and ranted about and reviewed by people on the opposite side, but it was delivered for the people of the west by this government. It is under construction right now. It is not being talked about; it is under construction right now.

**Mr Ondarchie** — What did Tim Pallas say?

**Hon. M. J. GUY** — Who knows, Mr Ondarchie. He can never be found. He might be found in Williamstown, but I am not sure he can be found in Werribee. At the end of the day it has taken a coalition government not just to begin those projects but to work with St Vincent's Health Australia to deliver a

\$95 million hospital and aged-care facility as the key stake development for our brand-new health precinct in the Werribee employment precinct. This government, including Mr Elsbury and Mr Finn, is proud of the work that it has done for Melbourne's western suburbs and the investments it has made for people who have long been forgotten by Labor Party members, who have scoffed and done nothing for those in the western suburbs. We are delivering a hospital for those people, who deserve it. Through St Vincent's Health Australia we are delivering a hospital for the fastest growing growth corridor in Australia.

Unlike members of the Labor Party, who are as complacent as fat lemons on the ground after they have fallen off a tree, we on this side of the house are proud to deliver for the western suburbs, because we are building a better Victoria.

### Community health workers

**Ms HARTLAND** (Western Metropolitan) — My question is for the Minister for Health. The community health enterprise agreement for community health physiotherapists, occupational therapists, speech therapists, podiatrists and exercise physiologists expired in 2011. These workers are represented by the Victorian Health Professionals Association and have been without an enterprise agreement and wage rise for three years. Other health professionals who work in community health, such as dietitians, are covered by the Medical Scientists Association of Victoria agreement, which provides for better wages. There are threats of a drain of expertise from community health due to poor wages. It would require only \$2 million to bring Victorian Health Professionals Association health professionals into parity. My question is: will the minister commit to fund this wage increase so that all community health workers can be paid fairly?

**Hon. D. M. DAVIS** (Minister for Health) — The member and I have had discussions about this at public forums recently — and Mr Jennings was also party to those discussions. What is clear is that this government has resolved more than 16 enterprise bargaining agreements (EBAs) since coming to government. In the health portfolio I think it is true to say that there is a challenge in resolving the ambulance EBA. The hardline ambulance union is not an easy nut to crack in this context — —

**Ms Hartland** — On a point of order, President, there was no mention of the ambulance union in my question. This is a completely different union. I hope the minister is not confused, but my question is actually

about this group of workers, not the ambulance workers.

**Hon. D. M. DAVIS** — On the point of order, President, the member asked about a particular EBA, and I was putting all the EBAs in context, including that of the medical scientists, which the member referred to in her preamble. I am about to come to talking about that particular EBA as part of my response, and that directly comes out of the member's question.

**The PRESIDENT** — Order! The minister is entitled to refer to other areas of his portfolio for comparison and for the information of the house as part of creating context. At this point the minister has not taken the wrong track in his answer. I think he is just trying to provide a more fulsome answer to Ms Hartland; that would be my hope.

**Hon. D. M. DAVIS** — As I said, since we came to government 16 EBAs have been resolved in the health portfolio. A number of EBAs remain outstanding, and one of those is the ambulance EBA, which I referred to as being a tough nut to crack. In the member's preamble she referred to the medical scientists. We were able to resolve the EBA of the medical scientists and to provide a very good salary outcome for them, which we were also able to do for the doctors, the nurses, the Health Services Union and other areas of the health portfolio.

It is true that the community health sector has not been able to resolve EBAs with a number of the groups that seek an outcome. It is true that physiotherapists, some dentists and other groups in that sector seek to have their EBAs resolved. I am happy to work with the community health sector to assist in that regard, bearing in mind that individual community health services are generally independent bodies that provide services to the community. They have independent company structures and community boards and are able to provide individual arrangements with their workers. I am a strong believer in the work and the contribution of those in the community health sector, and I certainly made that clear at the function I was referring to earlier, at which Ms Hartland, Mr Jennings and I made some contribution about this particular matter.

I encourage workers to keep pursuing negotiations with the community health services. The government is prepared to assist in brokering and working through a number of those aspects, but I do not have a magic wand to make these things happen. We can work together with those particular workers to get a good outcome.

*Supplementary question*

**Ms HARTLAND** (Western Metropolitan) — I am a bit surprised that this matter has not been resolved, considering that this group of workers has not had an EBA since 2011 and that it would cost approximately \$2 million to resolve. Clearly there is also now a problem with community health centres not being able to recruit people in certain categories. I would like some kind of commitment to say that the government will negotiate this, because very slow negotiation has gone on if this group has not had an EBA since 2011.

**Hon. D. M. DAVIS** (Minister for Health) — I should just correct one thing. It is not true to say that they have not had an EBA. As I understand it, under the law the previous EBA remains in force until a new EBA is signed. It is not strictly true to say there is no EBA. The rollover of the old EBA remains in action until a new EBA is signed. That is probably an important distinction.

The government is prepared to work with the sector, noting that community health services zealously and jealously regard their independence and seek to sometimes strike their own arrangements with individual workers or groups of workers within the sector. I am happy to work with the union, and I am happy to work with the community health services across the state to get good outcomes, bearing in mind that the government is not the sole funder of community health centres in any event.

**Prisons**

**Mr ELSBURY** (Western Metropolitan) — My question is to the Minister for Corrections, the Honourable Edward O’Donohue. Can the minister update the house about the largest prison expansion program under way in Victoria’s history?

**Hon. E. J. O’DONOHUE** (Minister for Corrections) — I thank Mr Elsbury for his question and his interest in prison capacity across Victoria. I was very pleased to join Mr Elsbury last week at Port Phillip Prison to open the new Matilda unit, a new 118-bed maximum security unit at Port Phillip Prison.

*Honourable members interjecting.*

**Hon. E. J. O’DONOHUE** — I hear the scoffing and mocking from those opposite about our community safety agenda. The Victorian coalition government has done the responsible thing and invested in the corrections system. We know from the Auditor-General that the previous Labor government was told on three separate occasions, in three separate budget cycles, to

commit to a new prison, and three times Labor said no. When we came to government we inherited a corrections system that had been neglected and was in crisis. This government is fixing the corrections system. We have made responsible investments in each of our budgets since we have been in government. We are now starting to see the benefits of that investment.

As I say, I was very pleased to join Mr Elsbury at Port Phillip Prison to open this new 118-bed maximum security unit. The beds at Port Phillip are important not just because they are maximum security beds but because Port Phillip, as the largest maximum security prison in our system, is also a reception prison. This week and next week prisoners will be taken directly from police cells to Port Phillip, taking pressure from the police cell system across Victoria. I am also pleased that this new unit will create 60 new jobs at Port Phillip Prison.

Since we have been in government the coalition has opened over 1300 new prison beds, and there are approximately 2700 beds in the pipeline. These beds are critical, not just to fix Labor’s neglect of the corrections system but also to provide the capacity for our much-needed and important parole reforms. The Victorian community demanded reform and demanded change, and we have delivered, with the 23 recommendations of the Callinan review, the toughest parole system in Australia. That is in the interests of community safety. We are doing the responsible thing in adding capacity to the prison system to accommodate that.

During the second half of this year we will also see additional capacity delivered across the prison system, with the new Middleton unit at Loddon, additional capacity at Langi Kal Kal and additional capacity at Dhurringile, creating important jobs in country Victoria. Of course there is the Ararat prison project — Labor’s botched and bungled Ararat prison project — which should have seen 350 beds added to the system in late 2012. It is now contracted to be completed late this year. We have fixed Labor’s Ararat prison project, and we are building a safer Victoria. Only the coalition can be trusted with community safety.

**QUESTIONS ON NOTICE**

**Answers**

**Hon. D. M. DAVIS** (Minister for Health) — I have answers to the following questions on notice: 10 031, 10 067, 10 071–4, 10 077, 10 078, 10 081–3, 10 086, 10 106, 10 109, 10 121, 10 127, 10 129, 10 130, 10 450, 10 454.

**SCRUTINY OF ACTS AND REGULATIONS  
COMMITTEE**

*Alert Digest No. 8*

**Hon. R. A. DALLA-RIVA (Eastern Metropolitan)**  
presented *Alert Digest No. 8 of 2014, including  
appendices.*

**Laid on table.**

**Ordered to be printed.**

**Regulations and legislative instruments review**

**Hon. R. A. DALLA-RIVA (Eastern Metropolitan)**  
presented **2013 report, including appendices.**

**Laid on table.**

**Ordered to be printed.**

**PAPERS**

**Laid on table by Clerk:**

Education and Care Services National Law Act 2010 —  
Education and Care Services National Amendment  
Regulations 2014 pursuant to section 303 of the Act.

Interpretation of Legislation Act 1984 — Notice pursuant to  
section 32(3) in relation to Statutory Rule No. 30.

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

Alpine, Benalla, Indigo, Mansfield, Moira, Murrindindi,  
Strathbogie, Towong and Wodonga Planning  
Schemes — GC12.

Bass Coast Planning Scheme — Amendment C141.

Baw Baw Planning Scheme — Amendment C105.

Bayside Planning Scheme — Amendment C106.

Boroondara Planning Scheme — Amendment C190.

Casey Planning Scheme — Amendments C194 and  
C195.

Central Goldfields, Gannawarra, Macedon Ranges,  
Mildura and Mount Alexander Planning Schemes —  
Amendment GC8.

Colac Otway Planning Scheme — Amendment C79.

Corangamite and Glenelg Planning Schemes —  
Amendment GC10.

East Gippsland Planning Scheme — Amendment C118.

Golden Plains, Hepburn, Hindmarsh, Horsham,  
Northern Grampians, Pyrenees and Yarriambiack  
Planning Schemes — Amendment GC11.

Hobsons Bay, Hume, Melbourne, Mitchell and  
Wyndham Planning Schemes — Amendment GC9.

Manningham Planning Scheme — Amendment C105.

Maroondah Planning Scheme — Amendment C93.

Melbourne Planning Scheme — Amendment C229.

Monash Planning Scheme — Amendment C119.

Moyne Planning Scheme — Amendment C59.

Queenscliffe Planning Scheme — Amendment C26.

South Gippsland Planning Scheme — Amendment C98.

Stonnington Planning Scheme — Amendment C187.

Surf Coast Planning Scheme — Amendment C94.

Towong Planning Scheme — Amendment C30.

Wangaratta Planning Scheme — Amendment C53.

Warrnambool Planning Scheme — Amendments C76  
and C92.

Wellington Planning Scheme — Amendment C91.

Yarra Ranges Planning Scheme — Amendments C126  
and C134.

Statutory Rules under the following Acts of Parliament:

Building Act 1993 — No. 51.

Drugs, Poisons and Controlled Substances Act 1981 —  
No. 50.

Forests Act 1958 — No. 52.

Freedom of Information Act 1982 — No. 49.

Subordinate Legislation Act 1994 —

Documents under section 15 in respect of Statutory Rule  
Nos. 50, 52, 54 to 56, 59 and 70.

Legislative Instruments and related documents under  
section 16B in respect of —

Amendment to the Determination that Specified  
Areas are Designated Bushfire Prone Areas of  
27 May 2014 made under the Building Act 1993.

By-law No. 1/2014 Waterways Protection —  
North Central Catchment Management Authority  
made under the Water Act 1989.

Ministerial Order No. 765 — Victorian Institute of  
Teaching Schedule of Registration Fees 2014–15  
of 2 June 2014 made under the Education and  
Training Reform Act 2006.

**Proclamations of the Governor in Council fixing  
operative dates in respect of the following acts:**

Environment Protection and Sustainability Victoria  
Amendment Act 2014 — Sections 14(2), 15(1), 17, 18, 24, 30

and 32 — 30 June 2014 (*Gazette No. S178, 10 June 2014*); Sections 14(1), 14(3), 14(4), 14(5), 15(2), 16, 19, 20, 21, 31 and Part 4 — 1 August 2014 (*Gazette No. S188, 17 June 2014*).

Gambling and Liquor Legislation Amendment (Reduction of Red Tape) Act 2014 — Section 16 — 1 July 2014 (*Gazette No. S188, 17 June 2014*).

Transport Legislation Amendment (Further Taxi Reform and Other Matters) Act 2014 — Sections 4 to 21, 25 to 31, Divisions 4 and 5 of Part 2, sections 42 to 44, 54 to 58 and Division 2 of Part 5 — 30 June 2014 (*Gazette No. S188, 17 June 2014*).

## NOTICES OF MOTION

### Notices of motion given.

#### Mr SOMYUREK having given notice of motion:

**The PRESIDENT** — Order! I will let Mr Somyurek's notice of motion stand, but I was a bit concerned about paragraph 3(a), which is about the reason for the motion and which almost goes to debate as to why the motion might be brought. That is part of the debate that will be had on the day, and I am not sure that that wording was the best wording in support of the motion. It might well have been better to include somewhere in the motion 'That the house notes this decision' and that this is why Mr Somyurek is moving it, rather than putting it quite like it is. I may be being pedantic, but the way it reads at the moment is more a matter of supporting debate for the more substantive part of the motion. At any rate, I am not going to change it; it stands.

### Further notices of motion given.

## BUSINESS OF THE HOUSE

### General business

**Mr LENDERS** (Southern Metropolitan) — By leave, I move:

That precedence be given to the following general business on Wednesday, 25 June 2014:

- (1) notice of motion given this day by Mr Somyurek referring a matter to the Economy and Infrastructure References Committee in relation to the Webb Dock project;
- (2) notice of motion given this day by Ms Pulford in relation to TAFE training opportunities;
- (3) notice of motion 788 standing in the name of Mr Lenders noting the media release of 9 November 2012 from the Minister for Children and Early Childhood Development on government funding priorities;

- (4) order of the day 7, second reading of the Gambling Regulation and Casino Control Amendment Bill 2014;
- (5) notice of motion 787 standing in the name of Ms Pennicuik in relation to Victoria's firearms laws; and
- (6) order of the day 15, resumption of debate on motion in relation to the renewable energy target.

### Motion agreed to.

**Mr Lenders** — On a point of order, President, I am not seeking a ruling from you now, but I ask you to consider notice of motion 787 from Ms Pennicuik in relation to firearms laws, which is listed for debate tomorrow. This is a motion which calls on two political parties — the Liberal Party and the Labor Party — to make policy decisions. Over the last little while we have had a number of these motions from the Greens asking other parties to change their policies. I ask you to take that into consideration. We have traditionally had motions here where the house calls on governments to do things, but it is quite a new thing to be calling on parties to do things, particular in terms of a member of a party being asked to vote in a chamber to get their party to change its policy. If we try to debate it, I ask you to take that into consideration. My concern is where these motions are going and where they fit into the arrangements of Council debate.

**Hon. D. M. Davis** — On the point of order, President, whilst agreeing with the opposition that it might be a bit rich for the Greens to call on various parties to do things, it is well within the competence of the house to debate such a motion, and I ask you to be cautious in your ruling to not restrict the capacity of the house to make declaratory motions about all manner of matters. They could be international matters, they could be local or domestic matters, they could be about an individual or indeed they could be a policy matter that Ms Pennicuik wants to pursue. I am not in any way judging the merits or otherwise of the motion itself, and I understand the irritation with a motion of this nature, but I would be loath to see the capacity of the house diminished in any way in that sense.

**Mr Barber** — On the point of order, President, it would be hard to draw such a line if you started with the one that Mr Lenders requested, because we just need to go through the notice paper that is in front of us now to see various people calling on various members to do various things either inside or outside the Parliament and on various ministers to take actions such as 'to stand up for Victoria'. Much as Mr Lenders might desire such clarity, it would be hard to draw a line for all time on these sorts of motions.

**The PRESIDENT** — Order! Mr Lenders gave me the courtesy of indicating that he might raise this matter with me in the house simply to clarify my position on such motions. As Mr Lenders has elaborated to the house today, his concern is — and I must say, in terms of the notice paper I have some reservations about this as well — a sort of tit-for-tat arrangement occurring where each party puts on the notice paper calls for other parties to do this or that, as distinct from asking governments, ministers or even individual members to take certain actions. In many ways it could be far more onerous in the future for an Independent member of the house or a minor party in the house to meet the sort of obligation that such a motion suggests.

I have given it some consideration, and I thank each member for their input through their points of order. I am of the view that this house is competent to determine a position on motions brought by members. The general business section of our procedures is a fairly broad canvas, with many motions on matters that are outside strictly government administration or responsibility. We have had motions that tested members on their behaviour, motions that referred to some international events and circumstances, motions that called on the federal government to make changes in policy or take some actions that might support Victorians and a range of other motions. Some of those motions do not get debated because the house believes they do not take priority over other propositions that are to be put in the context of general business.

I suggest that it is for the house to determine which business it will proceed with on a particular day. In his negotiations with minor parties, the Leader of the Opposition has the opportunity to influence whether certain motions are brought before the house for consideration. I do not think the Presiding Officer is in a position to adjudicate which motions the house ought or ought not proceed with in a general business context. There are certainly other mechanisms of the house where we need to be a lot more focused on government administration. Question time is one example of that, as is to some extent the adjournment debate, in which members bring to the attention of ministers certain matters that they think the ministers should take into consideration, act upon or review their decisions on. There are various mechanisms within the house's proceedings where we are confined to government administration, but general business is a broader canvas for members.

I believe the motion would be in order and the house has the competence to determine a position on that motion. I understand that it might be uncomfortable for members of political parties to vote on some

propositions, but that discomfort is no different to that regarding most of the motions that are put and that need to be considered by the relevant parties on any general business matter. From that point of view, I do not have a problem with the motion as put.

I will read into the record the rules governing content for general business so that we are clear and have that clarification:

A member may give notice of a substantive motion into almost any matter —

and that is very relevant in terms of my determination today —

although the Chair may omit material not in conformity with the standing orders.

That goes to descriptive comments that may reflect adversely on an individual member or suchlike or perhaps refer improperly to party affairs. It would very much depend on the way in which a motion is framed. Usually when motions are put, as I mentioned with reference to Mr Somyurek's notice today, if I have concern with a motion I will raise that at the time the notice is given rather than at the time of debate, in almost all instances. The rules continue:

... the Chair may omit material not in conformity with the standing orders. Unfortunately, standing orders provide no specific guidance on the appropriateness of a motion's subject matter. Regard must therefore be had to the longstanding customs and practices of the house.

Traditionally notices should: not contain matters which are not relevant to each other; consist of a clear and succinct proposition which enables the house to arrive at a clear decision; not deal with matters that offend against the subject principle; not offend against the same question rule outlined in standing order 7.06; not generally exceed 250 words in length, with limited quotations; and should not contain offensive or disorderly words or other unparliamentary language.

As I indicated on 18 April 2012:

Notices of motion that are frivolous, ironic or sarcastic, or have been drafted to simply sit on the notice paper with no likelihood of ever being moved and debated, are inappropriate. *May* provides an example of the Speaker directing that a notice of motion should not be printed, because it was irregular or obviously not a proper subject for debate, being tendered in the spirit of mockery or being designed merely to give annoyance. These are appropriate principles to apply in considering notices of motion in this house.

The motion put by the Greens is very clearly intended for debate, and I do not regard it as being frivolous or suchlike. In fact I congratulate members on the way in which they have approached giving notices of motion to the house subsequent to the determination I made

back in April 2012. From that point of view I accept the points made by the Leader of the Government and Mr Barber that the house is competent to determine the fate of a motion such as the one moved by the Greens on this occasion, and I therefore think that general business is an appropriate forum for a debate on matters of that nature.

## MEMBERS STATEMENTS

### Dave McFadden

**Ms PULFORD** (Western Victoria) — Once upon a time John O'Connor, a union delegate at Kraft in Allansford, said to Dave McFadden, 'Hey, can you give me a hand with this union business? It'll only be for 12 months'. Twenty-two years later Dave McFadden was still the union delegate. The company had changed its name from Kraft to Dairyfarmers to Lion. The work had changed, the industrial relations landscape had changed but one thing that did not change was Dave's ability and determination to stand up for others on the job. Whether it was about basic rights and respect, making sure the pay was right, enterprise bargaining agreement negotiations, workplace safety or return after injury, union members at this workplace knew they had someone in their corner looking out for them.

There are few things more important than the ability to gain and keep a job and the financial security, membership of a workplace community and sense of purpose and dignity that come with it. On many occasions over the years Dave's intervention helped someone keep their job. Dave McFadden had a great impact on countless lives. His members and their families were always welcome around the kitchen table at home, taking advice about how to deal with a seemingly impossible situation.

After more than 30 years in the dairy industry the time has come for Dave to retire. There will now be more time for his two great loves: his family, Joan and Katie; and harness racing. Dave's commitment to unionism and what it represents will continue in his role as National Union of Workers community organiser. On behalf of all those people for whom Dave McFadden has been an outstanding advocate and quiet achiever, thank you.

### Sunvale Primary School site

**Ms HARTLAND** (Western Metropolitan) — On Saturday I met with Friends of Sunvale Community Park, which has been campaigning for many years to keep the old Sunvale Primary School site as open space. Earlier this year Brimbank City Council paid

\$3 million for part of the site. However, the local residents feel particularly betrayed because they believe they have worked in good faith with their local member, Mr Finn, and the government to make sure that the rest of the site is kept as open space. The rest of the site has now been sold for \$4 million, which means the government has gained just on \$7 million for this site.

I received the following answer to a question on notice from the Minister for Education, Mr Dixon, today, and I find it very interesting that it took 35 days from the date it was signed until it was actually delivered. It says:

The Victorian government is unaware of any 2010 election commitment that the former Sunvale Primary School site land be transferred to the community as a public park. Gifting surplus assets is not in accordance with government policy.

Yet in 2012, 11 acres of Nunawading land was transferred from the department of the Minister for Roads to the then Department of Sustainability and Environment, so clearly there is something different about Nunawading compared to Sunshine. Clearly the local members do not believe that Sunshine deserves open space.

### Euthanasia

**Mrs COOTE** (Southern Metropolitan) — Those of us who were in the last Parliament contributed to the dying with dignity debate. It was poignant and difficult. My position is very clear and is on the record: I supported the motion. Therefore I believe it is poignant and timely to read a letter I received from Peter Short. It states:

I am writing to seek your support in raising the public and political awareness and consideration of an individual's choice to die, under responsible governance, when managing a terminal disease. I do so in the full understanding that it is a complex and highly sensitive issue.

The issue is directly relevant to my own personal situation. My story is simple. After contracting oesophageal cancer more than five years ago, then five years later being told I had full recovery, on 28 January this year (my 57th birthday) I was told the cancer had returned, that my situation was terminal, and that I had between three and nine months to live. On that prognosis I have a maximum of around five months still to live.

My wish, and belief, is that people facing terminal illness should have the choice to decide the timing and nature of their death. For me, my simple wish is to die still in control of my senses, in the arms of my wife, with my son at my side, and my beloved cocker spaniel nearby.

...

As a result of my own situation I have become intimately aware of the fierce debate around this topic. I have been especially inspired by the courageous work and actions of Dr Rodney Syme ...

I have been encouraged by the growing support in the public and social media for the change Dr Syme and many others, including myself, wish to see. What is needed now is for the debate to be taken to the political level, both federal and state.

### Jobs4Geelong

**Ms TIERNEY** (Western Victoria) — Last Friday I attended the Jobs4Geelong expo, held at the Deakin University waterfront campus. It was a two-day event held in a common area at Deakin, which was bustling with people eager to get information from the various stalls held by a range of local employers, recruitment agencies, training providers and other job seeker support services.

There were also around-the-clock information sessions from local organisations such as the Gordon, Barwon Health, Volunteering Geelong, the City of Greater Geelong and Karingal disability services. Sponsored by Bay FM and K-ROCK radio stations, the *Geelong Advertiser*, Enterprise Geelong and Deakin University, the jobs fair was yet another example of the Geelong community coming together in difficult times. We all know that Geelong is a great city, but it is doing it tough. We also saw on Friday a further 199 Ford workers lose their jobs, half of whom are from the Ford Geelong plant and some of whom made their way, with their wives, to my office, quite distressed.

In hard times the community of Geelong has always fronted up and pulled together because that is the Geelong way. It is obvious just by looking at the sheer numbers who attended the Jobs4Geelong event that the people of Geelong are more than eager to work. Geelong has many skilled and semi-skilled workers who are job ready. We also have many young people who want the opportunity to work and not just sit on the sidelines of life. There is no doubt that the Geelong community, along with many other key organisations, such as those who sponsored this event, are up for the fight. But we want a government that is up for the fight too, a government which is active in chasing down investment, chasing down industry to set up and stay, and being proactive in job creation.

### 1st Moe Scout Group

**Mr RONALDS** (Eastern Victoria) — Last Sunday I had the great privilege of attending the reopening of the Moe scout hall. Under the Victorian government's scouts and guides facilities grants program the hall benefitted from a \$15 000 grant. Over the past 80 years

the 1st Moe Scout Group has played a vital role in the community. It has provided young people with opportunities to learn new skills, make new friends from all walks of life and enjoy the great outdoors.

The refurbishment of this hall means that, like many refurbishments of scout halls built in the 1950s and 1960s, for the first time it has toilets. Talking to the group leader of the Moe scouts, Cheryl Hibbs, she was very excited because in just the small amount of time since the refurbishment the scout numbers have increased from just 2 members to 15, and membership is growing each week. She has also had inquiries from a number of other community organisations that want to use the hall. This is a great asset for the community and just another example of the Victorian government caring for people and building a better Victoria.

### Climate change

**Mr SCHEFFER** (Eastern Victoria) — The good news this week is that a poll conducted for the Climate Institute shows that 70 per cent of Australians now accept the science of the reality of global warming — a 10 per cent increase over two years. Over 60 per cent said Australia should be an international leader on global warming, and 71 per cent said they wanted a renewable energy target of 20 per cent or higher by 2020. The Climate Institute survey found that opposition to carbon pricing had fallen to 30 per cent, which is a reduction of more than 20 per cent in two years, and the number of those who support carbon pricing is now 34 per cent, a rise of 6 per cent. For the first time more people support carbon pricing than oppose it, and this is at the very time that the federal Abbott government is closest to repealing the carbon tax legislation.

While the poll indicates that many are sceptical of the main political parties credibility in relation to global warming, it is the Prime Minister who has come off worse, with only 20 per cent indicating that he is credible when it comes to climate issues. It is now clear that the Prime Minister's inflexibility on this issue will put him, even more than he already is, on the wrong side of history and that he will soon find himself to be history on this issue. Thirty-six per cent of Australians are indifferent to the carbon laws, and that is most likely a legacy of the campaign of confusion and misinformation perpetrated by sections of the fossil fuel industry and the Abbott coalition. Only 22 per cent support the coalition's Direct Action policy, and the Abbott government has been unable to get any traction on this policy.

### Oakleigh level crossings

**Ms CROZIER** (Southern Metropolitan) — I would like to comment on a number of statements made by the Labor candidate for the Assembly seat of Oakleigh, in material which has come to my attention. In a letter Mr Dimopoulos stated that:

Our community will receive a massive boost under a Labor government, with the removal of the 50 worst railway level crossings — many of them are right here in our area.

I find it curious that Mr Dimopoulos stated that many of the worst level crossings are ‘right here in our area’. In three and a half years the coalition government has ensured that 26 grade separation projects have received construction funding and another 14 have received funding for planning. A further \$457 million has been allocated for grade separations by the Napthine government in the 2014–15 budget.

In the seat of Oakleigh the \$2 billion to \$2.5 billion Cranbourne-Pakenham rail project, announced by the Napthine government, will include the removal of both the Carnegie and Murrumbeena level crossings, plus upgrades to the Carnegie and Murrumbeena stations, with construction expected to start next year. Mr Dimopoulos claims that the removal of level crossings right across the Oakleigh electorate is part of Labor’s removal of 50 level crossings — a chaotic, ill-planned project that would cause chaos across Melbourne’s road and rail networks. The member for Oakleigh has represented the area since 1999, and she did absolutely nothing to address the local level crossing issue for 11 years whilst Labor was in government. Now the Labor candidate for Oakleigh is saying that Labor will:

... remove local level crossings that cause you headaches every day of the week.

He is a Johnny-come-lately, and the electorate knows that it will be a Napthine government that will deliver the necessary properly costed and managed projects to Oakleigh, such as the Cranbourne-Pakenham rail upgrade — not Labor. Labor cannot manage projects, and it cannot manage money.

### It’s all about YOUTH!

**Mr MELHEM** (Western Metropolitan) — I would like to speak about the issue of mental health and wellbeing among young Victorians. Last Friday I attended the annual It’s all about YOUTH! event at the Laverton community hub, hosted by the South Western Melbourne Medicare Local. Guest speakers, including Australian soccer legend Archie Thompson and federal member for Lalor Joanne Ryan, spoke to around

150 year 9 and 10 secondary school students on topics ranging from addiction and bullying to nutrition and mental health. Also in attendance were representatives from headspace, Youth Support and Advocacy Service (YSAS), youth services and the Wyndham and Hobsons Bay city councils.

We heard about the importance of combating cyberbullying, and students were given valuable tools and tactics to protect themselves. We heard from a brave young woman of 22 years who recounted in candid detail her personal struggle with drug addiction and the way that youth organisations like YSAS helped her time and again. It was particularly striking when this young woman admitted that one of her longest periods of sobriety was the six months she was enrolled in a hospitality course. When her course ended and she found herself struggling to find employment, the temptation to relapse returned.

Our kids need opportunity, jobs and education for more than financial reasons. There are reasons that mental health and drug use are such big issues in the west. They are often the harrowing consequences of isolation from the mainstream economy. A job is not just a source of income; it is the foundation on which to build a life and a purpose. We tell our kids to work hard at school, but too often there are no job opportunities at the end of the day.

### East Gippsland bushfires

**Mr D. D. O’BRIEN** (Eastern Victoria) — Last Tuesday I was at Bonang in far East Gippsland — or, if you are a long-term local, B’ngang — for a community barbeque which coincided with a visit from the fire services commissioner, Craig Lapsley, the Country Fire Authority chief officer, Euan Ferguson, and the Department of Environment and Primary Industries chief fire officer, Alan Goodwin. These three gentlemen are conducting a review of the Goongerah-Deddick bushfires of January and February this year, which burnt a considerable area of the high country. They were in the region for three days, taking evidence from locals about the fires and how they were handled.

At the community barbeque there were people from Bonang, Tubbut, Dellicknora, Deddick and Delegate River and even from across the border in New South Wales. Many of them told me similar stories of their concern about the blazes and how they were handled. These included the lack of initial attack on some of the fires, which were started by lightning in January and burnt quietly in the bush until severe heat and wind on 9 February caused them to threaten property. In the end,

some stock, fences and outbuildings were destroyed, but thankfully no lives or homes were lost.

Concerns were also raised that land-holders were left to fend for themselves while fire crews were held back. Other frustrations raised with me included the information, or lack thereof, provided to the community, cross-border cooperation, roadblocks and resourcing. I was concerned in part because these are communities that are well used to bushfires, and they had praise for how bushfires were tackled in the past. I congratulate Craig Lapsley and his colleagues for taking the time to listen to the concerns, and I look forward to their final report, which I hope will give local residents comfort that their concerns have been heard and changes have been made to ensure that mistakes are not repeated in the future.

### North East Support and Action for Youth

**Ms DARVENIZA** (Northern Victoria) — Ms Libby Skilbeck of Benalla, a mother of four, is calling for support to address youth homelessness in Benalla. She has been providing temporary accommodation for four teenagers for the past four years. Ms Skilbeck first began providing temporary accommodation when her youngest son brought home a friend who could no longer live at his home. She said she has always told her children not to let their mates go without a roof over their heads. Ms Skilbeck assists the teenagers with accessing Centrelink, finding housing and opening bank accounts. She has spent a lot of time in contact with Benalla P–12 College in an effort to improve outcomes for teenagers facing housing challenges.

There is a lack of housing options for young people in Benalla and right throughout the region, and the youth services manager for North East Support and Action for Youth (NESAY) has said rental options for young people are limited. NESAY is a valuable and much-needed organisation because of the work it does in the region in providing a service to vulnerable youth, the homeless and people who have been disenfranchised by their personal circumstances. It is in desperate need of funding from both the state and federal governments so that it can continue to do this vital work. I call on the state government to increase funding to NESAY so that it can continue the excellent work it does to address the critical issue of youth homelessness in Benalla.

### Emergency services

**Mr D. R. J. O'BRIEN** (Western Victoria) — On Sunday, 22 June, I was proud to speak at an event to thank the regional emergency services at Halls Gap.

The 2013–14 summer bushfires posed a serious challenge to regional Victoria, with the worst fire conditions since Black Saturday. The event on Sunday was one of several held across Victoria to recognise emergency services personnel and their families for their contribution to the community. During the 2013–14 fire season there were major fires across the state, including in the Grampians, the Big Desert Wilderness Park near Red Bluff, East Gippsland and Morwell. The emergency services response to this fire season was the most coordinated we have seen, using the all-hazards, all-agencies approach, including the timely evacuation of Halls Gap.

The day was also an opportunity to pay tribute to the work of Don Kelly, regional director of the Country Fire Authority (CFA) in the Grampians region, whose retirement is imminent. It was really a day to thank the entire community, including the CFA, the State Emergency Service, Parks Victoria, Victoria Police, the Emergency Services Telecommunications Authority, the Metropolitan Fire Brigade, the Department of Human Services, Airservices Australia, the Victorian Council of Churches, the Red Cross, St John's Ambulance, Ambulance Victoria, the Salvation Army, the Lions Club and St Vincent de Paul on a job well done. Approximately 90 000 volunteers contribute each year across Victoria. We are indeed grateful for their efforts, and I commend them all for their work.

### EAST–WEST LINK

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

That this house:

- (1) endorses the policy of the Napthine government to build the full east–west link;
- (2) welcomes the road congestion relief and enhanced security provided by this much-needed second river crossing;
- (3) notes:
  - (a) the east–west link western section will provide community and economic benefits to the western suburbs of Melbourne by removing significant numbers of trucks from local roads; and
  - (b) the economic benefit to Victoria in terms of the construction jobs involved; and
- (4) further notes the project's significance to regional Victoria in terms of reduced travel times.

This very important project is a commuter project and also an economic project. It is about the movement of

freight and about tying the country and the city together, enabling commuters to move around as they need to in what is now a very large city. It provides security for the movement of goods, people and vehicles across our city.

A few weeks ago when the tunnels were blocked the system was unable to handle the capacity, and there have been other examples in recent times when either the tunnels, the bridge or the M1 have been blocked. This has a terrible impact on the city, the flow of goods and people, and the movement of goods from country Victoria into the city and in some cases through the city, whether to ports or other destinations in and around metropolitan Melbourne or in country Victoria. At its heart this is one of the most important projects in the state.

I agree that there needs to be balanced development of transport projects, and that is why the government, through its state budget, has announced a number of major rail projects that will also add capacity for commuters and for freight — the massive Dandenong-Cranbourne-Pakenham corridor project; the project providing a new tunnel from South Yarra Domain, Fishermans Bend and up to Southern Cross station, ultimately with a link to Melbourne Airport. That is the reason the zone 2 fare changes have been announced by the Minister for Public Transport and the Premier, and it is why the very significant changes to transport in the city structure itself have been announced. These are critically important public transport projects that will make our rail, bus and tram systems work better, enable better movement of commuters and ultimately enable better movement of freight, building on the regional rail project that Minister Mulder is delivering with such great capacity ahead of time, under budget and with great benefits to our state.

The east–west link is a critical project, particularly the western section that is opposed by the Labor Party. The western section of the east–west link is the next city-shaping road to support Melbourne’s rapid growth, help traffic flow more freely, improve Victoria’s productivity and connectivity, and make local roads safer. Today in this chamber we heard the Minister for Planning, Mr Guy, talk about the development of health facilities in the western suburbs of Melbourne where there has been massive population growth. We need to meet that growth. We need to realise that there will be more vehicles and a need for greater movement of commuters and freight. We need to make sure that the state is in a position to deal with those challenges and improve the options for commuters and their quality of

life, but importantly we also need to provide the freight and transport links that are so important.

The east–west link is an 18-kilometre cross-city road connection extending across Melbourne from the Eastern Freeway to the Western Ring Road. The project will make it faster and easier to get people and goods between the west and the east, avoiding local streets. The western section of the east–west link will transform Melbourne by completing the missing links from the Eastern Freeway through to the Western Ring Road and providing an alternative to the Monash and West Gate freeways for east–west travel.

Planning and procurement is under way for the first stage of the eastern section of the east–west link, a 6-kilometre section with a tunnel connecting the Eastern Freeway with CityLink. Construction is due to commence in late 2014 — this year — and to be completed by 2019. The approvals process is also considering a connection from CityLink to the Port Melbourne area, to provide a port connection. The western section, which involves detailed planning and further development of the connection from the eastern section to the Western Ring Road, will be under way in 2014 and involve extensive community consultation. It is expected that early works will commence by the end of 2015.

Melbourne’s west is growing and changing. I am sure Mr Elsbury would say, and Mr Finn would agree if he were in the chamber, that the west is growing and rapidly changing. An estimated 500 000 additional people are expected to live in the west by 2050. The west’s employment and industrial hubs are making what will be increasingly a major contribution to the economy. Continued population and business growth are increasing demand for good road links in the west, especially for trips to and from the city and the port, and connecting Melbourne’s existing freeway network. Gaps in the freeway network mean pressure on the West Gate Freeway as it is the only major east–west connection, leading to longer travel time for residents of the west compared with other parts of Melbourne and heavy truck traffic in local streets between the Eastern Freeway and the Western Ring Road.

We have heard members representing the west in this chamber complain about the traffic. Both the Greens and Labor were remarkably silent during 11 years of a Labor government. They did nothing about it, but now they are piping up about the undoubted challenge for truck traffic in the western suburbs and the challenge for residents in the west. Here is a partial solution to that, a step that will make a measurable and significant difference to the movement of goods and people and

take traffic off the local roads and make a significant difference.

As I said, gaps in the freeway network mean that the West Gate Freeway is the only major east-west connection. The western section of the east-west link will improve travel times by providing a 15 to 20 minute time saving for travel from Geelong, Werribee, Altona and Laverton to the city and a 10 to 15 minute time saving for travellers from Ballarat, Melton and Caroline Springs.

Importantly, it will improve the connectivity across Melbourne by providing a direct freeway connection for travel between the Eastern Freeway and the Western Ring Road and connecting the statewide freeway network. It will get freeway traffic off local roads by providing a complete east-west freeway, reducing the need for traffic to weave through local roads. It will relieve and compliment the West Gate Freeway, which is Melbourne's busiest and only east-west freeway and which is vulnerable to traffic gridlock when an incident occurs. It will improve freight efficiency by providing a vital connection between the port and key industrial centres in the west, reducing transport costs for business and supporting an estimated tripling of Victoria's freight by 2050.

We have had questions in this chamber about air pollution, and this project will reduce noise and air pollution. It will help residents in the western suburbs by providing a freeway option for thousands of trucks that currently travel through local streets. It will contribute to urban renewal in the west by creating a safer environment for pedestrians and cyclists, improving the amenity for locals and increasing the accessibility of employment and education in the west. It will facilitate major employment and investment opportunities as better transport access makes the west a more attractive location for businesses. It will boost the economy by creating 3000 jobs during construction and providing essential infrastructure for a growing city.

The western section of the east-west link is a critical component of a package of transport initiatives — a package I have already referred to. Melbourne's population is growing. There are more cars and there is more congestion. The challenge is there. The Monash-West Gate corridor is Melbourne's busiest and only east-west freeway. Carrying 200 000 vehicles per day it operates at capacity, and road users often experience traffic gridlock. As our population grows, and as our needs grow, it is important to meet the challenge. East-west link benefits include improvements in travel times, better

traffic flow, more reliable journeys, fewer traffic lights on cross-city journeys, greater choice in education and employment opportunities for more people in Melbourne and safer local roads. East-west trips are growing, and the east-west link will make a significant contribution there.

Victoria is also a very important freight hub. Home to Australia's main container port and two curfew-free international airports, Victoria has become Australia's freight gateway. Our freight and logistics sector generates major economic benefits for the state and is growing. It is estimated that by 2050 the freight task will have tripled and that truck movements will have more than doubled. That is being met by the government through a proposal for increased Melbourne rail capacity and also through these significant road projects.

The Monash-West Gate corridor is the busiest and most important freight route, but it is in effect at capacity. Without an alternative route, the future competitiveness of our freight and logistics sector will be at risk. Increased travel time will result due to congestion, adding costs to businesses and reducing our economic competitiveness. Other effects will include reduced business confidence because of unpredictable travel times, poor freight efficiency due to a lack of direct high-quality routes into the port precinct and between our freight industrial hubs and poor access to more affordable land in the outer western suburbs for industrial and logistics purposes.

The western section of the east-west link is vital infrastructure that will support our growing freight task, increase productivity and retain Melbourne's status as Australia's freight gateway. Delivery of the western section of the east-west link will complete the full 18-kilometre east-west link extending from the Eastern Freeway to the Western Ring Road. The western section in particular will see the increased freight efficiency and productivity and travel times I have talked about. These are important steps, and they will increase geographical market reach for businesses by better connecting Victorian businesses with their local, national and international markets. This will complement the role of rail freight, which is being enhanced in the projects the government has clearly announced and prioritised.

These will be significant benefits for the inner west of Melbourne. I know Mr Elsbury will have more to say about that in this debate. These benefits are significant because Labor's plan is not up to providing such benefits. The proposal under Labor's plan is like a bandaid for a broken leg. When the former government

highlighted the benefits of WestLink, Labor MPs talked about how important a second river crossing was to Melbourne, especially in the western suburbs. It now appears they have changed their tune and do not care. As always, those opposite take the west for granted. They claimed their proposal would take trucks off the West Gate Bridge. Trucks on Francis Street, Somerville Road and so forth were mentioned. These problems would not have been solved by Labor's plan. They will be helped by the government's plan. That is the reality.

There are significant benefits for the people of Ballarat and Geelong, benefits for people in Gippsland, benefits for people to the north and importantly benefits for people of the south-eastern suburbs. Others in this debate will say more about regions that are particular to them. They will be able to point clearly to some of these very important steps.

There is no question that the West Gate Bridge, the tunnels and the M1 are a real risk to Geelong and to the south-west of the state. As everyone in that area knows, they are vulnerable to closures. I recently spoke to a business group in Geelong, and it was clear that members of that group are very aware of the risks to freight and commuter traffic and of the fact that they can be stranded, or isolated, by an inability to move into or through Melbourne. It is not all about destinations in Melbourne; it is often about moving through Melbourne to other destinations. The bottleneck that exists now and that is at capacity is a significant risk. It is one of the highest priorities for G21 and the people of Geelong. It is clear that the people of Gippsland — and there are very significant businesses through Gippsland — need access to the airport and the port of Melbourne. For families coming to the football all of those points are significant.

**Mr Leane** — Acting President, I direct your attention to the state of the house.

**Quorum formed.**

**Hon. D. M. DAVIS** — I know that Labor members are very touchy about this motion because they have been caught out. We all know that many of them secretly support these projects, and some not so secretly. I know that both the ALP-aligned Construction, Forestry, Mining and Energy Union and Australian Workers Union support the east–west link project, as does the Electrical Trades Union. The Australian Logistics Council supports the east–west link project. The Australian Industry Group supports the east–west link project. Infrastructure Partnerships Australia supports the east–west link project. The Master Builders Association of Victoria supports the

east–west link project. The Property Council of Australia supports the east–west link project. The Royal Automobile Club of Victoria supports the east–west link project.

**Mr Barber** interjected.

**Hon. D. M. DAVIS** — Many of these are voters. Let me tell Mr Barber that even the union members I am listing are voters, as are members of business groups. For example, the Master Builders Association of Victoria represents builders all over the state. Let us think about those builders moving around the city. At the moment, when the M1 goes down, their day is gone; they are blocked from getting to a job on the other side of town. They are voters, they are builders, they are members of the master builders association and they understand the importance of the east–west link project. This is their economic future and the future of their families. Even when builders go to the football on the weekend, they want to get there and they do not want to be stuck on the bridge or in the tunnel. That is what Mr Barber and Labor would have them do. They do not want to build this project; they are opposed to it all the way through, although secretly many of their supporter groups say the east–west link should be built, because they can see the jobs, the economic benefit and the future of the state.

**An honourable member** interjected.

**Hon. D. M. DAVIS** — Yes, the Master Builders Association of Victoria is an association, but it is comprised of builders — people who vote, people who have businesses and people who go to the football. Even the Electrical Trades Union is comprised of voters; they are people who have businesses. Goodness gracious! They want these things built too, as do the Victorian Employers Chamber of Commerce and Industry (VECCI), the Committee for Melbourne, the Committee for Gippsland and the Urban Development Institute of Australia. Goodness gracious! Even Bill Shorten, the leader of the federal opposition, once supported this project, but now he has gone cold and run the other way.

Mr Cesar Melhem was a very strong supporter of this project before he came into this place. When he led a union he was a strong supporter; he understood that this was about jobs, the economic future and the economic prospects, but now he has turned. He has had a big turn. Somebody got his arm up behind his back and twisted it really hard and said, 'You be quiet, mate; change your view now you're in here'. He should have represented the people he represented when he was out there. He

should have represented the community rather than representing the faceless men of the Labor Party.

Even Assembly members Wade Noonan, the member for Williamstown, and Marsha Thomson, the member for Footscray, supported the east–west link at one point. Adem Somyurek also supported it at one point. The list goes on and on of people who have had a bit of a turn and a bit of a twist on the Labor side to shift their view.

It is important to understand the state-building aspects of this project.

**Mr Barber** interjected.

**Hon. D. M. DAVIS** — We only have to think of the RACV — a very big organisation comprising a heck of a lot of voters, Mr Barber — which said:

This section of the east–west link will help alleviate the massive congestion on the West Gate Bridge and local roads by providing an alternative route for motorists and freight users wishing to get across town or from the docks to the Western Ring Road.

The Master Builders Association of Victoria CEO said:

East–west link’s western section is a critical missing link in our transport network and it will improve ever-growing cross-city travel trips, including those undertaken by the builders and tradespeople constructing homes, workplaces, shops, schools and hospitals right across the city.

Goodness gracious! Those people actually want to drive to work and do their jobs as builders, and it is clear that the CEO of the master builders association supports it.

The CEO of the Committee for Melbourne said:

Not only will this major project be good for job creation and economic stimulation, the western link is also a very important productivity-enhancing project.

VECCI — which represents employers, who are also voters — stated:

VECCI has ranked the east–west link as the no. 1 infrastructure project for Victoria because by reducing congestion it will increase the capacity of Melbourne’s transport network, unlock productivity gains for business and improve social amenity, particularly in Melbourne’s expanding residential areas.

The Australian Logistics Council stated:

The western section of the east–west link has, until today, been the missing link in the government plans to improve freight efficiency in Melbourne, and so we strongly endorse today’s announcement.

The Australian Industry Group’s Tim Piper said:

The state government’s announcement regarding the western section of the new east–west link is an exciting project for Victorian industry.

The completion of the link will be a game changer for Melbourne transportation and provide significant economic benefits for the entire Victorian economy.

Regional Cities Victoria said:

Improved economic productivity is key to sustainable growth across regional Victoria. We are confident that better freight access to the port of Melbourne, as part of the second stage of the east–west link, will help regional producers to more efficiently transport their produce to markets across the region and around the globe.

Goodness!

**Mr Leane** — Acting President, I draw your attention to the state of the house.

**Quorum formed.**

**Hon. D. M. DAVIS** — The Australian Workers Union acting secretary, Frank Leo, said:

I think it will be important because a lot of people have been sitting on the sidelines since losing their jobs and I think that they’ll finally see that there is some light on the horizon.

Engineers Australia said:

The east–west link project has long been supported by Engineers Australia. The allocation of funding to complete the project will drive productivity, strengthen the state’s engineering capabilities and increase economic growth for Victoria.

The Property Council of Australia said similar things.

There are significant groups across the community saying that, and voters and commuters think the same. They know that there is congestion. They know we need to break through on this. They know we need the balanced development that we are going to get. The new rail and commuter projects and also the freight projects will make a difference. The balanced development of this important road project will make a huge difference.

Labor has flip-flopped on this issue. The Leader of the Opposition and member for Mulgrave in the Assembly, Daniel Andrews, does not know where he stands on it; he has opposed it, but he is not quite sure. It is about time Labor members stood up. They need to switch their opposition to this project. We know the Greens will never change; we are clear on that. We understand that the Greens will never support any road project, no matter how small or trivial. They will never support a road from here to there or anywhere. They will never support a road, and we understand that. But Labor

members ought to have more sense. The workers they allege to represent but in this case do not represent — the normal families who want to be able to get to work, get to their sporting events and get to see family and friends — ought to be supported by Labor on this project.

Daniel Andrews has sold out the people of the south-eastern suburbs, he has sold out the people of the western suburbs, he has sold out people in country communities and he has sold out our regional cities, and those people know — they all know — that he is flat wrong on this. Labor and Daniel Andrews are wrong, and they need to have a real rethink on this, because the community is going to desert them unless they do. The community knows that we need this project. People in the community know about freight, they know about businesses and they know about commuters. They understand and they feel the impacts every day. But Labor has its head in the sand. Daniel Andrews, the disgrace that he is, ought to understand better and he ought to get on board with this, change his tune, change his opposition and say, ‘I’m sorry, I was wrong’.

I look forward to seeing what the Labor members in this chamber do today, whether they are prepared to stand up for their communities, whether they be country or city communities, whether they are prepared to stand up for commuters in the country and in the city, and whether they are prepared to stand up for businesses and the movement of freight. I think they are too weak. They are too much under Daniel Andrews’ sway. He needs to back off. We will see what they do today, and whether they stick with their implacable opposition to this road.

**Mr TEE** (Eastern Metropolitan) — I welcome the opportunity to make a contribution to the debate on this motion. This really strikes me as the kind of motion you would get from a government that has completely lost the plot. There is no policy here. This is the first item of business for the government this week, and it is asking us to endorse a media release it put out on the second stage of the east–west link. That is all the government has got. There is no business case. We do not know where the road is going to go. There is no plan; there is no specification. We saw from the Minister for Planning today that there has been no planning process. We do not even know if we are going to get a comprehensive impact statement. This project is completely half baked.

What we do know, as this government has proven, is that this has been done in secret. The public has been excluded from the process, and the documents have

been hidden. We have had this secret, half-baked process, and so confident is the government about it that it will not even take the project to an election. If the government is that confident, it should release the business case. If it is that confident, it could delay the project for a month so we could go to an election on this issue. We would love to have an election on this issue. Instead of rushing this project through, instead of ramming it down people’s throats, why not have a debate in the community? Why not have an election? We know that this is not what people want. I reckon it is completely irresponsible of this government to use a motion to try to ram through a policy that people do not want. Let us take this issue to the election.

Instead the government is going to use its numbers in this house to force this motion through. It is going to use its numbers here —

**Hon. D. M. Davis** interjected.

**The ACTING PRESIDENT (Mr Tarlamis)** — Order! Mr Davis knows it is disorderly to interject, especially when he is not in his place but is passing by another member who has the call.

**Mr TEE** — The government is going to try to use its numbers to get this house to support a policy position that the public does not support. It is going to try to manipulate this chamber, and that is an outrageous abuse of process. To manipulate this chamber to force an outcome —

**Mrs Peulich** — On a point of order, Acting President, I believe Mr Tee is reflecting on the house, and that is against standing orders.

**Mr TEE** — On the point of order, Acting President, I am being very clear that I am reflecting on the government. I am not reflecting on the house, I am reflecting on what the government is attempting to do with this motion. I am not reflecting on this house at all.

**Mrs Peulich** — Further on the point of order, Acting President, maintaining that this chamber is going to be manipulated is a reflection on the house, and I believe you should ask Mr Tee to withdraw and apologise.

**Mr TEE** — Further on the point of order, Acting President, I am reflecting on what the government is attempting to do. I am not necessarily reflecting —

**Mrs Peulich** — Necessarily!

**Mr TEE** — I am not at all reflecting, nor would I reflect, on this house.

**The ACTING PRESIDENT (Mr Tarlamis)** — Order! There is no point of order.

**Mr TEE** — This motion is an outrageous abuse of process. It is an attempt by the government to legitimise a project for which it has no legitimacy. It is an attempt to create a mandate for a project that it never took to the election. It is an attempt to create some legitimacy for something that it has no mandate for. The government never took the east–west link to the people; it sprung it on them after the election. In order to have its way, it sprung this project on the public. It decided, ‘We are going to spring this on you, but we are not going to release the business case, we are going to keep it secret. We won’t let you vote on it, we will not take it to an election; we are going to force it down your throats, and then we are going to bring a motion to the chamber to give it an air of legitimacy’. That is outrageous, and the government ought to not try to use this chamber as a cover for a decision that has no legitimacy, that is entirely unwarranted and for which it has no mandate.

All we have from the government in relation to this project is a media release. That is all this motion hangs off. We do not even have an artist’s impression, and we know how quick the government can be to provide an artist’s impression. If members look at stage 1, they will see why the government will not release a comprehensive impact statement and will not release details about the process. If members look at what has come out in relation to stage 1 of this project, they will realise what a dud this project is. That is why the only thing the government has released is a media statement, because it does not want to release the rest of the details.

Government members do not want to debate the details. They want a debate that is based on spin and a media release. They want this project to be shrouded in secrecy, and they want to use this house to give this project a degree of legitimacy. That is because when you look at the details that have emerged about stage 1 — the details that have leaked out — you see that this is an appalling project. It is a project that no-one would support. It is a project that will see 100 families lose their homes. It is going to destroying parkland, waterways and sports fields. It will turn Melbourne into a construction zone for five years. It will require that dangerous contaminated soil be trucked 30 kilometres through Melbourne suburbs, and it will expose workers to that contaminated soil. It will result in Melbourne having two 15-storey acoustic sheds — one in Royal Park and the other one on Alexandra Parade. Those are the details of the project this government is trying to force onto Victorians.

The government does not want to release these details when it comes to stage 2. In relation to these details government members have said it is all in the media release — that the plan starts and ends in the media release and that the process starts and ends in the media release. They are not going to have a panel process. There is no commitment to a comprehensive impact statement, and there is no project plan out there, because when those details started emerging in relation to stage 1, people did not like what they were hearing. People were able to work out that this project is a dud. People were able to work out that there would be two great big smoke stacks in their suburbs, pouring out pollution 24 hours a day near schools, hospitals, homes and parks.

People do not want what this project offers, and they do not buy it. That is why the government will not take this project to an election, will not reveal the details of stage 2 and will not even release the details of its process for stage 2. The government wants to try to slide through the election on a media release.

Let us talk about the traffic modelling. The Linking Melbourne Authority has said that by 2031 stage 1 will improve travel time by 0.11 per cent. That means that a person who travels an hour each day will get home 4 seconds earlier if the east–west link is built. This project will save that person 4 seconds a day in travel, and Victorians are paying \$8 billion for those 4 seconds. That is \$2 billion per second.

*Honourable members interjecting.*

**Mr TEE** — Where did I get that figure? I got it from the Linking Melbourne Authority.

**Mr D. D. O’Brien** — Four seconds?

**Mr TEE** — Four seconds per hour. I am more than happy to make this information available to members opposite; they are not even aware of it. This data was not generated by the opposition. It comes from the Linking Melbourne Authority; it is the government’s data. I am more than happy to show this data to government members, who obviously need a bit more information. Instead of swallowing the party line, coming in here and vomiting it up for us, government members should look at what the Linking Melbourne Authority, to which the government has given this project, says about its benefits. If government members look at these figures, they will not be able to stand there and spruik this project, saying it will have benefits for Victorians, because there are no benefits.

Now that I have shared this with government members, when they go back to their party meetings one of them

may have the guts to stand up and say, ‘Excuse me, Dr Napthine, why is the Linking Melbourne Authority saying we are spending \$8 billion so we can save 4 seconds in an hour? Where is the value for Victorians in that?’.

**Mr Ramsay** interjected.

**Mr TEE** — Exactly. Mr Ramsay is right. What does the Linking Melbourne Authority say about stage 2? It says that after its experience of stage 1 the government is not even going to allow it to do the same with stage 2. Members heard the Minister for Planning speaking about this today. He said, ‘We have not made any commitment to anything. We have made no commitment to a project proposal. We have made no commitment to a comprehensive impact statement. We are going to run this thing by media release’.

*Honourable members interjecting.*

**Mr TEE** — That is what he said. Members were here to hear that. He said, ‘We are going to run this by media release’.

While we are talking about the information that has come out about this project, I point out that what we do know is that, in order to justify this process, the government has come up with some very dodgy figures and some very creative accounting.

What we know in relation to stage 1 is that the only way the government could justify the cost is by making some very bizarre assumptions. It has said that vehicle operating costs — this is the government’s data — will come down fourfold in the next 30 years. It has said that the cost of parking will fall by half. That is the kind of bizarre thing that has come out of this process. It is the only way you can create a mirage — that is, that stage 1 adds up, because it does not. Victorian taxpayers are being forced to foot the bill for a fantasy that is not going to deliver anything or make any difference. It relies on stuff that you would not find in fairyland. As I said, this chamber ought not be a party to this sort of manipulation; it is not an appropriate use of this chamber. It denigrates the chamber and the government. It is appalling.

There is another example of how this process is being abused — and I do not mean today. If you have a look at the time line for the delivery of stage 1, you will see that there is an independent panel that has produced its recommendations. The minister has had those recommendations since 30 May, and he is going to make a decision by 30 June about whether the project should go ahead, what authorities ought to be given and what the standards and recommendations ought to be.

We are still about four days away from knowing what the project looks like, but in the meantime the government has eliminated a bidder.

The tender documents are in on a project that has not been scoped out. The tenderers are being eliminated on a project when we do not fully know what that project is, because the planning minister, who sits in this chamber — he is not here at the moment of course — has not scoped out what that project looks like. He has got the report — which, as he indicated today, he will not release — and the recommendations, and he is going to make a decision on those. Those will scope out the project, but in the meantime the tender is continuing in this void. It is a totally flawed process.

Those in opposition are very concerned about the nature of this project. We are very concerned about its impacts and that many of those impacts are irreversible — that if this project goes ahead and a decision is made, we are going to be stuck with it, perhaps forever. That is why we are calling on the government to take this to an election. If it is that confident about a project that is going to redefine Melbourne, a project that is going to expose kids and families living in the inner city to a toxic cocktail of chemicals through its vent stacks, let us take it to an election. Let us not try to give it an air of legitimacy by ramming this motion through this chamber. Let us have a fair dinkum debate where all that information and the benefits can be debated. Let us release the business case and have a full and frank discussion. I know that as more and more information is being revealed, no matter what this chamber does, people in the electorate are just not buying this product.

The house ought not to be used in this way. The government is not doing the right thing at all by the chamber or by the Victorian public. The opposition will not be supporting this motion.

**Mr BARBER** (Northern Metropolitan) — I think, and I am sure many other Victorians think, that the east–west toll road is the stupidest project in Victoria’s history. I am yet to hear anybody explain, in debate today or at any other time, how connecting three congested freeways to each other cures congestion. There is not a single fact that has been put forward today that has suggested this will do anything other than increase the amount of traffic pouring on and off toll road ramps into the inner city, but if you tease out some of the propositions put forward by the government in its introduction, you find those answers. These sorts of things will not be in the cheat sheets that have been handed out to government members, but the fact is the government’s so-called freight plan is a plan

to massively increase truck traffic and will see rail's share of the freight task decline over time.

We are told that this thing is going to pull traffic off suburban streets but somehow make traffic flow more freely. There are constant references to a second river crossing when we have already got seven of them, including an expanded West Gate and a bunch of rail bridges that probably carry more people in morning peak than the West Gate Bridge does. It is a completely incoherent mess and an albatross around the government's neck. Everywhere I go, from one end of the state to the other, from the bush to the burbs to the inner city, I talk to people who agree that the \$18 billion thrown into this proposal to turn the city into a set of giant on and off ramps is a complete waste of money, and it could be — —

**Mr Koch** — You're only talking to your own.

**Mr BARBER** — No, Mr Koch, I just go door to door in Warrnambool and in Frankston. I was in Ballan on Saturday, going door to door — just a random selection of doors. Basically it is as follows: the Pope is Catholic, the sun rises in the east and this road tunnel is a complete waste of money. It could not be clearer. It is an albatross around the government's neck.

*Honourable members interjecting.*

**Mr BARBER** — I was at a sausage sizzle in the main street of Ballan, Mr Koch. You do not have to push people very hard to think up something they can have in their community that would leave quite a bit of change out of \$18 billion. We see again in the government's proposition that the government wound up all these self-interest groups and told them, 'It's a toll road or nothing. What do you reckon?'. They said, 'Oh, we're all in favour of a toll road'. But take any one of those groups — —

*Honourable members interjecting.*

**Mr BARBER** — The usual mates you see at the club: the Property Council of Victoria, the Victorian Employers Chamber of Commerce and Industry and the same set of recycled self-interest groups. However, get them alone and they will say, 'Okay, if I had my druthers, I would like to see business tax reform or more investment in education or clearing the congestion on Victoria's roads by buying more trains or development in renewables, for example — get the price of energy down'. If you take those business groups or their subsectors aside and ask them what it is that they really want that they can afford for \$15 billion, they will tell you that it is not a toll road. The toll road is simply the lowest common denominator that this

government could think up when it found itself in a tight spot after changing leaders, and it wanted to come up with a circuit-breaker or a game-changer or whatever piece of spewing rhetoric came out there before.

**Mr Ramsay** interjected.

**Mr BARBER** — Mr Ramsay brings up the Eastern Freeway. That brings me back to the other reason voters are so against this proposal. The promised investment in public transport that Mr Ramsay's party made in the run-up to the 2010 election never happened. Everybody understands that a railway line down the middle of the Eastern Freeway with perhaps 800 people per train coming in would shift more people in seconds than an entire lane on a freeway could do in an hour. The government promised the Doncaster railway; it delivered a toll road. It remains to be seen. I guess the government is racing ahead in great haste to sign the contracts so that it can have some kind of symbolic, ribbon-cutting shovel going into the earth of some piece of public park that will no longer exist.

It seems that the government's political position is pretty dire. If the recently published opinion polls are anything to go by, this government — the ruling party, the Liberals — is in a lot of trouble. I saw that it was 61-39 two-party preferred in Victoria, and what was it yesterday in the Nielsen poll? It was 65-35 two-party preferred. The federal Liberal Party is polling 29 per cent of the primary vote in Victoria, with the Greens on 15 per cent. We are going to have to revisit this whole question of who is a major party and who is a minor party at that rate. I say again: it is an albatross around the government's neck. People get it right across Victoria. Every one of them, motorist or public transport user, understands that that kind of money could build us a world-beating public transport system that would clear the congestion off our roads, move people efficiently at all hours of the day and still leave us with some change left over for schools and hospitals.

The Labor Party is very strong on its rhetoric against this tunnel after it flipped and then flopped and then flipped again and came back to a position of seemingly opposing the eastern bit of the project. Now I would say it is more dismissing the western half than opposing it. I certainly would not want to anticipate debate. I am going to need to stop there because — —

**Mr Ramsay** — Hear, hear!

**Mr BARBER** — I finally have Mr Ramsay's approval, which is something I have been requesting after for three and a half years. There is a bill in this

Parliament, and I would really like it if we could move onto it and deal with it as quickly as possible because it is in fact something more than a rhetorical debate proposition. It is a bill that will facilitate the east–west road tunnel by providing for the fruit and vegetable wholesale market in the port area to be turned into a giant construction base and depot for the east–west road tunnel. The vote on that bill will be very interesting because it is very clear that the intention of the provisions of that bill are to facilitate the construction of the east–west road tunnel.

I could go on debating this topic for a very long time. We have debated this topic for a very long time. It has been the subject of a huge amount of publicity, and the public simply has worked out in pretty short order that this is a bad project for Victoria and that there are many better projects that the money could be spent on. That is why the Greens have consistently, from the beginning, opposed the proposal to keep building more roads, none of which ever cure congestion and all of which then lead to demand for another massive, expensive, polluting road to be built. Therefore we will oppose the motion.

**Hon. R. A. DALLA-RIVA**

(Eastern Metropolitan) — I am pleased to speak briefly on Mr Davis’s motion. It is important to refer to the pragmatics of the motion before the chamber — the pragmatics of the project, as it were — and its benefits. I do not propose to go through the arguments that Mr Davis put. He outlined the support base that has been provided.

**Mr Tee** interjected.

**Hon. R. A. DALLA-RIVA** — I note the interjection from Mr Tee. I am not going to refer too much to what Mr Tee said, because his hypocrisy is amazing. He is part of the Construction, Forestry, Mining and Energy Union, which has a relationship with the Socialist Left faction to which he belongs. It is amazing that he can stand here and speak with forked tongue, so to speak. Labor members have been beating their chests, saying they will not support the east–west link, but then again, if it starts before the election, they will continue it.

As Mr Tee was speaking I was reminded of another member who may have stood here in the mid-1990s — I was not a member then — and argued that the CityLink project was bad. Some members may recall the long debates in which Mr Theophanous, a former member for Northern Metropolitan Region, and others argued and played politics and tried to get the inner city lefties to engage in the process — and that is what it

was, and that is why I want to get to the crux of the debate. Yet the CityLink tunnel has a plaque saying it was officially opened by the former Premier of Victoria, Steve Bracks.

**An honourable member** — Good man!

**Hon. R. A. DALLA-RIVA** — He is a good man, but he was in the same group that opposed it. I am demonstrating the hypocrisy of those opposite, who cry crocodile tears, arguing they will oppose something and saying it is this and that. At least the Greens have been consistent, whether you agree with them or not. If the Greens oppose this motion, I would probably say, ‘Yes, that makes sense’, because at least they have been consistent on this project. They have not swayed from their position. They did not argue beforehand that they would support it and then, when it has been built, oppose it.

We have had evidence time and again that Labor members support the east–west link, even members who now sit in the chamber on the opposite side. I know people keep on talking about Cesar Melhem, but I think he genuinely believes it is the right project for his people — members of his union. There would be people in certain parts of the union movement who would agree that this is a great project for the working men and women of the union movement. I know the arguments around it.

Turning to the motion before the chamber, there would be general endorsement of the construction of the full east–west link, except from the Greens, who have raised this time and again.

**Mr Ramsay** interjected.

**Hon. R. A. DALLA-RIVA** — They do not like roads; they would prefer us to travel by horse and buggy, and that is fair enough.

**Mr Elsbury** interjected.

**Hon. R. A. DALLA-RIVA** — We cannot use horses, that is right. They create greenhouse gases, which killed the dinosaurs and other things. Is it still raining outside? I put on the record that Melbourne is flooded, and meanwhile we are spending \$1.8 million a day for a desalination plant to protect us against climate change or global warming. I drove in today knowing that we were to have this debate and thinking that we were drowning in water, and yet we have this stupid situation.

Mr Tee spoke about the lack of process, saying, ‘How dare they go to an election and not make a

commitment, and then after the election make an announcement'. I recall the 2006 election campaign and a certain person who used to fly around in a helicopter, saying, 'We will not build a desalination plant'. At least the then opposition was honest. We said we were going to build a desalination plant, but we got pooh-poohed in the *Age* and other media outlets. The leftist side of the media supported Labor's arguments, saying it was bad and this and that. Six months later, without any process, Labor announced that there would be a desalination plant. Now, \$3 billion later, the taxpayer is being slugged \$1.8 million a day for the desalination plant. Mr Barber talked about the fact that money could be invested elsewhere. Imagine how much we could invest in our education system, particularly our schools, and in our health system with all that additional money.

When you have been here for a while, you start to see some of the hypocrisy that comes out. In opposition you have to be careful that when you make a statement, you do not find yourself exposed when you are elected to government. With the greatest respect to the Greens, at least they have been consistent about the east-west link. The saving grace for the Greens, as we know, is that they are like the Australian Democrats — they will come and go. I look forward to the emails, but they will come and go. Remember how strong the Democrats were? Where are they now? They are gone. They were a fad. People need fads. The current fad is climate change. We have got the fads here — —

**Mr Barber** interjected.

**Hon. R. A. DALLA-RIVA** — This will be the fad. The Democrats came in, and they have gone. The Democratic Labor Party came in. Where is it now? It has gone. Let us be realists. At least we can say the Labor Party, the Liberal Party and The Nationals will be here. Maybe in 12 years the Greens will be gone. There will be another party, and it will be concerned about saving the pink cat or something obscure. I am just being facetious.

The reality is that the Greens are a fad, but at least they are standing by their fad. At least the Greens are standing by their principles, and you have to respect that — as much as you respected the Democrats and the Democratic Labour Party many years ago, wherever they are now. I notice Ms Hartland smiling away. In 20 years time people will have forgotten about climate change, about how we are killing the environment and about everything else as we drown in an oversupply of water because our dams are full, though we are still, 27 years later, paying for — —

**Mr Barber** interjected.

**Hon. R. A. DALLA-RIVA** — I will take up the interjection. Do members recall sitting in the south-eastern car park? That was fantastic; it went to nowhere but traffic lights! Do members remember the Eastern Freeway? Similar to what is happening today there were lefties from the inner city opposed to it, chaining themselves to things, saving the whales and saving everything else. Mr Barber was there trying to stop the Eastern Freeway. It is now built, and not only is it built but it continues all the way down to Frankston and the Mornington Peninsula. That is great for industry and great for people who travel around this great state.

What we are proposing is the missing link between the Eastern Freeway and the Western Ring Road. That is what this is about and that is all this is about. We are still building train lines and doing other public transport projects. This is about delivering a project for the good of the people. As I said, I respect the Greens in terms of where they stand. I am just sad that they will be gone in about 20 years time — but the pink kitten party will most likely be in power then.

**Mr D. R. J. O'Brien** — The Pink Panther!

**Hon. R. A. DALLA-RIVA** — The Pink Panther? Let us not go there; we can talk about other matters. It is fair to say that the motion is well drafted in the sense that it talks about the economic benefits of construction jobs, and, as I indicated before, the majority of the union movement would support this motion.

**Mr Barber** interjected.

**Hon. R. A. DALLA-RIVA** — I note Mr Barber's interjection and, again, I respect his position, but Melbourne is growing and the projections are that we will be a city of 5, 6 or 7 million people in the future, so we obviously need to continue that program.

In terms of regional Victoria and the significance of reduced travel times, the movement of trade and freight is very important for the state. As we continue to expand our international engagement with produce being sold overseas, getting goods to our ports and airports as quickly as we can is crucial, and utilising the east-west link will be a part of that process. It is fair to say that this motion is sensible, but it is a motion that I expect the Greens to oppose for their real reasons; they believe in what they are doing.

**Mr Barber** — Labor will have to flip a coin.

**Hon. R. A. DALLA-RIVA** — I am glad Mr Barber raised that issue, because it will be interesting to see what Labor does. It will most likely oppose this motion,

despite knowing that half of its members, if not more, actually support the east–west link. The problem is that Labor will oppose the east–west link but, come the election — and heaven forbid that it gets in — guess what will happen? Labor will keep building it. The tunnel will have a plaque presented by a Labor Premier saying how wonderful the project is. Labor will not deliver it on budget or on time, but it will at least have its plaque, as it does for CityLink. With the greatest respect, I expect the Greens will oppose it, but Labor members are hypocrites.

**Ms HARTLAND** (Western Metropolitan) — My contribution will be quite brief. I found Mr Dalla-Riva's contribution amusing. Yes, we do stick by our principles, and I know this is quite unusual in politics. I have a series of questions for the minister to address during his right of reply. They are fairly basic questions, but I have been unable to have them answered. What is the route of the western section of the east–west link? How close will the freeway, tunnel or viaduct be to homes? The government does not seem able to decide whether it will be a freeway, viaduct or tunnel. On which streets will the vent stacks be located? How many houses will have to be acquired for it to be built?

How many trucks will it take off the roads? There are 22 000 truck movements per day in the inner western area, so how many of those truck movements will be eliminated? Placarded trucks, which carry highly flammable and dangerous loads mainly from the Mobil depot in Yarraville, cannot travel through a tunnel or a viaduct, so what route will these trucks take? Presumably they will still be on residential streets. Will this project be a tollway? Will trucks be exempted from the tollway? If trucks are not exempted from the tollway, we know they will not use it, so how will they be forced to use the new tollway? This is a really basic question: if the government is so proud of this project, why has it refused to release the business plan, and why will it not take the east–west link to the election?

Has the government considered some of the other transport projects that could be built with the \$8 billion that will be spent on this project? In the west there could be a major upgrade of Point Cook Road and buses on a 10-minute timetable so that people get to the train station on time and do not see their train leaving the station. There could be an upgrade of the Melton-Bacchus Marsh line and more services on the Werribee and Williamstown lines. Trains continually bypass the Altona loop, and somehow the Minister for Public Transport thinks it is acceptable to leave people behind at stations or not let them get off at their station.

What about more services on the Williamstown and Sunbury lines? I live in West Footscray, and according to the previous plan that the ALP put forward, my community will be greatly impacted by this project in terms of construction, houses acquired and houses that will be very close to the route — once we know what the route is, because the government has not been prepared to specify which streets will be impacted. We fought it off when it was the ALP plan, and we will fight it off again.

**Mr ELSBURY** (Western Metropolitan) — It is my pleasure to rise to speak on the motion. I do not think I have hidden my opinions on this matter from anyone who cares to listen, but I must say that the other night I was at home watching *Lord of the Rings* and I noted a particular scene where the travellers were being chased through tunnels and the wizard turned around as he was fighting off a demon and said, 'You shall not pass!'. That is what Labor members are telling the people of the western suburbs — 'You shall not pass! You shall not get the access you deserve to the city of Melbourne'. It makes no sense that they are treating the people of the western suburbs with such contempt. They have done it time and again. Finally we have it in full relief — what they think of the people of the western suburbs.

I was interested to read an article in the *Herald Sun* of 19 June this year headed 'Magistrate delivers protesters lecture on east–west benefits'. The article states:

Magistrate Jonathon Klestadt told Main and co-accused Ashley Hall that as a 'long-term resident of the western suburbs' he was 'acutely aware' of the need for a road connecting Melbourne's east and west.

Irrespective of one's political allegiances or personal views, I cannot be swayed seriously that such a need doesn't exist', he said.

The West Gate Bridge is a nightmare at all hours of the day. Footscray Road and Dynon Road carry far more traffic than they were ever designed for'.

That is exactly what Labor will leave us with if it does not build this project — if it does not build the second stage, which it has said it will not build, because its leader is from the other side of town and does not want it. I have to say the Greens are not much better, because I noted that in his speech Mr Barber was talking about the need for added rail capacity, but when we talked about rail capacity and said we were going to build the Caroline Springs railway station, Mr Barber, in the Ballarat *Courier*, lampooned the idea because the train will have to stop one more time. He ignored the additional rolling stock that will be provided as a part of the regional rail link — the additional rolling stock we

have been able to provide because we have managed that project so very well, and we will do it again.

We will manage this project exceptionally well and within budget. We will be able to deliver to the people of Victoria a project that will last many years — decades — and will provide the people of Victoria and the people of Melbourne's west with the services they so very much deserve. Yesterday I was glad to see that two bidders for the eastern section of the east–west link have been put on the short list. They are East West Connect and the Inner Link Group. I wish them all the very best and God's speed in being able to start the construction.

I have been very open and honest in my opinion about the east–west link. I have said from the beginning that I wanted the western section to be built first because I am a parochial kind of guy. I want my community to benefit first, and I am proud to represent my community once more because the west is growing at a huge rate. There are expected to be half a million additional people moving into the west by 2050. We need to provide a better connection that will enable those people to get to work and to take up educational opportunities in the eastern suburbs, and to be able to come and go. We will even let the people from the east come over and visit Victoria University every so often; we will let them come over and experience the University of Notre Dame campus at Werribee and all of the other opportunities in the western suburbs.

The number of people who have said they support this project is large. The member for Tarneit in the other place, Mr Tim Pallas, speaking on a MacroPlan Dimasi cost of closure report into the West Gate Bridge, said on 26 August 2013:

The fact the government has denied the need for an urgent second river crossing shows their priorities lie against the people of Geelong, Ballarat and the western suburbs of Melbourne.

He can see it, but unfortunately he cannot talk about it anymore because his leader has given him the kibosh — you have to stay shtum on these things, otherwise you get into strife from your leader. I will be supporting the east–west link in every possible way because I can see the benefits for the people of the west and the people of Victoria.

**Mr RAMSAY** (Western Victoria) — It gives me great pleasure to speak to the motion, and I appreciate the opportunity to do so.

**Mrs Peulich** — Where are the Geelong-based Labor MPs? Why aren't they speaking?

**Mr RAMSAY** — Sadly lacking, Mrs Peulich. I want to support my colleague Mr Elsbury, particularly in relation to what the east–west link means to those who live in the west, and like him I have also been a strong proponent of the western section of the east–west link because many years ago — and in fact I suspect Mr Elsbury may well have still been in nappies at this time — when I drove my car towards the West Gate Bridge I would have to join the queue at Werribee at about 7 o'clock in the morning in order to cross the bridge. We have moved on through the years, and sadly it is now more like 5 o'clock in the morning when we are sitting around Werribee waiting for traffic to move very slowly across the West Gate Bridge. During Labor's 11 years in government it is a shame that it did not see this was going to be a significant problem and that it did not create some visionary infrastructure to help alleviate it.

This east–west link is visionary. It is real, and it is urgently needed. It is like the work that has been done on the Western Highway, a \$500 million duplication which is having a significant impact on that corridor for both freight and road travel and in opening up regional cities like Ballarat, Ararat and Horsham to the South Australian border. It is going to be a huge asset for those who live in the far reaches of western Victoria, because they will be able to get onto the Western Highway and onto the duplication and travel directly to Melbourne without facing a traffic light — and in a significantly reduced time.

Another good investment by both the state and federal governments is the Princes Highway west duplication from Geelong to Winchelsea, and now there is an additional commitment to extending the duplication to Colac. That duplication is going to be fantastic for people who live in the south-west of western Victoria. This is all visionary stuff for road infrastructure and is complementary to the work that is being done with the east–west link. In fact if I can indulge in a moment of self-interest, from the little town of Colac where I live I will be able to travel on the Princes Highway duplication to the Geelong Ring Road through to the western east–west link and shoot across to the other side of the city without hitting a traffic light for nearly 200 kilometres. That is a huge advantage for road travellers and also for freight logistics.

The east–west link is an 18-kilometre cross-city road connection. Its western section will transform Melbourne by completing the missing link from the Eastern Freeway to the Western Ring Road. Planning will start this year, and works will commence in 2015. This is no pipedream; this is reality. As has been

mentioned, we are going to see 500 000 additional people in the west by 2050, and they will not all travel by train or pushbike. They will require road infrastructure to move them from their place of domicile to their workplace and beyond. The West Gate Freeway is the only real major east–west connection, and of course that comes with risk, as we know and as we have seen whenever there is a serious accident on the West Gate.

The advantages of the western link will be the improved travel times, not by 4 seconds, as Mr Tee would have us believe, but up to 15 to 20 minutes, and that will be a huge saving for those of us who live in the west. It will also remove traffic congestion from local roads. It will relieve congestion on the West Gate Bridge and it will increase freight efficiency, and that is very important for farmers wanting to move freight from their properties to the port, whether it be on road or rail. It will reduce noise and pollution, which I am sure Ms Hartland would appreciate, and it will support urban renewal.

We have talked about the employment investment opportunities with more than 3000 jobs created during the construction of the east–west link. We have talked about the freeway itself, east–west, which is currently carrying over 200 000 vehicles per day. The road network in the west will be unable to cope with the future demands. Once completed, the western section will be able to carry more than 100 000 vehicles per day. It will be more reliable and will have fewer traffic lights, as I have said, and it will be safer. By 2031 there will be a 38 per cent increase in east–west road transport with more than 440 000 people travelling on the east–west link. Importantly it will provide competitiveness for our food producers and our businesses with more efficient freight movement into our port precinct. It will also boost freight logistics by providing more route options and road space for an increase in freight volumes.

Labor's plan for a West Gate distributor is like treating a scratch rather than performing open heart surgery. It is open heart surgery that we need on this road connection. The 5000 trucks they say will reroute from Francis Street and Somerville Road do not even go across the West Gate Bridge, so we are not talking about any sort of congestion.

There will be benefits for Ballarat and Geelong. I live in the Geelong region and work in the Ballarat region, so I can understand the significant benefits of the duplication of the Princes Highway and the Western Highway, the new Deer Park bypass for those living in

Ballarat and a direct connection from WestLink to EastLink and over to the eastern side of the state. There will be time savings of 10 to 15 minutes for those travelling to Melbourne from Ballarat and Geelong. It also provides an alternative route if the West Gate Freeway is gridlocked. It will provide easier access to the port of Melbourne for freight and also provide a direct link from the Western Highway and the Princes Highway to CityLink and to the port.

**Mr Barber** interjected.

**Mr RAMSAY** — Mr Barber is chirping away, I suspect wanting only a new bike track, perhaps from Edenhope to Melbourne or from Portland to Melbourne.

**Ms Hartland** interjected.

**Mr RAMSAY** — I refer Ms Hartland to the opposition.

**The ACTING PRESIDENT (Ms Crozier)** — Order! Ms Hartland and Mr Ramsay should direct their contributions through the Chair.

**Mr RAMSAY** — As I was saying, it is interesting to hear the opposition chirping away and now opposing the east–west link. I remind the house of comments from Cesar Melhem prior to the proposed east–west link being brought to this house. He said that it would be crazy not to build the east–west link. Tim Pallas, the member for Tarneit in the Assembly, was quoted as saying that WestLink is an important project for Melbourne.

From Wade Noonan, the member for Williamstown in the Assembly:

Reducing the reliance on the West Gate Bridge is absolutely critical for Melbourne's growing western suburbs ...

This WestLink project is ... vital to Melbourne's west ...

Former Labor Premier John Brumby said he supported the second east–west link crossing. Another former Premier Steve Bracks said that the government would take steps to fully explore and access options for the development of another east–west link.

Martin Pakula, the member for Lyndhurst in the Assembly, has said that the lack of Greens support for an east–west link is punishing motorists from the west.

Ben Carroll, the member for Niddrie in the Assembly, said:

I think it's good the government is providing funding for the East West link tunnel ...

What is a common factor for all the members, past and present, who made these comments? They are or were Labor MPs, every one of them. They were all supportive of the east–west link when asked to make some comment on that proposed project.

Apart from the Labor politicians who supported the east–west link project, I also refer members to the RACV, the Master Builders Association of Victoria, the Committee for Melbourne, the Victorian Employers Chamber of Commerce and Industry, the Australian Logistics Council, the Australian Industry Group, Regional Cities Victoria and even the Australian Workers Union, Engineers Australia, the Property Council of Australia and the federal government, with its \$3 billion in support. Who is missing in these lists of luminaries — of Labor MPs and industry organisations? Who is opposing the east–west link? Who is out of touch with the industry groups that I mentioned and with Labor members of Parliament, small business, farmers, tradespeople, exporters, unions, and road users of all types who are supporting the east–west link? It is Daniel Andrews, the Leader of the Opposition and member for Mulgrave in the Assembly. He is the missing link. The Leader of the Opposition has missed the call of the Victorian community for an east–west link and a second crossing of the river, a vital link for those living in the west. That is why I support this motion.

**Mrs PEULICH** (South Eastern Metropolitan) — I rise to speak briefly in support of this visionary project that will revolutionise and strengthen our provision of transport systems, not only for commuters but also for business, freight and, most importantly, for my constituency — that is, Melbourne’s south-east. I endorse and support Mr Davis’s motion:

That this house —

- (1) endorses the policy of the Napthine government to build the full East West Link;
- (2) welcomes the road congestion relief and enhanced security provided by this much needed second river crossing;
- (3) notes —
  - (a) the East West Link western section will provide community and economic benefits to the western suburbs of Melbourne by removing significant numbers of trucks from local roads; and
  - (b) the economic benefit to Victoria in terms of the construction jobs involved; and
- (4) further notes the project’s significance to regional Victoria in terms of reduced travel times.

I would add to that the benefits that will flow from the alleviation of traffic congestion across the south-east, which is an important corridor for which the coalition government has announced significant infrastructure investment.

It should not be lost on anyone who is in this chamber or someone who is going to read some of this debate in *Hansard* or is perhaps watching this debate via the live streaming of Parliament that there has been only one Labor MP speaking on this motion, and that is Mr Tee, who is a member of the Socialist Left, the same faction as Daniel Andrews, the Leader of the Opposition and member for Mulgrave in the Assembly. It should not be lost on anyone that there is a deathly silence from the Labor benches here in this chamber. I imagine, should a similar debate occur in the Assembly, there would be a deathly silence there as well.

The Labor members of the South Eastern Metropolitan Region — Mr Tarlamis, who usually makes a contribution to debate in this chamber; Mr Somyurek, who is on the record as supporting this project; and Mr Jennings — have not said a word. They are absent from this important debate because they know it is something that is called for and supported by key stakeholders in the south-east, as well as many commuters. It is expected that this project will lighten traffic on a key piece of road infrastructure, the Monash Freeway, which is a headache for anyone who has to use it, in particular those who commute to Dandenong or Mulgrave. That includes the electorate of the Leader of the Opposition in the Assembly, whose own commuters would be better off if this project were built; and the shadow Minister for Roads, Mr Donnellan, the member for Narre Warren North in the Assembly, who lives in Carlton or somewhere in the inner metropolitan area and does not need to face the challenge of a congested Monash Freeway at peak hour either in the morning or at night — a level of congestion that is magnified many times over when the weather is bad, as it is today.

I also mention Ms Graley, the member for Narre Warren South in the Assembly, who has been silent on this project. She does not need to contend with the traffic congestion on the Monash Freeway because she lives in Mount Martha, some 40 kilometres away from the electorate she has been elected to represent. The Labor members of South Eastern Metropolitan Region are silent. They are absent from this debate, as are many of the regional MPs in this chamber, such as Ms Tierney. It speaks volumes, because G21, for example, has been very vocal in support of this project, as have many key stakeholders across the state, starting with the unions. Thousands of jobs will be involved in

the construction of this project, and there will be an improvement in travel times and there will be a necessary critical second river crossing.

No-one would want to anticipate a disaster or some mishap occurring on the West Gate Bridge. But where would we be without this visionary second river crossing? It is absolute madness and lunacy to oppose it. The opposition knows it, and that is the reason its members are not speaking against this motion. In terms of the Greens, let me say they are totally out of touch. They are simply representing the views of their inner metropolitan support base. They are cauterising their support rather than expanding it to those who perhaps are able to catch public transport and travel very short distances, use the free tramway in Melbourne or ride their bicycles. Regrettably, in the area that I represent we do not have the option of riding bicycles into the city. I live some 28 kilometres away, and it is not unusual when there is inclement weather for it to take me up to 2 hours to travel into Melbourne.

I welcome this particular announcement. I also welcome the \$370 million that was announced in the recent budget to maintain and restore our road network across Victoria and the \$2.2 to \$2.5 billion commitment to the Cranbourne-Pakenham rail corridor project, which will deliver benefits to all in the south-east. I also welcome the commitment to the Melbourne rail link, which will transform our rail network and create 3700 new jobs at the peak of its construction, reducing travel times and moving an extra 35 000 passengers during peak hour.

The Labor Party has been out there canning this project because it does not believe in it. It does not have a vision for increasing the capacity of our public transport system, including our trains. Those opposite have been out there trying to find pinch issues. They are opposing this. Where is their vision for improving transportation — public transport as well as the road system — for the state and specifically the south-east?

The east-west link will relieve traffic congestion in the south-east and provide an alternative to the West Gate Bridge. We welcome that. The constituents of Mulgrave will welcome that, as will the constituents of Narre Warren North, Narre Warren South, Cranbourne and the South Eastern Metropolitan Region. The airport rail link will connect Melbourne Airport to the city, delivering a convenient and efficient rail transport system. There is also the largest level crossing removal program on record, with funding for delivering or planning 40 level crossing removals and grade separations, many of them in the south-east.

The reason we did so well at the 2010 election was because of the chronic underinvestment in infrastructure by the Labor government. In addition to that waste and mismanagement accompanied significant projects. People can see that when money is wasted on something like the overexpenditure on the desalination plant, for which we will pay \$2 million each day for the next 30 years, they will get less in infrastructure investment, less in roads, less in public transport, fewer schools being upgraded or built and less investment in health. We saw waste, mismanagement and failure to invest in infrastructure by those opposite.

I am delighted to stand up here and be a voice for the south-east, which is in stark contrast to those members who purport to represent the south-east but are nowhere to be seen in this debate. They are not in this chamber to vote or to put their views on the record, because they do not want to. They know full well that key luminaries, key Labor Party identities, key unions and key business and peak bodies are in support of this. They do not want to be on the record for the position they are going to take when they come in here to vote.

Not only that, but members of Labor Unity and the two splinter groups do not want to go on the record supporting something they consider Daniel Andrews to be making a mistake on. There is significant internal party dissent on this particular issue, and it shows that Daniel Andrews is increasingly isolated on this policy position. That is the reason why Labor MPs are not speaking in this debate. With those few words, I commend the motion to the house.

**Mr D. D. O'BRIEN** (Eastern Victoria) — I rise to speak briefly on the motion put forward by the Leader of the Government. I will speak about the benefits for Gippsland of some of the projects we are talking about, including the east-west link. Those benefits have been outlined by the Leader of the Government. There are benefits for Gippsland in that the east-west link will provide a second major crossing of the city and reduce pressure on the Monash Freeway and the CityLink tollway. There are benefits for Gippsland in getting export products to the port of Melbourne and for Gippslanders who want to get to the airport. In addition to the east-west link is the airport rail link. Various groups in the house go on a lot about rail, but I do not hear a lot of support for the airport rail link. There are benefits for Gippsland and eastern Victoria, just as there are benefits for the western suburbs and the western part of Victoria, including Ballarat and Geelong, about which my colleague David O'Brien will be aware. Those benefits have been outlined by my colleagues.

As a Gippslander who is not firmly focused on these particular projects, it surprises me that the Labor Party does not support them. I do not understand why the Labor Party does not support these projects. They are two great projects for the western suburbs of Melbourne. This is not my heartland area, but I used to think the western suburbs were the heartland of the Labor Party. I thought it was an area the Labor Party would support.

**Mr Barber** — No, it's going Greens now.

**Mr D. D. O'BRIEN** — It is interesting that Mr Barber interjects with that point, because I can only come to one conclusion as to why the Labor Party does not support these projects, and that is that yet again Labor Party members are being dragged around by their noses by their fellow travellers in the Greens. Mr Barber is sitting there grinning like a Cheshire cat because he knows he cannot lose on this debate. He has got the Labor Party exactly where he wants it. He gets to oppose the project, as the Greens will. They will oppose anything that is not a solar-powered bicycle, because they do not want any sort of progress in this country.

**Mrs Peulich** — And wind-propelled bicycles.

**Mr D. D. O'BRIEN** — Wind-propelled bicycles, Mrs Peulich, would be another option for them. That is exactly what is happening here. Members of the Labor Party are doing the bidding of the Greens, as they did in the previous federal government. They are doing it again now. They are putting the inner city concerns of the Greens and the inner city suburbs ahead of their traditional support base in the western suburbs. Labor has dropped the western suburbs like a hot scone. It has dropped Geelong and Ballarat like hot scones. It is going ahead because of a concern that it will lose the inner city seats to its fellow travellers in the Greens.

**Mrs Peulich** — To the cafe latte set.

**Mr D. D. O'BRIEN** — Mrs Peulich is right, the latte set. People in the latte set are riding their solar-powered bikes into the city, but the rest of us who live in the regions, the country and the outer suburbs need decent transport links. It is absolutely critical that this government gets on with the job of building the east–west link.

I find it astounding that the Labor Party has backflipped so comprehensively on this project. We know, as has been pointed out, that this will improve travel times from Geelong, Werribee, Altona, Laverton, Ballarat, Melton and Caroline Springs. It will improve connectivity across Melbourne. Importantly for my

region of eastern Victoria it will take pressure off the one main link we have now — the Monash and CityLink. It will get freeway traffic off local roads and will relieve and complement the West Gate Freeway. There is, however, no explanation as to why the Labor Party no longer supports this project.

Mr Davis listed some of the supporters of the project, and I will list them again: the RACV, the Master Builders Association of Victoria, the Committee for Melbourne, the Victorian Employers Chamber of Commerce and Industry, the Australian Logistics Council, the Australian Industry Group and Regional Cities Victoria. I think he also mentioned that even the Committee for Gippsland supports this project, as does the Australian Workers Union. We also heard earlier that the Construction, Forestry, Mining and Energy Union supports the project, and Mr Melhem, who sits opposite, must be squirming uncomfortably whenever this debate comes up. Engineers Australia and the Property Council of Australia also support this project.

But who is missing from that list? Who does not support the east–west link project? The answer might explain why the Labor Party does not support the project. The Australian Greens do not support the project, so Labor says, 'Oh, no! We can't let the Greens get something up on us in the inner city; we might lose Melbourne and Richmond. We've got to get Greens preferences. Let's drop the western suburbs and forget all about the people we've represented for 100 years and chase Greens preferences and Greens votes'. That is exactly what members of the Labor Party are doing.

**Mrs Peulich** — Sacrificed on the altar of Greens ideology.

**Mr D. D. O'BRIEN** — That is exactly right. Those people who have faithfully supported the Labor Party for decades have now been sacrificed by Labor on the altar of Greens preferences. I do not like to give credit to the Greens, but I will give it to Mr Barber, because here he is again leading Labor Party members around by the nose and telling them what they should do. Daniel Andrews, the Leader of the Opposition and member for Mulgrave in the Assembly, has jumped. He is doing absolutely what the Greens would like him to do, and members of the Labor Party simply do not get it. They have forgotten all about their core support and all about the importance of providing links, providing infrastructure and providing efficient movement across our major city, and as a result they are not supporting this project.

Labor does not get it. Labor members will follow the Greens and continue to do things that suit Labor

politically but do not support the people of Victoria, particularly the people Labor represents in the western suburbs. As was alluded to earlier, Mr Elsbury and Mr Finn are doing a better job of supporting the people of the western suburbs, and I suspect the people of the western suburbs will notice that come 29 November.

Labor does not get it. Labor will continue to be led around by the Greens, which is a sad thing, but the good thing is we are getting on with the job. This is a good project for Victoria, a good project for my electorate of Eastern Victoria Region and a good project for all of Victoria. I look forward to its completion.

**Mr D. R. J. O'BRIEN** (Western Victoria) — It is indeed a pleasure to follow my colleague Mr Danny O'Brien on this motion. He has summed up many of the arguments extremely well.

**Mr Barber** interjected.

**Mr D. R. J. O'BRIEN** — Mr Barber asks how the Greens are going, and I will take up not only his interjection but also previous comments he made during this debate. An interesting article appeared in the paper on the issue of Labor and the Greens and their attitude to this motion. The article states that members of the Greens movement have spent some time 'cannibalising' — I like that word — the Labor Party. I found that a very apt word, because the Greens seem to oppose people eating meat. I would love to hear Mr Barber on the record on this issue. Here is his chance to tell the people of western Victoria what he thinks about the consumption of kangaroos. Is he going to change his attitude on that? Silence! The cannibal has gone silent. He will not let us eat Victorian kangaroos. He will not let people eat live export meat.

**Mr Barber** — That's your re-election strategy, is it?

**Mr D. R. J. O'BRIEN** — I am happy to put this on the record all over western Victoria, Mr Barber, because it shows again the lunacy of the Greens, but we are very happy for the Greens to cannibalise, as they seem to want to do, the left of the Labor Party, because that is probably a good place for them.

The Greens and the Labor Party are fighting it out on the Socialist Left, communist left, hard left side of those parties, cannibalising each other over their staunch opposition to the east-west link.

**Mr Leane** interjected.

**Mr D. R. J. O'BRIEN** — I am sure Mr Leane might like to cannibalise some Greens, because he was a former construction worker and — —

*Honourable members interjecting.*

**The ACTING PRESIDENT (Ms Crozier)** — Order! There is too much background chatter among members to my left.

**Mr D. R. J. O'BRIEN** — I am sure that if Mr Leane was able to speak his mind he would support a project that will deliver significant job boosts in construction for the whole of the state. This is a state-significant project. It is providing a link not only across our metropolitan city but also for our main freight and logistic movements across the state. It is providing a much-needed second river crossing of the Yarra and linking the freeway networks that cross Melbourne and link the eastern and western parts of the state. This project will provide significant benefits to the people of Western Victoria Region, who are represented in this house by me and by Mr Koch, Mr Ramsay, Ms Tierney and Ms Pulford.

Even though this project is being constructed in metropolitan Melbourne and will provide jobs for metropolitan Melbourne, interestingly it is opposed by the Labor Party and the Greens in metropolitan Melbourne. The project will provide significant benefits for the western part of Victoria, particularly in the regions that I represent, for those heading out on the Western Highway and beyond, through to Ballarat and those important grain-growing areas and other areas that require export access to our ports. The project will increase exports, increase traffic movements and — —

*Honourable members interjecting.*

**Mr D. R. J. O'BRIEN** — I thank Mr O'Brien and Mr Barber for that question: what are we doing about freight? We are very proud to deliver not just the east-west link but also a range of integrated projects because we can deliver surplus budgets, because we can deliver long-term planning and because we delivered on our promises and kept our budget in surplus.

**Mr Barber** interjected.

**Mr D. R. J. O'BRIEN** — Yes, Mr Barber, we are delivering for western Victoria, and for northern Victoria we are delivering the Murray Basin rail project. We are putting in \$220 million to put together a rail project that people have been waiting over 70 or 80 years for in terms of the standardisation of our rail

gauges not only across the northern part of the state but also linking with Geelong and the ports.

We are also planning bypasses for Beaufort and Ararat in the lower house electorate of Ripon, which I have worked very hard to achieve and which will secure the structural certainty that those important towns need so they can get on with their associated rezonings and grow, and continue to support our growing regional populations.

In relation to Geelong in particular, benefits from the western section of the east-west link will include travel time savings of around 15 to 20 minutes and an alternative route to the West Gate Bridge. We have seen the Labor Party's fumbled attempts to come up with an alternative policy that can match that. Its policy has been described as a bandaid for a broken leg. It is probably a lot worse than that, and it certainly will not stop the cannibals in the Greens party seeking to consume more Labor bones.

Mr Pakula, the member for Lyndhurst in the Assembly, and others once spoke of their support for this project. We have heard that from other members today. Former Premier John Brumby said:

I think what is undeniable, in Rod Eddington's report, is that the city does need a second east-west crossing ...

... one way or another we've got to address this issue of a second east-west crossing ...

As I mentioned, Martin Pakula has spoken about the Greens. He said:

... the Greens have told motorists in the middle and outer west to 'stick it' — no new river crossings and no new roads for them. Car drivers in the west are to be punished, sacrificed on the altar of green ideology.

We have heard about this from Mr Foley, the member for Albert Park in the Assembly, who in his own document that he published earlier in the year about the internal machinations of the Labor Party identified that in fact there were vampires in the Labor Party. He said that these vampires were a real problem for the Labor Party, and we have seen with the unravelling of the federal Greens-Labor alliance what damage can happen to this state when that mob gets together. It is like one plus one equals a very big negative number, because that is what they send this state and this country into in terms of debt. We must protect ourselves against their failure to give a rat's about the future in terms of paying off our debt and their desire to cannibalise each other to effectively hold this state to ransom.

I am more than happy to support this motion and put our government's record against the policies and record

of the federal Labor-Greens alliance in western Victoria or in any part of the state at any time.

**Mr ONDARCHIE** (Northern Metropolitan) — It was not initially my intention to rise to speak today — although I am supportive of Mr Davis's motion 785 — but I felt compelled to do so after listening incredulously to the rantings of the Victorian Greens in opposition to this motion, which I find unbelievable. In my first few months in this job I met community groups in Clifton Hill, Parkville, Fitzroy, Carlton, North Melbourne and Kensington, and the message was consistent. They were saying, 'Can you get this traffic off our roads? We are breathing the fumes from it in every day. Alexandra Parade traffic is bumper to bumper both ways every day, as are the roads in Carlton near the public housing estates, on Cemetery Road, Lygon Street, Rathdowne Street and Nicholson Street'. All these people were giving me exactly the same story. They were saying, 'Can you get this traffic off our roads? We are breathing the fumes in every day. It is around our families, our kids, our schools et cetera'.

This notion was supported by the Victorian Greens, who spoke to me in this place. In my first few months here I was told, 'One of the biggest issues you will face is the traffic around that inner city precinct'. Here is a solution, and yet the Greens stand up today and argue against it. It is not just me who finds this incredible, it is the voters out there. How can the people who claim to be advocating for those living in the city speak against this motion? This is political expediency 101, and the Greens have to come clean with us. They have to come clean and say, 'Yes, you are actually doing what we advocated'. There has been support from a range of people in opposition and their supporters. The ALP-aligned Construction, Forestry, Mining and Energy Union is right behind this proposal, the Australian Workers Union is behind this, and when he was out there in the big wide world Mr Melhem was a supporter of this — but when he crossed over to the dark side, he was suddenly against it.

By way of summing up in support of this motion I have to say that Tim Pallas, the member for Tarneit in the Assembly, has had more positions than the *Kama Sutra* on this project. He is all over the shop. It is unbelievable. He supported it, then he was against it; he supported it and then he was against it again. I am sorry that I have turned Mrs Peulich's stomach at the notion of that. I am sorry she had to visualise that. Tim Pallas, the man who cannot add up, the person who cannot work out if it is \$1 billion or not, and his leader Daniel Andrews, the Leader of the Opposition and member for Mulgrave in the Assembly, who this weekend the

*Saturday Age Good Weekend* said is not strong at maths — which is no surprise to us — cannot get behind this project, which is a game-changer, which is transformational for Victoria and which will solve the issues that the Greens and others spoke to me about early in my parliamentary life. I support this motion, and I commend it to the house.

**Mr KOCH** (Western Victoria) — It is a pleasure to speak in support of Mr Davis's motion 785 on the east–west link. I do not think there is anything more important to Victoria at this stage than traffic management, particularly for the CBD, for all suburbs around our metropolitan area and for Western Victoria Region, which I am privileged to represent along with my colleagues Mr Simon Ramsay and Mr David O'Brien. Our constituents in western Victoria look forward very much to the opportunity of having freer movement in and out of the metropolitan area. Some 15 000 people migrate from Geelong and back again on a daily basis. That community is utterly frustrated, sitting in cars during peak periods in and out of the city for over an hour.

**Mr Barber** — Run some more trains on the Warrnambool line.

**Mr KOCH** — Here we go. Mr Barber is talking about more trains, more bikes, more trams.

**Hon. D. M. Davis** — There are more trains.

**Mr KOCH** — There are many more trains, as Mr Barber is aware. The regional rail link, another great investment by this government, which will be completed on time and under budget, is another great opportunity to move people in and out of Melbourne. However, it does not get away from the problem posed by our one river crossing. The 18 kilometres of the east–west link is something that is far overdue. It is 40 years since the West Gate Bridge was put in place, and it is 20 years since the Kennett government did all the work with Transurban and CityLink. What a marvellous contribution that was for the state of Victoria, but then along came Labor and we lay down for another 11 years. Labor did nothing to assist with relieving traffic congestion in the CBD or Melbourne's metropolitan areas.

It surprises me greatly that the two Labor members for Western Victoria Region have failed to raise any comment in relation to the proposed east–west link. They know, as I do, that their constituents are furious that nothing has been done to improve traffic movement, particularly for our industries that use road freight, such as the grain industry and the dairy

industry, the latter of which provides our biggest export out of the port of Melbourne. Those members have not lifted a finger.

We heard Mr Barber talk about a sausage sizzle in Ballan he supposedly attended and at which he spoke to people. I would suggest that he probably filled his car up in Ballan on the way through, absolutely failed to understand what was going on in regional Victoria but perhaps spoke to the cashier at the service station. He did not get the support he wanted. Today in this house our efforts have been thrown back at us by Mr Barber. If we cannot move freight in and out of Melbourne with the logistics we have, with the improvements that have been made to the Western Highway and the Princes Highway into western Victoria, it is an absolute nonsense. The government will be freeing up all that congestion.

The Greens have squealed, screamed and squirmed over the last five or six years in this Parliament only to make things worse. This government has provided an alternative. It has provided a great opportunity that shows a lot of vision in relation to managing traffic through Melbourne, lessening the congestion and meeting the expectations of the Victorian community, and yet we are faced with this nonsense from the Greens. Mr Danny O'Brien is quite right — the Greens are leading Labor around. It is a very effective Labor opposition! The Greens are leading Labor members around by the nose.

**Mrs Peulich** interjected.

**Mr KOCH** — I thank Mrs Peulich for that. It never ceases to amaze me that the Labor members for Western Victoria Region are lying idle in relation to an infrastructure build as big as this. This project will free up opportunities for regional Victoria, particularly in the western part of the state, and all Ms Tierney can do is sit up there, smile, shake her head and wave her hand. She does not want to be involved, and yet she will talk about the great contribution she is making to the Western Victoria Region and for her constituents. Nothing could be further from the truth. I give Ms Tierney her due. She has sat through the debate today, which is more than I can say about her counterpart from Ballarat, Ms Pulford, who has not even come near the house today. That is very regrettable.

I totally support the motion before the Chair in relation to our transport movements here in the CBD, to the importance of the east–west link and to the huge difference it will make to this state. Ms Tierney knows as well as I do that in peak hour, coming into

Melbourne from Geelong in the morning, for instance, traffic is brought to a standstill before Werribee, and in driving home to Geelong traffic conditions are very similar until you get past Werribee. It is very slow movement.

I look forward to this opportunity. The Victorian government, under Premier Napthine, has shown plenty of vision in bringing this project forward. It has made provisions for this project in its budgetary processes this year. We have encouraged the federal government to be involved, and it is only too happy to be. The federal government sees this as a great asset for Victoria, and I wholeheartedly support it.

**Hon. D. M. DAVIS** (Minister for Health) — Let me be clear — this is a very straightforward motion. You either support this or you do not. There are obviously tender processes to be gone through in relation to a number of these points, and these outcomes are very important for Victoria. We understand that all three members of the Greens in this house will oppose this motion. They oppose roads; they oppose them everywhere. We understand that, and there is no surprise in that. However, it appears that Labor is going to vote against the east–west link, and that includes the western part of it, the help it will provide to the western suburbs, the improvements it will make in the movement of freight and commuters, the importance it has for Victoria’s freight logistics sector and the important links it will provide to the port. Labor is going to vote down the future of our city in this way.

This is an example of 15 Labor Chicken Littles. Only Mr Tee was prepared to speak on this motion. At least the Greens have the courage of their convictions, but on this motion Labor members have been cowards. They are not prepared to stand up, they are not prepared to put up an argument, they are not prepared to say why they are against this important road and they are not prepared to say why they are against this important state-building project. Instead Labor members are going to vote in a shameful way against the interests of their constituents. All of the Labor members who represent country Victoria, whether they be from western Victoria, northern Victoria or eastern Victoria, are going to vote against the interests of their country communities and against the interests of their constituents in our cities.

The people in the south-east of Melbourne know about traffic congestion. They know that when you hit the end of the Eastern Freeway you effectively hit a brick wall. They know the risks when the Monash Freeway gets blocked. They know the risks when the tunnels get choked up. They know the risks of capacity being

exceeded on the West Gate Bridge. All of those country communities and city communities know about these risks, but shamefully the Labor members of this house who represent the western side of Melbourne, where this project will have a major impact — it is going to lift trucks off the main roads in that area — are going to vote in a way that is against the economic and social interests of their communities. This is a project led by Premier Napthine, Minister Mulder and this government that understands the importance of freight movements but also understands the importance of commuter movements.

This is about the future of the state. It is about making sure that our position in the national economy is strengthened. It is about ensuring that as the city and the population grow, we can handle and manage those enormous numbers of people and preserve the quality of life in Melbourne. This is about balanced development; it is about a project — the east–west link, including the western part — that complements the rail projects that have been announced through this budget and the associated period. That includes the zone 2 changes and changes to costs which will mean free transport in the city. These are all critical public transport projects that will also, in the case of the large tunnel and the Dandenong–Cranbourne–Pakenham line, have a huge impact in terms of freight movements. The rail link to the airport is also important.

All of this is part of a balanced program of development, but this is being shunned by Labor. Disgracefully, Labor is going to vote against a future with the east–west link. Therefore I ask the chamber’s support; I ask those Labor members to look into their hearts and consciences. I know Mr Melhem over there once supported this road. He knew it was about jobs; he knew the opportunity was there; he knew this would help his members; and now he has turned his back on them. He is disgraceful, and it is outrageous that Labor is prepared to vote down jobs, vote down the economy, vote against commuters, vote against families and vote against Victoria.

**House divided on motion:**

*Ayes, 19*

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

*Noes, 16*

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

*Pairs*

Kronberg, Mrs	Viney, Mr
Finn, Mr	Pennicuik, Ms

**Motion agreed to.**

**TREASURY LEGISLATION AND OTHER ACTS AMENDMENT BILL 2014**

*Second reading*

**Debate resumed from 12 June; motion of Hon. G. K. RICH-PHILLIPS (Assistant Treasurer).**

**Mr LENDERS** (Southern Metropolitan) — I rise to make a very brief contribution to debate on this bill, the Treasury Legislation and Other Acts Amendment Bill 2014. My colleague the member for Preston in the Legislative Assembly, Robin Scott, spoke in some detail about the Labor Party's position on this bill, which is that we will not oppose it. With a view that the Parliament should be used to debate issues where there is contention and disagreement rather than to boringly repeat prepared statements — and I could reflect on a previous debate — I say that the Labor Party will not oppose this bill, and I conclude my contribution.

**Mr BARBER** (Northern Metropolitan) — The Greens have also examined the contents of this bill. There are a number of changes being made to a number of acts, such as the Emergency Services Superannuation Act 1986, in order to require the super fund to comply with prudential standards approved by the Governor in Council. There are changes to the State Superannuation Act 1988 and the Parliamentary Salaries and Superannuation Act 1968 relating to

former members of superannuation funds. The changes provide for a number of things to happen, not just for division 293 liabilities but for any commonwealth tax liability, to allow for future changes.

There are a number of changes to the Workplace Injury Rehabilitation and Compensation Act 2013, which my colleague Ms Pennicuik has examined and considered to be measures we should support. There are also a number of minor changes to the Victorian Managed Insurance Authority and the way it operates, notably to clarify the board's powers to delegate to the CEO the ability to appoint or engage employees and to set terms and conditions for those appointments. The Greens have concluded from this that we will support the bill.

**Mr ONDARCHIE** (Northern Metropolitan) — The Treasury Legislation and Other Acts Amendment Bill 2014 is the one on which I speak tonight. This bill is an omnibus bill that ensures that Victoria maintains its credentials of good and proper financial management into the future. This bill recasts the Accident Compensation Act 1985 to make it more understandable. As much as we in the Parliament may like to draft long and hard-to-understand legislation, governments must acknowledge that without proper training it is impossible for people to understand some of these acts. It is common sense, then, to make them more easily understandable so people can understand their rights and obligations under legislation. This bill ensures that Victoria's financial management is in good shape going into the future and that we uphold the best traditions of financial management in this state. I commend the bill to the house.

**Motion agreed to.**

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

*Third reading*

**Motion agreed to.**

**Read third time.**

**PUBLIC RECORDS AMENDMENT BILL 2014**

*Second reading*

**Debate resumed from 11 June; motion of Hon. M. J. GUY (Minister for Planning).**

**Mr LENDERS** (Southern Metropolitan) — My remarks on this bill will also be brief but longer than they were on the last bill, as I will be the first speaker

for the Labor Party on this bill. This is a fairly simple bill in one sense. There are only 15 clauses in the bill, and they are about dealing with public records. From the Labor Party's perspective we accept that the previous Leader of the Opposition, the member for Hawthorn in the Assembly, said it was an election commitment to make cabinet records, in general terms, available after 30 years, like they are federally. It has been very tardy to take three and a half years to get here, but we accept that this is a good thing happening, and we support it happening.

I have a couple of questions which I will ask the minister in the committee stage. In briefings we have received some helpful advice from the Department of Premier and Cabinet about interactions between this legislation and freedom of information legislation. I will be asking the minister some questions to get some clarity on that because from the Labor Party's point of view we are all about supporting legislation that makes more information available, but if in the end this starts meaning that there is another excuse for freedom of information requests to be rejected, we would obviously have reservations about that. I will certainly be asking the minister about that in the committee stage.

I will also be asking the minister about the need to have a squillion-fold increase in the level of fines for people who destroy public documents. I would be interested in pursuing that with the minister. In doing so I will make some comments about why these public documents are often important to people. Obviously information is important to people so that people know what is going on, can find reasons for government decision making, can understand those reasons and can learn from history. Sometimes answers to the great unanswered questions can be discovered 30 years or so later, when cabinet documents are made public. However, it is also interesting to note that people often have a passion about public records.

I recall some years ago, when I was the Minister for Education, a guy who came into my office. It was a lovely art deco office that had once been the Premier's office, and the man said that the last time he had been in the room was when Henry Bolte was Premier. He described to me how he had written a letter to the Premier, lamenting the fact that the plans for the then Kew Cottages were beautifully drafted parchment plans and that he had found them in a Dumpmaster. The reason they were in the Dumpmaster was that they had been put on microfiche.

He described a situation where he went into Henry Bolte's office. He had written a letter to the Premier. He

was at work one day, and his boss said to him, 'The Premier needs to see you. Here is a cab voucher to go home and get out of your caftan and into a suit'. This was about 40 years ago, when people probably wore caftans to work. He rocked up to the Premier's office, with no idea why the Premier wished to see him. Eventually he got ushered into the Premier's presence. The Premier was sitting on the edge of his desk with a Turf cigarette in his hand, looking at the *Sun* newspaper, as it was then, race guide for Moe, and the Premier said, 'You wanted to see me about those records. Good on you, son', and he sent him out. That was his encounter with the Premier.

The point of the story is that people are often very passionate about public records, and from this particular citizen's point of view these beautifully crafted plans of the Kew Cottages were a work of art and should be kept as a bit of history. He thought it was a bit of a sacrilege for the plans to be turned into microfiche and see them protruding from a Dumpmaster bin somewhere outside the Public Record Office Victoria.

I use that as an illustration of why preserving records can be important. It can be important so that we know why the Bolte government never made reservations for rail, freeways or a whole lot of things through the south-eastern suburbs of Melbourne. People might wish to know that as a matter of public record. It can also be something far more esoteric — someone might wish to preserve documents which they cherish. But I digress, because this is a fairly simple bill of 15 clauses and I do not want to detain the Parliament in debating one of what I would describe as the fluffy little bills we sometimes have.

Recently I was talking with one of the clerks of the Scottish Parliament. It is interesting that the Scottish Parliament sits twice as long as we do — —

**Mr D. R. J. O'Brien** — Was that on a study tour?

**Mr LENDERS** — No, it was not. For the record, Mr O'Brien, it was not a study tour — not a single cent was charged to the taxpayer or from my entitlements. For Mr O'Brien's benefit, the largest Bunnings-equivalent retailer in Scotland is a company called Dobbies world, but I will leave that aside.

The clerk told me the Scottish Parliament deals with an average of less than one bill a week and it sits more often than we do. They do not have bills like this; this would be a clause or two attached to another bill. Leaving that aside — —

**Hon. D. K. Drum** — The lower house had a chance to debate this bill; they just did not want to.

**Mr LENDERS** — Not this one, Mr Drum. To correct Mr Drum through you, President, this bill was introduced by Mr Guy to this house for the first time and his speech was incorporated into *Hansard*, so my words today are the first time this has been mentioned in this house.

As I said, this is a small bill. It is a bill the Labor Party supports. As I also said, we have questions for the minister about why the penalties are so high and about the interaction between the Freedom of Information Act 1982 and the bill, and we would also like an assurance repeated on the public record that this is prospective, as it has been portrayed to us. We certainly support the bill, subject to those questions being satisfactorily answered. I wish the bill a speedy passage.

**Mr BARBER** (Northern Metropolitan) — I find this to be an interesting bill, because it codifies the current convention for dealing with cabinet documents. It slightly decreases the time lines for public viewing of most documents and increases fines for inappropriate actions. However, in the process it seems to remove the minister's discretion to release cabinet documents at an earlier stage.

Public Record Office Victoria is the archives of the state government, managed for the benefit of the government and the public. It was established in 1973 under its own act, but its records go back as far as the 1830s, before the establishment of the Colony of Victoria. The records are of bodies or processes managed or regulated by government, including the administration of justice, immigration, health and welfare, land, education, and so forth. There are records there from courts, local councils, schools, public hospitals and other public offices. At the office's reading rooms — and there are a number of them around the state — about 150 records are issued for viewing each day, and it makes available some very good online publications.

However, the main function of the office is that job of retention — making records available for a later date. A lot of people use the office to research the history of their family, a public place or a public body. By the way, it is a pretty big deal for those whose families were torn apart, or those who in some cases were institutionalised as children because they were part of the stolen generation.

The definition of public record is very broad. A public record office obviously does not keep every email and every bit of ephemera. Departmental records are kept if a decision is made that they are of permanent value, and these records tend to be decision-making documents.

Any record can be withheld from public view for up to 30 years after its date of transfer — no reason has to be given — and the order may not be varied or revoked. Interestingly, the clock starts ticking on the day the record is transferred. The date of the transfer could be any number of years after the record was created. That is to be amended by this bill to be 10 years if the record is no longer in use.

Personal or private records may be withheld for longer, and the act provides for the minister in consultation with the minister responsible for the relevant department to declare items of a personal or private nature to not be open for inspection by the public for a specified period. I understand that some documents from the 2009 Victorian Bushfires Royal Commission will be withheld for 90 years to respect the privacy of the families of individuals whose deaths were examined. Records may also be withheld for a longer period if they might damage security, defence or the internal relations of the commonwealth.

About half the bill provides for getting those records handed over in different circumstances — provisions for the retrieval of records. That brings us to cabinet records. They are public records, so they are transferred to the public record office in the ordinary way. The convention is that they are withheld from public view for 30 years using the existing powers of the minister to make that decision unless there is a reason to withhold them for longer. I understand that that convention may vary from place to place in different jurisdictions. It is that particular issue I would like the minister to address. The bill puts the current convention into statute by creating definitions for 'cabinet' and 'cabinet record', which is an interesting exercise in itself, and by inserting a new section 8B into the act to deal with those records of the separate category. The definition of 'cabinet record' appears to be consistent with the definition under the Freedom of Information Act 1982, but that definition under the FOI act has itself been widened at various times, in my reading of case law.

Changes in the bill will tend to make records available sooner than is the current convention, because under the new provisions the clock starts ticking the day the records are created instead of the day they are handed over, but those increases in efficiency are offset by a lack of discretion for any minister down the line to act in a transparent manner. Under current legislation the next transport minister or the next Premier could decide to release the business case for the east-west road tunnel; the Deloitte report into the myki ticketing system, which I attempted to obtain through an application in the Supreme Court; documents setting out the decision-making processes for reducing the

number of Parks Victoria employees, a number which I believe has been cut by 20 per cent or maybe more since this government started wielding its machete; or any other cabinet document.

The Greens stand for open and transparent government at all levels. Cabinet ministers should make their decisions about the use of public money or other matters that affect the public knowing that the public will soon have access to all the documents that helped ministers make their decisions. Current provisions of the act are sufficient to ensure that any record may be withheld if there is a good enough privacy or security reason to do so. On the other hand, they could reduce the discretionary withholding period. Currently public records are handed over to Public Record Office Victoria once they have been in existence as a public record for 25 years. This bill reduces that time from 25 years to 10 years after a document is created if the record is no longer needed.

Under the current provisions most departmental documents are handed over at the end of the term of government if they are no longer in use. Nevertheless, the clause 6 amendment is good because it tends to increase transparency for records the minister has no reason to withhold. It will also tend to increase the likelihood that documents are not accidentally lost or disposed of. In the case of a long-running government the clause 6 amendment also makes it possible for departmental documents that are not cabinet documents to be made available for public viewing during the term of government if they are no longer in use. Under the new provision for cabinet records the 30-year withholding period starts the day the document is created rather than the day it is handed over. The offence of removing a public record without authority will have a fine of 60 penalty units. Functions of the Public Records Advisory Council are expanded a bit. There is a notice of fixed fees for the copying of a record or other services, and some of the archaic language is updated.

Those are the considerations I have weighed up in looking at this bill. The Freedom of Information Act will continue to operate in parallel, but I believe the biggest problem is in the operation of the FOI act itself. If possible, I am keen to hear from the minister in reply as to what the conventions are in other states and why the government here has proposed to legislate for the convention rather than set a more timely release of documents in the bill before us.

**Debate interrupted.**

## DISTINGUISHED VISITORS

**The PRESIDENT** — Order! I take this opportunity to point out that in the gallery this evening is a former member of the house, the Honourable Bill Forwood. We welcome him to the gallery.

## PUBLIC RECORDS AMENDMENT BILL 2014

*Second reading*

**Debate resumed.**

**Mr ONDARCHIE** (Northern Metropolitan) — It is my pleasure to follow the acknowledgement of Mr Forwood in the gallery. I speak tonight on the Public Records Amendment Bill 2014. Cabinet confidentiality is a cornerstone of our system of government in Australia, allowing the inner ministry to have frank and fearless discussions on matters and come out as a unified team. As a society we should be proud of the rich tradition and political heritage we have received from the great liberal democracies of the 20th century, such as those of Great Britain and the United States. These traditions are not perfect, but I am sure we can agree that it is a stark contrast when one looks at the alternatives. In this case it would mean an executive that is utterly split and unworkable in any real sense.

Australia was in a position to take on the best political traditions from both of these liberal democracies. Cabinet solidarity also reflects upon the importance of institutions of government that affect the best traditions of democracy. After all, there is little point in having these traditions if there are no measures in place to conserve them. This is what this bill achieves.

Elements of the bill talk about the release of cabinet documents. Prior to the last state election the then opposition leader, Ted Baillieu, the member for Hawthorn in the Assembly, made an election commitment to release cabinet documents 30 years after their creation. This bill will deliver on that election commitment. It amends the Public Records Act 1973 to enable the annual release of cabinet records 30 years after their creation, provides the Secretary of the Department of Premier and Cabinet with the capacity to close records each year and makes a number of minor amendments to the Public Records Act.

Certain exemptions for the release of documents will exist in relation to sensitive records, such as those that contain personal information or information that could damage national security. Additionally, provisions in

the Freedom of Information Act 1982 will continue to allow for requests to be made for release after 10 years, unless of course they fall into that exemption category.

To enable the smooth implementation of this bill it proposes a two-staged approach. Firstly, upon assent of the bill the administrative steps to enable the annual capture and release of cabinet documents will commence immediately. The fee structure for obtaining documents will remain the same as it is for all documents held by the Public Record Office Victoria. Stage two will enable the keeper of public records to review and either set a new fee structure or maintain the current additional fee structure.

There are some minor amendments also to the Public Records Act. The bill enables the Public Records Advisory Council to provide advice to both the keeper of the public records and the Minister for the Arts. In practice this advisory role exists, but it is not currently legislated. It will provide that records be transferred to the Public Records Advisory Council after 10 years. Currently that transfer occurs at 25 years. The earlier transfer will reduce risk.

The bill also makes a minor amendment to increase the maximum penalty for damaging a public record from 5 to 60 penalty units. This increase will bring the legislation in line with other similar offences. It will also allow the keeper of public records to set fees for services provided by the Public Records Advisory Council. Currently these fees are set by regulation. Finally and importantly, it will replace the legislative gender-specific references with gender-neutral language. It is a very important bill for our democracy, and I commend it to the house.

**Mrs COOTE** (Southern Metropolitan) — I have pleasure in speaking on this short but very important bill, and I commend some of the comments made by Mr Barber when he put on the record just how important it is that we keep these sorts of documents and that they are an important part of our history and tradition. I would have to say that there can be some criticism of the Public Records Amendment Bill 2014 in that Victoria should be criticised for not adopting a shorter closure period in line with the commonwealth amendments in 2010 and the practices of other states. The proposed changes will mean that Victorian cabinet records will be closed for the same or, in most cases, a shorter period of time than has previously been the case.

I remind the house that some cabinet records of the federal government were recently released. Perhaps it is because I am getting older, but 30 years did not seem to take very long in relation to the release of those records.

I can remember very much what those circumstances were, so I think this time frame will go very quickly. The bill, as has been said before, amends the Public Records Act 1973 and implement the government's election commitment to provide for the annual release of cabinet records 30 years after the year in which they were created. It will also make minor amendments to improve the operation of the act.

The bill creates a new power vested in the secretary of the Department of Premier and Cabinet to order the closure of cabinet records from public access until 30 years after the year of their creation, and it confirms the Public Records Advisory Council's role in providing advice to the minister and the keeper of public records in relation to public records management. It also increases the maximum penalty for the offence of unlawfully destroying, damaging, removing or selling a public record from 5 penalty units to 60 penalty units, reduces the period of time after which public records must be transferred to the Public Record Office Victoria (PROV) from 25 years to 10 years, and enables the keeper, rather than the Governor-in-Council, to fix fees and charges for services provided by PROV. It also replaces all gender-specific language with gender-neutral language throughout the entire act. Recently in this place many acts have been brought up to date with modern language, and that makes it a lot easier for not only us but also the wider public. It is a very pleasing thing to do.

There are a few questions that perhaps need to be answered, and I will endeavour to do that now. Will these changes apply to the cabinet records of former governments? The answer is no. The changes apply only to cabinet records transferred to PROV on or after the date of commencement — that is, to the cabinet records of this and all future governments.

Mr Ondarchie alluded to the Freedom of Information Act 1982. The bill does not change the ability to access cabinet records under the FOI act. Cabinet records can be released in response to an FOI request 10 years after their creation where they are not subject to any other exemptions under the FOI act. Mr Ondarchie covered the operation of the bill, and I have just spoken about the increased offences.

This is a very small but important bill, and I too look forward to 30 years from now, when we can read the cabinet records of today. I am sure we will be very interested to read them, as is Mr Melhem, I can see. It is an important bill, and I wish it a speedy passage.

**Motion agreed to.**

**Read second time.****Committed.***Committee***Clause 1**

**Mr LENDERS** (Southern Metropolitan) — I mentioned in my contribution to the second-reading debate that I would seek three assurances from the minister. If I ask them in relation to clause 1, there is also the same question on a clause 7 provision. My question is: is this prospective or retrospective? That is question 1.

Doing them in sequence, question 2 is: does this in any way affect the provisions of FOI requests? Does this in any way reduce, diminish or change those provisions. And the third question is: why is there a twelvefold increase in the penalties without any evident regulatory impact statement?

**Hon. D. M. DAVIS** (Minister for Health) — I thank the member for his question. Essentially he has asked three questions: the first relates to prospectivity as opposed to retrospectivity. I can indicate that this bill applies prospectively. The changes only apply to cabinet records transferred to the Public Record Office Victoria on or after the date of commencement; that is, cabinet records of this government and all future governments.

In the case of FOI matters I am informed that the bill will not change the ability to access cabinet records under the Freedom of Information Act 1982. Cabinet records will be released in response to an FOI request 10 years after their creation where they are not subject to other exemptions under the FOI act.

In terms of the fees and why the penalty for these offences has been increased, I am informed that the penalty for the offence of unlawful destruction has not been updated for many years. The increase in the maximum penalty brings it into line with penalties applying to other similar offences and will ensure that it acts as an effective deterrent. I have been given the example of section 34 of the Victorian Civil and Administrative Tribunal Act 1998, which makes it an offence for Victorian Civil and Administrative Tribunal members and staff to unlawfully record or disclose certain information. That incurs 60 penalty units.

**Mr LENDERS** (Southern Metropolitan) — To pursue the issue, I understand what the minister is saying when he says that the penalty needs to be updated. The point I make is that the whole aim of

penalty units legislation is that a penalty is updated in keeping with inflation, so the argument that it needs to be updated was valid before this legislation came into place, and from memory that legislation has now been in place for 15 or 20 years. Certainly the fees and penalties have both been applicable for some time regardless of when they were introduced. I am intrigued then, given there is no regulatory impact statement on this piece of legislation and there is an indexation of penalty units legislation, and I will be so uncharitable as to suggest that this is just another fee grab.

**Mr Barber** interjected.

**Mr LENDERS** — Indeed, Mr Barber, slapping the punters again. As an issue of public policy the minister has drawn attention to a clause which provides a penalty for Victorian Civil and Administrative Tribunal members who destroy documents. It seems to me that that is a fairly — I am trying to think of an analogy. It certainly does not overwhelm me with its logic, so I ask the minister what is the purpose of the indexation of penalty units, and was there a regulatory impact statement done on clause 7 which we are talking about here and debating under clause 1?

**Hon. D. M. DAVIS** (Minister for Health) — I am told there was no regulatory impact statement. As I have said, this penalty has not been updated for many years. I think the example I am quoting is a reasonably comparable offence. In terms of asserting that it may be about revenue, I hope there is no revenue from the provisions in this clause. I hope it has a deterrent effect and there is zero revenue.

**Mr LENDERS** (Southern Metropolitan) — I will cease asking the minister questions, but I will simply make the statement that if the Labor Party had applied a twelvefold increase to a penalty without a regulatory impact statement, we would be hearing about it in this place some hours later and listening to comments about chicanery, gouging money out of people and all the rest of it. That is what this government has done. There is no regulatory impact statement, and again the Labor Party copped it and was told it was gouging when it indexed fees and fines. This government is both taking the revenue from penalty units going up with the consumer price index every year and making adjustments, which became outdated in the last millennium when this indexation came through. I will leave that as a comment about a money-gouging government.

I have no issue with protecting public records, because that is a good thing, though it seems to me, that it is being done capriciously and arbitrarily by the stroke of

a Premier's or a Treasurer's pen rather than having any reflective, forensic regulatory impact statement, which those opposite often tell this side of the house are the hallmarks of good government. However, the Labor Party will not be opposing the bill.

**Hon. D. M. DAVIS** (Minister for Health) — I might just comment that I do not accept the characterisation on this occasion; I think on this occasion the government is taking a reasonable step. There is a clear analogy in the example that I have given and, as I said, it would be hoped that there would be no need to use this penalty and hence there would be zero revenue from it.

**Clause agreed to; clauses 2 to 15 agreed to.**

**Reported to house without amendment.**

**Report adopted.**

*Third reading*

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

That the bill be now read a third time.

In doing so I thank honourable members for their contributions. Mr Barber asked me a question both in his contribution and in discussion about the motivation for the bill. It is a policy decision to codify or make clear these provisions, which in effect enact what has been a practice in Victoria and mirror the federal arrangements. I am happy to put those matters on the record.

**Motion agreed to.**

**Read third time.**

## ADJOURNMENT

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

That the house do now adjourn.

### Moriac Primary School

**Ms TIERNEY** (Western Victoria) — My adjournment matter is for the Minister for Education and is in relation to Moriac Primary School. By way of background, during 2008 the Labor government entered Moriac Primary School into what was then the Building Futures program. The proposed works were significant, given that there had been no work on that school for nearly 20 years, apart from the construction of a

substantial building that was a result of the federal Labor government's Building the Education Revolution program. Prior to the last state election the school community was informed that it was successful and that it should start the tender stage of a \$4.23 million school rebuild. Of course the school community was overjoyed at the prospect of having three buildings demolished and a new extended building constructed.

However, after the election the coalition government indicated to the school that the funding would be withdrawn and that the rebuilding plans had been cancelled. Meanwhile the school was forced to continue using the dilapidated buildings, with no plan of when or assurance that these issues would be resolved. Last year, following the conditions assessment report that every school received, several areas of Moriac Primary School were identified as being in a poor state. A budget of \$288 000 was allocated to fix some areas identified in the report. Those repairs were to the buildings that had been identified for demolition under the Labor government.

The minister would be aware that the repairs were at such a level that the budget was to be managed by the department's infrastructure division and not by the school. Earlier in the year the architect had informed the school that the value of the tenders for the work that needed to be done was significantly greater than the allocation of \$288 000, so they had been directed to scale back some of the work. That meant that buildings identified as being unsatisfactory would be left in that state.

I am seeking an explanation from the minister on why he believes that money will fix the problems at Moriac Primary School and an explanation for the government's decision not to go ahead with rebuilding the school. I also ask for the formula that has been applied to the three buildings, as it clearly does not reflect the specific maintenance needs of each building.

### Neonatal intensive care

**Mrs COOTE** (Southern Metropolitan) — My adjournment matter this evening is for the Minister for Health, the Honourable David Davis, and it is in relation to neonatal intensive care units. Firstly, I put on the record my praise for the minister on the increase in the number of neonatal intensive care units in Victoria. Those who have had anything to do with premature babies or ill babies or children will understand just how vitally important they are, and those who have had the good fortune to go through one of the units will know of the extraordinary work that is being done by dedicated staff. The anxiety felt by the parents of babies

in the units is on the one hand very poignant and on the other hand very uplifting. It is certainly something that we all should be very mindful of.

I am particularly pleased that it was the Minister for Health — who is in the chamber, which is even more fortuitous — who put \$4 million into the budget for five additional units across Victoria. It is my understanding that this will result in 100 new beds to assist babies after surgery, infants who require long-term ventilation, those suffering seasonal illnesses such as bronchitis and very vulnerable and premature babies. We are very excited in Southern Metropolitan Region about the new Monash Children's hospital, as I am sure the minister will understand. A large part of the hospital's catchment area is in the region, which is the seat held by the minister and me. The issue I would like clarified is whether any of the 100 new beds are going to be located at the new Monash Children's hospital.

### **Kindergarten funding**

**Mr LEANE** (Eastern Metropolitan) — My adjournment matter is directed to the Minister for Children and Early Childhood Development, Wendy Lovell. It involves the future of funding for 15 hours of kindergarten per week, which has been prescribed in recent times. A number of councils are concerned about the future of these kindergarten hours and some of them have contacted me, including Manningham City Council, Nillumbik Shire Council and the Monash City Council. A number of councils, as members will know, have a lot of kindergarten facilities that they run themselves, and inside their municipalities there are also some non-council, stand-alone facilities, which they also have a concern for.

The federal government has put a question mark over the national partnership agreement, and a review will be concluded midyear. Without the continuation of federal government funding, the additional 5 hours of kindergarten are at risk. That will result in lesser outcomes for young children going through state-run kindergartens. The action I seek from the minister is that she advocate to the federal government for the continued funding of 15 hours of kindergarten and that she alleviate the concerns of councils to the best of her ability as far as the future of this kindergarten program is concerned.

### **Mount Macedon Road**

**Mrs MILLAR** (Northern Victoria) — My adjournment matter is for the Minister for Roads, the Honourable Terry Mulder. I raise for the minister's attention the significant number of wombats killed

regularly on Mount Macedon Road. This matter has been raised with me and with my predecessor, Mrs Donna Petrovich, the Liberal candidate for Macedon, as a matter of concern by a number of Mount Macedon locals. I have previously raised this matter with VicRoads and now wish to raise it for the minister's consideration.

As a long-term Mount Macedon resident, I travel on Mount Macedon Road over the top of the mount on a daily basis. Like many alpine roads, it has many twists and turns and a number of hairpin bends, making it impossible to see what is around the next corner. During winter Mount Macedon Road is frequently cloaked in heavy fog, and this makes driving conditions and visibility very poor for considerable periods.

Many locals are concerned to see dead wombats as well as wallabies and other dead wildlife beside the road on a weekly basis at least. Collisions caused by wombats are particularly prevalent due to population numbers and because wombats do not move as quickly as other wildlife. The sight of dead wombats and other wildlife saddens a great many locals.

There is also a significant road safety issue. Many wombats are sizeable, and collisions with wombats can pose a notable threat to driver, passenger and vehicle safety, especially on narrow mountain roads of this nature. I ask the minister to consider reducing the speed limit to a maximum of 80 kilometres per hour along Mount Macedon Road, as applies now on the southern side of the mount. Highly populated areas, for example, around the Mount Macedon Hotel, the Mount Macedon Trading Post General Store and the Mount Macedon Primary School, should in my view continue to maintain the current maximum speed of 60 kilometres per hour. The maximum speed of 100 kilometres per hour, as is in place in rural areas which are otherwise unmarked by road signs, is unsustainable on other sections of Mount Macedon Road, given the width, visibility and nature of this road. I ask the minister to consider reducing this to a maximum of 80 kilometres per hour.

Along with the consideration of a change in maximum speed limit I would ask that signs noting that wombats are in the area and reminding drivers to show caution from dusk to dawn be erected on both the southern and northern slopes. These signs are currently visible in some places on the mount, but more signs need to be erected on the main road, which is the primary road onto and off the mountain. Continuing to act to protect our local and treasured places is a priority for this government. I call on Minister Mulder to consider these

measures to protect wildlife and ensure driver safety on Mount Macedon.

### **Bus route 451**

**Mr MELHEM** (Western Metropolitan) — My adjournment matter is for the Minister for Public Transport, the Honourable Terry Mulder. Public Transport Victoria is proposing that bus route 451 be replaced with route 423 to Ginifer railway station in the western suburbs of Melbourne, a high-frequency bus to Watergardens and a route along Forrest Street in Ardeer. My colleague and friend Marlene Kairouz, the member for Kororoit in the other place, presented a petition bearing 1476 signatures calling for the Public Transport Victoria proposal to be scrapped.

The service on route 423 will run every 40 minutes instead of every 15 to 20 minutes like the service on route 451. Further, the route 423 bus does not go directly to those places most visited by locals, such as the shopping centre in Deer Park and nearby schools. Buses should form a crucial part of the public transport system in Victoria. They should be integral to running a ring of networks in areas between train and tram networks — in other words, those areas that are not near rail public transport.

This government has not shown such smarts when it comes to buses. Instead we see the Victorian Auditor-General slamming the government for its recent failure to include Sydney Coordinated Adaptive Traffic System compatibility in the contract tender awarded in March for fitting GPS systems in buses. Sydney Coordinated Adaptive Traffic System is the central system that controls the network of traffic lights across the city to give late-running buses green-light priority at intersections.

I call on the minister to ensure that Public Transport Victoria scraps its ill-thought-out and undesirable proposal as it will impact negatively on local residents.

### **Werribee railway station**

**Mr ELSBURY** (Western Metropolitan) — The matter I wish to raise this evening is for the attention of the Honourable Terry Mulder in his capacity as the Minister for Public Transport. It relates to car parking issues at the Werribee railway station.

I have to congratulate the minister on his sterling effort in improving our public transport system since the dark days of Labor. Being able to go to a train station and actually catch a train has become a novelty that the people in the western suburbs can now enjoy. There are also now protective services officers at the station,

which makes it a lot safer. The issue I raise, however, is about car parking.

On Friday morning I saw a post on Facebook by a commuter who had attempted to park their car in an area that was being used as a car park near the Cherry Street crossing beside the Bunnings warehouse that is in the Werribee town centre. Unfortunately there were some workmen there erecting bollards and getting ready to put a gate across the entrance to this car park. It was explained that this car park would be locked off and that no-one would be able to use it. Admittedly it is not exactly the best car park in the world. It has not been made up to what one might consider to be a high standard. Ballast was stored in that area for many years, but the ballast has now been utilised to improve the rail network along the Werribee line. What is left is a surface that cars can drive on and that water can escape from. To have bollards and a gate erected in an area that people have been using as a car park for quite some time restricts the ability of people to use our public transport network.

Now that the gate has been opened — I went to Bunnings, bought a set of bolt cutters and removed the chain from that gate because there were several cars still trapped inside the area; I spoke to the minister's office and stated what I was going to do — I ask the minister to seriously consider the car parking issues at the Werribee railway station. I ask for some consideration and thoughtfulness by members of Public Transport Victoria or Metro Trains Melbourne or whoever it was that erected the gate and bollards. I ask that we try to improve the car parking facilities at Werribee railway station rather than further reducing them.

### **Fisheries regulation**

**Mr D. D. O'BRIEN** (Eastern Victoria) — I raise a matter for the Minister for Agriculture and Food Security. I ask the minister to remove PrimeSafe regulation of the live seafood industry. The view of people who work in the live seafood industry in my electorate is that the harvesting of live seafood generally, and abalone in particular, ought to be exempt from the food safety regulations administered by PrimeSafe.

This issue has been raised with me both by the Abalone Fishermen's Co-operative in Mallacoota and by the Lakes Entrance Fishermen's Co-operative. These groups are concerned about the fees paid to PrimeSafe for what they say is little or no discernible benefit for those fees. I appreciate the importance of food safety, and I expect that the minister will deal with this request

in that context to ensure that consumers are protected. However, my constituents believe these concerns can be adequately addressed by local government health inspectors and by existing health arrangements through the health department. In addition, the abalone industry is already regulated by the federal Department of Agriculture — by a section formerly known as the Australian Quarantine and Inspection Service — because abalone harvesting is largely, almost solely, an export industry.

Abalone divers report that they pay their annual fees but rarely see PrimeSafe inspectors, are rarely inspected and do not know what they are paying for. In particular, abalone has a low-risk profile because it is harvested live and delivered to the processing plant live — that is, it is harvested from the floor of the ocean, goes into a boat, is generally processed on a boat and then goes straight into the plant — in this case at Mallacoota.

The Rural and Regional Committee looked into this matter last year during its inquiry into the impact of food regulation on farms and other businesses. In particular, recommendation 7 of the committee's report is that the government do exactly what I am asking for, which is:

That the state government remove regulatory requirements around the handling of live seafood in Victoria, in a way that is consistent with the approach taken in other states of Australia.

The approach in other states is critical in this, because I understand there is no, or minimal, state oversight of the live seafood industry in South Australia or New South Wales, a couple of our major competitors. Looking at figures provided to me by my constituents, the full supply chain costs, through the entire seafood industry — that is, the boat, the co-op, the truck, the market and the processors — are around \$3169 in New South Wales; almost nil in South Australia, where people pay only for council inspections; and something like \$24 000 in Victoria. This is a considerable burden and can be reduced. Ours is a government committed to reducing red tape. I believe the removal of PrimeSafe is an ideal opportunity to reduce red tape in the important fishing industry in Gippsland and across Victoria.

### Responses

**Hon. D. M. DAVIS** (Minister for Health) — Seven matters were raised in the adjournment debate tonight, and I have written responses to adjournment matters raised by Mr Melhem on 27 November 2013, Mr Ronalds on 12 March, Mr Elsbury and Mr Ramsay on 1 April, Ms Pulford on 3 April, Mr Melhem and Ms Tierney on 7 May, Ms Darveniza on 8 May,

Mrs Millar and Mr Ronalds on 28 May, and Mr Melhem on 29 May.

The seven matters raised tonight include one from Ms Tierney about Moriac Primary School and the need for certain capital works at that school. I will pass this matter to the Minister for Education. Every school is an important school, and I know the minister will be very interested in this matter. As I understand it, though — —

**Ms Tierney** interjected.

**Hon. D. M. DAVIS** — I am making the point that Ms Tierney has raised the matter tonight, and I will raise the matter with the minister. As I understand it, no commitment was made in 2010 by the previous government — —

**Ms Tierney** — Yes, there was.

**Hon. D. M. DAVIS** — I am saying there was no allocation made; I am informed there was a process but no allocation. I understand that the current government is providing \$280 000, and I note that for 11 years nothing was done by Labor. Ms Tierney was as silent as a church mouse for all of that time; she was not prepared to speak up during that period. I understand that the ALP did put something out to tender but gave no commitment at the 2010 election that it would be done.

Mrs Coote raised a matter for my attention concerning neonatal intensive care units (NICUs) around the state. In this area this government inherited an underprovision by the previous government, and members of this government have been working hard to lift the number of neonatal intensive care cots in the state. This year's state budget will see the number lifted from 95 to 100 in total — 5 more neonatal intensive care beds. These will be put at the Royal Women's Hospital and the Royal Children's Hospital, and two of the new beds will be put at the Monash Medical Centre neonatal intensive care unit. There is both capital funding and recurrent funding for the NICU beds, because there is no doubt that demand is increasing.

In its last year in government Labor provided no additional capacity in terms of NICU beds — none at all; none whatsoever — so this government has been catching up from what was left to it at the time. We are putting more beds in place each year with each budget to ensure that we meet Victoria's capacity for neonatal intensive care units. The Mercy Hospital for Women in Heidelberg has the fourth of the key neonatal intensive care units in the state.

Mr Leane raised a matter for the Minister for Children and Early Childhood Development, the Honourable Wendy Lovell, concerning the funding for 15 hours of kindergarten for children that was funded temporarily by the former commonwealth government. I understand that that temporary funding was made by the commonwealth Labor government following a national partnership agreement between that government and the state Labor government but that the agreement did not provide for continuity of funding into the future. I understand this is a matter for review by the federal government. The state will certainly be putting a very strong and robust case about Victoria's position to that review and will be seeking additional ongoing funding via the commonwealth government. We await that review, but I will certainly pass this important matter on to Minister Lovell.

Mrs Millar raised a matter for the Minister for Roads principally concerning dead wombats and wombats coming onto the roads but also wallabies and other wildlife. She talked about Mount Macedon and the speed limits in that area. I understand the point she made about the need for better road signage and potentially speed limit reductions in strategic locations. I do not know the specific locations, but I will pass her adjournment matter to Minister Mulder for his attention. I am sure that he will be prepared to look afresh at how a fair balance can be struck between accessibility and movement down the roads and the safety and protection of our wildlife.

Mr Melhem raised a matter for the Minister for Public Transport concerning the replacement of bus route 451 with route 423. He asserts that the 451 is a higher frequency bus than the one replacing it. I am obviously not familiar with the details of that matter, but I will pass it on to the Minister for Public Transport, who will give it his attention I have no doubt. However, I note that the Minister for Public Transport has massively expanded bus programs and cut the cost of public transport movement, particularly through zone 2 fare reductions, making it more accessible for people — particularly people in some of the suburbs that were referred to by Mr Melhem.

Mr Elsbury also raised a matter for the Minister for Public Transport. His matter related to car parking at the Werribee railway station. I understand the need for car parking, and I understand, as we have discussed, that there are now protective services officers on the site, which makes a significant difference to overall safety. I am informed by Mr Elsbury that bollards have been erected and a lock has been put on part of the car park gate. I do not understand the full sequence of events that occurred there, but I understand the

minister's office has been informed. However, I will make sure that this matter is passed on to the minister's office for his attention. I think Mr Elsbury was seeking for the minister to seriously consider car parking outside the Werribee station as an issue and to ensure that there is sufficient car parking and perhaps more car parking rather than less.

Mr Danny O'Brien raised a matter for the Minister for Agriculture and Food Security concerning the views of the Abalone Fishermen's Co-operative and the Lakes Entrance Fishermen's Co-operative Society in relation to PrimeSafe and its role in providing them with support. He pointed specifically to the fact that abalone is regulated by the federal government through the Department of Agriculture — formerly through the Australian Quarantine and Inspection Service — in terms of any quarantine or other movements. He also made the point — and I can confirm this with him — that local government has a role through my department, the Department of Health, which oversees it, in the regulation of food safety in this regard.

I note that Mr O'Brien drew the attention of the Minister for Agriculture and Food Security — and presumably me, too — to recommendation 9 of the Rural and Regional Committee's inquiry into the impact of food safety regulation on farms and other businesses, which dealt with a number of these matters. He seeks lesser regulation, and I can say to him that the government is prepared to look at ways of reducing regulation. There of course is always a balance between reducing regulation and guaranteeing public safety. My department's primary role here is to make sure that public safety is guaranteed. If food safety is compromised in any meaningful way, that becomes a concern for public safety. Notwithstanding that, I am sure that the Minister for Agriculture and Food Security and I will look at these matters collaboratively.

**The PRESIDENT** — Order! The house stands adjourned.

**House adjourned 6.51 p.m.**

