

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Wednesday, 12 March 2014

(Extract from book 3)

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

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Legislative Council committees

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

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

Legislative Council standing committees

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

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

Environment and Planning Legislation Committee — Mr Dalla-Riva, #Mr 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 Mikakos, Mrs Millar, Mr O'Brien, #Mrs Peulich, #Mr Ramsay and Mr Viney.

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

Participating member

Joint committees

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

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

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

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

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

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

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

House Committee — (*Council*): The President (*ex officio*) Mr Eideh, Mr Finn, Ms Hartland 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 Hennessy, Mr McIntosh, Mr Newton-Brown and Mr Weller.

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

Public Accounts and Estimates Committee — (*Council*): Mr O'Brien and Mr Ondarchie. (*Assembly*): Mr Angus, Ms 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 Drum. (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller.

Scrutiny of Acts and Regulations Committee — (*Council*): Mr Dalla-Riva. (*Assembly*): Ms Barker, Ms Campbell, Mr Gidley, Mr Nardella, Dr Sykes and Mr Watt.

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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

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Mr J. LENDERS

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Mr G. JENNINGS

Leader of The Nationals:

The Hon. P. R. HALL

Deputy Leader of The Nationals:

Mr D. DRUM

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Broad, Ms Candy Celeste	Northern Victoria	ALP	Melhem, Mr Cesar ³	Western Metropolitan	LP
Cote, Mrs Andrea	Southern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Millar, Mrs Amanda Louise ⁵	Northern Victoria	LP
Dalla-Riva, Hon. Richard Alex Gordon	Eastern Metropolitan	LP	O'Brien, Mr David Roland Joseph	Western Victoria	Nats
Darveniza, Ms Kaye Mary	Northern Victoria	ALP	O'Donohue, Mr Edward John	Eastern Victoria	LP
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Elasmr, Mr Nazih	Northern Metropolitan	ALP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
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Guy, Hon. Matthew Jason	Northern Metropolitan	LP	Rich-Phillips, Hon. Gordon Kenneth	South Eastern Metropolitan	LP
Hall, Hon. Peter Ronald	Eastern Victoria	Nats	Ronalds, Mr Andrew Mark ⁶	Eastern Victoria	LP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Koch, Mr David Frank	Western Victoria	LP	Tarlamis, Mr Lee Reginald	South Eastern Metropolitan	ALP
Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
			Viney, Mr Matthew Shaw	Eastern Victoria	ALP

¹ Resigned 3 February 2014

² Resigned 26 March 2013

³ Appointed 8 May 2013

⁴ Resigned 1 July 2013

⁵ Appointed 21 August 2013

⁶ Appointed 5 February 2014

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Wednesday, 12 March 2014

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 9.33 a.m. and read the prayer.

The PRESIDENT — Order! I inform the house that the Economy and Infrastructure Legislation Committee will be meeting this day following the conclusion of the sitting of the Council.

LEGAL AND SOCIAL ISSUES LEGISLATION COMMITTEE

Australian Health Practitioner Regulation Agency performance

Ms CROZIER (Southern Metropolitan) presented report, including appendices, extracts from proceedings and minority reports, together with transcripts of evidence.

Laid on table.

Ordered that report be printed.

Ms CROZIER (Southern Metropolitan) — I move:

That the Council take note of the report.

It is a pleasure to be able to rise and table this report of the inquiry into the performance of the Australian Health Practitioner Regulation Agency (AHPRA) on behalf of the Legal and Social Issues Legislation Committee. The reference given to the Legal and Social Issues Legislation Committee in October 2012 was to consider and report on the performance of the Australian Health Practitioner Regulation Agency, including its cost-effectiveness and regulatory efficacy, and the ability of the national scheme to protect the Victorian public. The performance of health practitioners is an important part of Victoria's health system, as is the need for the Victorian public to not be put at risk due to either the poor performance of a practitioner or their conduct.

It is reasonable that a government which has responsibility for the delivery of health services and resources should be concerned about poor performance or conduct within the health system that may impact the Victorian public. Our health professionals and health services are highly regarded and do extraordinary work each and every day right across the state, but they too need to be protected, so it was somewhat disappointing that some non-government members of the committee did not think this inquiry was worthy, which was demonstrated by their lack of engagement and, quite

frankly, their disrespect for some witnesses who came before the committee in its earlier stages.

Some members also expressed the view that as a three-year review by the Australian Health Workforce Ministerial Council is to be conducted, the Victorian Parliament did not need to assess what is happening within this state. That national review was to commence last July. However, to the best of my knowledge, it has not yet commenced, and we do not know how long that review will actually take or when it will commence. The protection of the Victorian public is at the centre of what this inquiry was about.

The committee received 55 submissions and heard from 20 different organisations and individuals who were particularly concerned about the conduct and overall responsibilities of AHPRA. I would like to thank the members of the public and representatives from those organisations for their willingness to participate in the inquiry, either by providing submissions and correspondence or by coming before the committee. The evidence received greatly assisted the committee in understanding the issues at hand. The committee also travelled to Queensland to further understand what led to the passing of legislation by the Queensland Parliament in recent times to reclaim responsibility for the complaints process within that state. Queensland, like New South Wales, is now a co-regulatory jurisdiction with respect to complaints, performance and disciplinary processes. Therefore there is no consistency in the national complaints process.

The committee heard numerous concerns from the Victorian public in relation to the complaints process, as indicated, including time delays, inadequate communication, confusion over the role of AHPRA, the boards and the Health Services Commission, the inadequate rights of notifiers and inadequate ministerial and parliamentary accountability and oversight. As one witness told the inquiry:

This system has no oversight, no transparency and no accountability. Three times AHPRA ignored my formal complaints. And three times the National Health Practitioner Ombudsman — ostensibly charged with overseeing AHPRA — also failed to respond.

As a parliament we have the ability and responsibility to review issues such as those. The evidence received clearly indicates that the process for managing health complaints is best managed at a local level rather than at a national level by AHPRA.

Another very important issue that was raised during the course of the inquiry was the status of the health programs supporting doctors, nurses and midwives.

Those programs are widely recognised across Australia as being comprehensive, and various witnesses suggested that they be maintained. The programs were originally established to support doctors, nurses, midwives and students with health problems such as drug and alcohol and mental health issues. Funding for the doctors program was at serious risk and there were concerns for its ongoing viability. However, at the final hearing the chair of the Medical Board of Australia reaffirmed the board's commitment to a future national health program specific to the needs of doctors.

Similarly, the Nursing and Midwifery Board of Australia announced in 2012 that it would not continue to fund the nursing and midwifery health program. However, during the inquiry it was noted that the national board would extend the funding of the nursing and midwifery health program to 30 June 2016. Clearly there remains uncertainty about the long-term future of these very important programs.

The findings and recommendations of the report therefore reflect the very important issues raised concerning the complaints system, the doctors and nurses and midwives programs and issues surrounding transparency, efficiency, cost effectiveness and reporting by AHPRA.

In conclusion, I thank firstly Mr O'Donohue, who chaired the inquiry for the first six months, and other members who participated in the inquiry. I also express my thanks to the staff of the committee, especially Richard Willis, Sarah Hyslop and Sean Marshall, for their assistance to the committee throughout the entire inquiry process.

Ms MIKAKOS (Northern Metropolitan) — I also speak on the Legal and Social Issues Legislation Committee final report on its inquiry into the performance of the Australian Health Practitioner Regulation Agency. I point out at the outset that Mr Elasmarr and I have provided a minority report at the conclusion of this report. I can see that Ms Hartland has also provided her own separate minority report. The reason we felt the need to do this is that whilst we had no difficulty with the first five chapters of the report in relation to both the evidence that was received and the findings and the recommendations, we had some very deep concerns in respect of the recommendations contained in chapter 6, particularly the final key recommendations in that chapter. I will indicate to the house shortly what those reservations were.

I make the point that members of the opposition participated in this inquiry with an open mind. We went to this inquiry with the understanding that there were to

be further inquiries at a national level and that there would be opportunities for these issues to be explored in the near future, but we were prepared to see what would come out of this inquiry. We took the view that there were many other issues affecting the — —

The PRESIDENT — Order! Thank you.

Mr O'BRIEN (Western Victoria) — I too wish to join with other members in speaking on the Legal and Social Issues Legislation Committee report on the inquiry into the performance of the Australian Health Practitioner Regulation Agency (AHPRA). I endorse the words of the chair of the committee, Ms Crozier: this was an important inquiry. I note the significant number of submissions that were received and the weight of those submissions from many health practitioner bodies that have been affected by the issues that the inquiry dealt with.

In that regard the report contains some pretty fundamental recommendations, and in the time I have available I will proceed to the heart of those recommendations, particularly the point that the chair picked up — namely, that the submissions and evidence the committee received were overwhelmingly of the view that there were significant problems in the structure of AHPRA. They raised the question that essentially has resulted in the majority report — that these concerns are fundamental to AHPRA's structure, particularly in relation to the reporting and notification requirements.

For the reasons that have been given by the chair, and in line with the key recommendations in the report, it is the view of the majority of members of the committee that these matters are best dealt with in a co-regulatory model, with essentially a localised or state-based referral system such that which has been maintained in New South Wales and that which Queensland is heading to. This was a substantial and important inquiry. I take this opportunity to agree with the final sentence of one of the minority reports which I have just read, which is that:

We also thank the deputy chair of the committee, Mr Matt Viney, for his participation in this inquiry and note that he was unable to participate in the final deliberations ... due to illness.

I commend Mr Viney on his participation and wish him all the best. I note that a number of other MPs participated in the inquiry at various times, including Mr Elsbury, Mrs Peulich, Mrs Millar, who joined the inquiry, Mrs Petrovich, who left the inquiry, as well as Mr O'Donohue, who first chaired the committee, and

the secretariat and staff. I commend them all on their work.

Mr ELSBURY (Western Metropolitan) — I take this opportunity to thank my parliamentary colleagues who have been members of the Legislative Council Legal and Social Issues Legislation Committee during the inquiry into the performance of the Australian Health Practitioner Regulation Agency. The chair, Georgie Crozier, and members, David O'Brien, Jenny Mikakos, Colleen Hartland, Amanda Millar, Nazih Elasmr, Edward O'Donohue, Inga Peulich, Matt Viney and our former colleague Donna Petrovich, and the committee staff, Richard Willis and Sarah Hyslop, all deserve rich recognition for their efforts in assembling this report. I start my speech in this manner because I acknowledge that my appointment to membership of this committee has been made only recently. However, I was a participating member of the committee, attending two of the hearings in Mrs Petrovich's stead following her departure and before Mrs Millar was able to assume her place in this chamber.

To say that the implementation of the Australian Health Practitioner Regulation Agency was poorly handled would, on the evidence I have seen and the testimony I have heard, be the most polite way to express the difficulties faced by practitioners and patients under this system. Both parties in the complaints process have expressed their disquiet at the length of time an investigation can take, as it can be more than 12 months before action is taken. Even then, participants in the process feel they have been provided with a minimal amount of information about the process, what the other party is saying or what the process actually is. This leads to confusion as to what is happening and how a conclusion is developed. Added to this, the stress that doctors can feel over that period is quite substantial as they do not know whether they are going to be able to continue in their profession, and patients have issues about recourse for their grievances.

The inquiry has resulted in 12 recommendations, which I strongly support and hope to see implemented.

Ms HARTLAND (Western Metropolitan) — I wrote a minority report on this inquiry. My reasons were quite clear — that is, I was very concerned about the fact that committee members did not know until part-way through the inquiry that there would be a three-year federal inquiry. I was very concerned that the minister had not bothered to tell committee members about that.

During the hearing of the evidence it was quite clear that in the first year there were major bedding-down problems with the process. Representatives of organisations were saying to us that after the initial period it became better with registration. Clearly there is a major problem with the Australian Health Practitioner Regulation Agency complaints process. We heard a great deal of evidence about how patients in particular were not dealt with well in the process.

I would like to thank the staff who were involved in this inquiry. They did a sterling job. I would also like to congratulate the chair of the committee, because I believe that even when there was disagreement among members of the committee Ms Crozier chaired the committee in a fair and unbiased way, and I appreciate that.

One of my major problems with the inquiry is that so many attempts that have been made to send references to various legislation and reference committees have been knocked back by the government, yet this reference was going to be dealt with on a national basis — and that is where it should have been dealt with.

Mr ELASMAR (Northern Metropolitan) — I rise to speak on and support the minority report of the Legal and Social Issues Legislation Committee. It is a rare occasion when this house is presented with a minority report arising out of a parliamentary committee's inquiry. The importance of the disagreements between members of the committee and the inability of the committee to table a combined single report to this house has resulted in opposition members of the committee submitting this minority report.

While opposition members support nearly all the recommendations contained in the majority report, some fundamental problems have not been addressed properly either in the short term or indeed the long term. While I am addressing this matter, I would like to thank the former chair of the committee, Mr Ed O'Donohue, the current chair, Ms Crozier, and the deputy chair, Mr Viney, who unfortunately could not attend and participate in all the hearings because of his illness. He has put a lot of time into this report, and I wish him all the best in his health improving.

The issue of the health practitioner complaints process is a major stumbling block. We believe it is imperative that complaints made by patients about medical professionals be dealt with as quickly as possible by the Australian Health Practitioner Regulation Agency. This regulatory body must be equipped within its framework to expedite and carry out its role in a timely and

effective way that safeguards users of the medical health system. As the majority report stands, it does not adequately protect the interests of anyone, either the patients or the medical professionals. It is critically important to get it right now and not some years down the track when all the wheels have fallen off.

I also thank the executive officer, Mr Richard Willis, and all the members of the committee.

Mrs MILLAR (Northern Victoria) — I am pleased to make a statement in relation to the inquiry into the performance of the Australian Health Practitioners Regulation Agency (AHPRA), an inquiry which I was pleased to join after 21 August last year. This was an important inquiry for all Victorians because it came in the wake of some serious concerns about, in particular, the way AHPRA — which was formed in 2010 — has handled the review of a number of complaints made about health practitioners in this state.

The inquiry examined in detail 55 submissions relating specifically to a number of these complaints. The submissions detailed lengthy delays, concerns about the rights of notifiers and information provided to employer organisations about the matters under review. These submissions detailed some very serious shortcomings in these reviews, which have eroded the trust and confidence of the Victorian public in that body. Once lost, that trust and confidence cannot reasonably be expected to ever be restored. However, in accordance with the terms of reference, the most important consideration for the committee was the question of whether the safety of the Victorian public was at any time compromised by AHPRA's handling of the complaint reviews. The evidence before the committee indicated that this had indeed occurred over the period under consideration. This single factor has been significant in driving the committee's ultimate recommendations.

It is often said, and is certainly true, that there is nothing more critical than our health. Thus it is that when something goes wrong in the delivery of health services we expect — and are entitled to expect — these complaints will be reviewed with the highest degree of scrutiny and effectiveness. This was not found to be the case with every consideration under AHPRA, and this has led to the final recommendations made by the committee.

I note the very fine work done by Mr Richard Willis as senior committee secretary to this inquiry, Ms Sarah Hyslop and a significant number of other parliamentary staff and the Hansard reporters. The talent, dedication and contribution made by the staff

of this Parliament never ceases to amaze me, and I think that few Victorians fully understand the contributions made beyond those of us who sit in this place. The work done on parliamentary committees highlights that more than anything else. I thank my colleague Ms Georgie Crozier, who yet again excelled as a committee chair of great skill, patience, even-handedness and grace. I thank the other members of the committee from both —

The ACTING PRESIDENT (Mr Elasmr) — Time!

Motion agreed to.

PAPERS

Laid on table by Acting Clerk:

Auditor-General's Report on Apprenticeship and Traineeship Completion, March 2014.

Crown Land (Reserves) Act 1978 —

Minister's Order of 20 January 2014 giving approval to the granting of a lease at Westerfolds Park Reserve.

Minister's Order of 2 December 2013 giving approval to the granting of a licence at Millars Creek Bushland Reserve.

Ombudsman — Report on Conflict of interest in the Victorian public sector — ongoing concerns, March 2014.

MEMBERS STATEMENTS

Child protection

Ms MIKAKOS (Northern Metropolitan) — Today's *Herald Sun* has revealed the disgraceful sexual exploitation of children in Victoria's care. It outlines damning revelations of organised criminal gangs of paedophiles grooming for prostitution children as young as 12 in residential care. It also reports older teens grooming younger children on behalf of sexual predators in return for money and drugs. These cases are endemic in residential care. A senior manager working for a child protection agency that manages residential units was reported to have said that more than 80 per cent of girls living in care are being sexually exploited. This is a disgrace.

Today Ms Wooldridge, the Minister for Community Services, has admitted that she has known about the sexual exploitation of children in residential care for the past 18 months. Her response is not good enough. Her failure to acknowledge this as a significant shortcoming of her government is simply unacceptable. She needs to focus on preventing this from happening in the first

place. She needs to focus on the inadequate resourcing of child protection agencies, the inadequate staffing levels and the inadequate levels of supervision that are allowing these vulnerable children to fall into the hands of paedophiles in the first place. The minister needs to do her job. Children in residential care need to be able to sleep safely every night. Despite her rhetoric, Minister Wooldridge, along with this government, is failing to protect vulnerable children in this state.

Dick Radcliffe-Smith

Mr RAMSAY (Western Victoria) — At times you are confronted by your own mortality, and this was the case for me in the last few weeks. I attended two funerals in the last week, and I attended a men's health night at Cape Clear.

The funerals were in stark contrast. One was of a close friend and mentor, Dick Radcliffe-Smith, who managed a grazing property near my own and who helped me manage my family farm when my father was struck down with cancer at the age of 45, when I was 17. Dick suffered a long illness and was superbly cared for in his own home by Jenny until he died at the age of 74 years. He will be sadly missed by family and friends.

Allison Murphy

Mr RAMSAY — The other funeral I attended last week was to mark the passing away of Allison Murphy, known as Alli, at the age of 43, leaving behind beloved husband Peter Stephens — Stevo — and twins Lucy and Charley. Alli was one of those people who was able to charm all people from all walks of life. Obituaries refer to her infectious smile and laughter and describe her as a 'supernova', 'crazy smart and crazy fun', warm, intelligent, funny, bright, passionate and articulate.

Alli was deeply committed to the growth of the Geelong region through her company RedStick Strategic Communications and her position on the board of the Committee for Geelong. Her legacies — Avalon Airport, the Skilled Stadium development, T20, Geelong Ring Road and Deakin University, to name but a few — will remain forever. A scholarship at Deakin University in her name is a fitting honour to someone so young who touched so many people, as demonstrated by the hundreds who crammed into St Mary's Basilica last week to pay their respects. We will miss her.

The PRESIDENT — Order! I had the opportunity of meeting Allison Murphy last year, and it shocked me

this morning to learn that she had died at such a young age. She was a vital person, I agree.

Transport infrastructure

Mr TARLAMIS (South Eastern Metropolitan) — I rise to speak about the Napthine government's transport plan, which has failed public transport users, blown any chance of reducing congestion and will not fix the public transport nightmare that commuters face daily.

After ignoring residents in the south-east for over three years and withdrawing the funding the Labor government had allocated for a number of premium station upgrades, the government has recently made an announcement about its transport plan, which falls far short of Labor's detailed plan outlined last year. The government remains committed to its dud hole-in-the-ground project known as the east-west link despite its own Department of Transport, Planning and Local Infrastructure saying the only way to reduce rail congestion is to build the Melbourne Metro rail tunnel and remove level crossings. But wait, that is right: the government will remove four level crossings on the Cranbourne and Pakenham lines, with a plan to do a few more in the future. You do not have to be good at maths to figure out that is a fair bit short of the 50 level crossings that Labor has committed to removing. It is one thing to copy our plan, but it takes a fair bit of effort to completely stuff that up.

What about the Frankston line? Frankston residents have been forgotten. What about Southland station? Residents are still completely in the dark as to whether it will be built, when it will be built, how much it will cost and whether property developers will benefit from any cost shifting associated with the project to keep it within the \$13 million commitment, which is not nearly enough to build what the government promised.

This announcement by a dysfunctional, do-nothing government is simply a desperate stunt which Victorians have all seen before. It has come about due to the government's realisation that its dud tunnel project is on the nose with voters and as such it cannot be taken seriously. Only Labor will remove 50 level crossings, build Melbourne Metro, deliver 24-hour public transport on weekends and deliver real transport solutions.

East Gippsland bushfires

Mr RONALDS (Eastern Victoria) — On Sunday last week I had the privilege of attending the Newmerella base camp for the East Gippsland bushfires. During the past six weeks these fires have

burnt through more than 165 000 hectares, affecting national parks and remote communities in East Gippsland. Volunteers and professional firefighters from across Victoria, interstate and overseas have been working tirelessly to bring these blazes under control, but there is still more work to be done.

Currently there are 150 crew, 59 slip-on units, 1 tanker and 5 aircraft keeping this fire under control. Recovery from this fire is going to take time. A large amount of private property has been impacted, and emergency services are now working with landowners and families to assess the damage and support their recovery.

Today I want to express to the house how much this government, and all Victorians, appreciate the work of these firefighters. The people of far East Gippsland are a resilient bunch. They live in a harsh environment and have been through many challenging times. I would like to let them know that despite their remote location they are not forgotten and they will not be alone when the time comes to rebuild and recover from this fire.

State of the Climate

Ms PENNICUIK (Southern Metropolitan) — Last week the CSIRO and the Bureau of Meteorology released the third biennial *State of the Climate* report, the contents of which should be of great import to governments at all levels. The federal Minister for Environment, the Honourable Greg Hunt, famously said that he did not need the Climate Commission and could rely on the CSIRO and the Bureau of Meteorology. The report of those two organisations states:

Australia's climate has warmed by 0.9°C since 1910, and the frequency of extreme weather has changed, with more extreme heat and fewer cool extremes.

...

Extreme fire weather has increased, and the fire season has lengthened, across large parts of Australia since the 1970s.

...

Australian temperatures are projected to continue to increase, with more extremely hot days and fewer extremely cool days.

and —

Seven of the 10 warmest years on record have occurred since 1998.

Over the past 15 years, the frequency of very warm months has increased fivefold and the frequency of very cool months has declined by around a third, compared to 1951–1980.

The report further states:

Since 2001, the number of extreme heat records in Australia has outnumbered extreme cool records by almost 3 to 1 for daytime maximum temperatures, and almost 5 to 1 for night-time minimum temperatures.

It also states:

Atmospheric greenhouse gas concentrations continue to rise ... Limiting the magnitude of future climate change requires large and sustained net global reductions in greenhouse gases.

Roy Higgins

Mr ONDARCHIE (Northern Metropolitan) — Australia has lost a national treasure. Roy Henry Higgins passed away last Saturday after a short illness. He was a very humble man. He was forever grateful that a lad from the country could enjoy such a wonderful life which made him a national hero, took him overseas and allowed him to meet royalty as well as those who idolised him the most — the punters.

Roy was aboard Bart Cummings's first Melbourne Cup winner, Light Fingers, in 1965 and Red Handed two years later. He was an inaugural member of the Australian Racing Hall of Fame in 2001 after being inducted into the Australian Sporting Hall of Fame in 1987. He was an 11-time winner of the Melbourne Jockeys' Premiership and one of a handful of jockeys to ride the winners of racing's grand slam — the Golden Slipper, the Cox Plate, the Caulfield Cup and the Melbourne Cup. Roy was an icon of thoroughbred racing. His record on the track was exceptional, with highlights including his 108 group 1 wins. He excelled at Flemington, winning two Melbourne Cups, four Victoria Derbys, and the Victoria Racing Club Oaks on five occasions.

I first met Roy as a young boy when I was introduced to him by my late father, and in 2013 I had the honour of introducing my son to Roy, the third generation of Ondarchies to meet him. Known as 'The Professor' for his superior skills in the saddle, he began his career in Deniliquin in 1953. On behalf of all Victorians and punters, I pay tribute to Roy 'The Professor' Higgins.

National Centre for Farmer Health

Ms TIERNEY (Western Victoria) — The National Centre for Farmer Health (NCFH) has been ignored yet again by a Liberal-Nationals government, this time at a federal level. Two weeks ago the Prime Minister announced a \$320 million farmer assistance package which includes a mental health component. However, in what is becoming a general practice for Liberal-Nationals governments in Australia, the National Centre for Farmer Health in Hamilton was categorically ignored once again.

The centre will not see 1 red cent of the money to continue its international award-winning Sustainable Farming Families program, which deals directly with mental health issues for farmers.

For more than two years the Minister for Health, the Honourable David Davis, and this state government have been ignoring the centre, and the community is absolutely seething. An editorial in the *Hamilton Spectator* recently painted a very clear picture of what the community thinks of the Napthine government's record on the centre for farmer health. It states:

The state government's decision to offer mere token — some would say disingenuous — financial support to saving the National Centre for Farmer Health ... is as appalling as it is plain dumb.

That a health minister, David Davis, would rather commit more money on a misleading and unnecessary advertising campaign in this state's media calling for paramedics to sign up to a government pay deal than he would on the NCFH is an insult to farmers from the Western District and beyond.

Western Victoria deserves better, and certainly farmers do.

Croydon Special Developmental School

Mrs KRONBERG (Eastern Metropolitan) — I rise to congratulate the Croydon Lions Club and the Rotary Club of Croydon which, with their splendid coordinated efforts in conjunction with Croydon Special Developmental School, ran a fantastic fundraising trivia night in Croydon for Croydon SDS's planned outdoor play area for students. It was the largest trivia night I have ever supported, with over 300 people attending and a fantastic sum of \$15 000 raised.

Heavy metal band

Mrs KRONBERG — On another matter, whilst supporting many diverse forms of musical expression and the right of freedom of expression, I am left completely nonplussed as to why a heavy metal band — I am not going to use the name of the band so as not to honour their behaviour in any way — arrived at the conclusion that decapitating an effigy of our Prime Minister was artistic expression.

An honourable member interjected.

Mrs KRONBERG — That is what happened. Someone in an elaborate space warrior costume swung a sword at the figure, knocking its head off and sending a stream of fake blood spraying over the audience. The band replicated the Abbott decapitation at another performance and also took aim at one of the Prime Minister's most treasured institutions by hacking the

breasts off an effigy of Queen Elizabeth. This group's songs are known for their politically charged themes and lyrics, and on previous tours they have simulated the torture of former United States president George W. Bush.

Daylesford community events

Ms BROAD (Northern Victoria) — Over the past two weeks I have had the opportunity to participate in several community events in my local community of Daylesford. Firstly, Rotary Daylesford, the Shire of Hepburn, the Daylesford RSL, the historical society and many other community volunteers came together for the official opening of interpretive signs to mark the First World War avenue of honour some 96 years after the first trees were planted with pride, sorrow and hope for the future.

Secondly, the organising committee for the Shire of Hepburn Women's Honour Roll, in conjunction with International Women's Day 2014, and many volunteers organised an event to pay tribute to the women in the shire whose contributions, courage and examples have led to significant social change for women. The honour roll is now in its ninth year and the contributions by students from Daylesford Secondary College are cause for much optimism for the future.

Over the Labour Day weekend the Daylesford community hosted the 2014 ChillOut Festival, the largest gay and lesbian festival in regional Australia. Now in its 16th year, volunteers create a festival that celebrates diversity and raises funds for the local community. These three events demonstrate the strength and diversity of Daylesford and the passion members of the community have for their town.

Cranbourne-Pakenham rail corridor

Hon. E. J. O'DONOHUE (Minister for Liquor and Gaming Regulation) — I welcome the announcement made by the Minister for Public Transport, Terry Mulder, and the Premier last week about the Cranbourne-Pakenham rail corridor project, which will see massive investment in that part of south-east Melbourne to improve rail capacity. This investment includes 25 new, next generation trains, 21st century high-capacity signalling, removal of four level crossings, preconstruction funding for another five level crossing removals, newly rebuilt stations at Carnegie, Murrumbeena and Clayton, and a new train maintenance depot at Pakenham East, which will generate 300 jobs.

When it comes to growth in jobs in Gippsland and the south-east, only the coalition stands for the investment and the vision needed to generate sufficient economic activity to support a growing population. When it comes to the port of Hastings, the coalition is absolutely committed; Labor and the Greens are opposed. When it comes to the east-west link, which is so important for our producers to get their products to market, only the coalition supports it; Labor and the Greens oppose it. The new equine precinct and the new Pakenham racecourse at Tynong will contribute to the growth of the area, and the government looks forward to that project progressing. When it comes to economic growth, development and jobs in the south-east and Gippsland, there is a very clear contrast between the coalition which stands for jobs and Labor which says 'No'.

Boral Western Landfill

Mr EIDEH (Western Metropolitan) — I rise to thank my parliamentary colleagues who attended the recent forum held to raise community concern over the proposed expansion of the Boral Western Landfill site. The proposal will extend the landfill on Christies Road, Ravenhall, by 179 million cubic metres, creating one of the biggest landfill sites in the country. I acknowledge Mr Cesar Melhem, a member for Western Metropolitan Region, the member for Kororoit in the Assembly, Ms Marlene Kairouz, and Mr Bernie Finn, a member for Western Metropolitan Region, for their contributions on the evening and their support in opposing this proposed expansion.

Unfortunately, due to a prior commitment I was unable to attend the forum. However, I have been informed that over 400 concerned residents attended. I suspect this issue will end up on the desk of the Minister for Planning, and I hope that when he is forced to make a decision he recognises the serious opposition of the community to this development and also the bipartisan support of members of this honourable Parliament to ensure that this expansion does not go ahead.

Victorian School of Languages

Mrs PEULICH (South Eastern Metropolitan) — Last week I had the privilege of addressing and presenting awards at the Victorian School of Languages (VSL) Victorian certificate of education (VCE) top scorers awards evening at Melbourne University. The Victorian School of Languages hosts an annual VCE top scorers awards night to acknowledge the achievement of its VCE students from the previous year.

The VSL is a government school that provides complementary language education to students in years 1 to 12 from all sectors who do not have access to the languages of their choice in their mainstream schools. The VSL language programs are delivered predominantly through face-to-face teaching in 40 centres across the state. Language education is also provided through distance education. In 2014 the VSL is offering 49 languages to approximately 14 000 students in face-to-face classes and to approximately 1400 students by distance education. VSL students are drawn from the three school sectors, with approximately 70 per cent from government schools, 20 per cent from the independent school system and 10 per cent from the Catholic school system. It also caters for a number of adults and full-fee paying students.

In 2013 around 1600 students completed their VCE language courses at the VSL, 165 of whom were classed as top achievers by attaining scores between 40 and 50 in their final results. Nineteen students topped the state in their respective languages. I congratulate Dr Bruno Mascitelli, the school council president, principal Frank Merlino, all the teachers and all the students and their families who shared in the celebration of a wonderful night that was a reflection of the pride in and strength of our school education system.

PRODUCTION OF DOCUMENTS

Mr TEE (Eastern Metropolitan) — On behalf of Mr Tarlamis, I move:

That this house requires the Leader of the Government to table in the Legislative Council by 1 April 2014 all relevant documents in the custody, knowledge or control of the Victorian government that relate to discussions or a decision to provide Patrick stevedores with compensation for relocating from Webb Dock East.

In moving this motion, I will make some observations. The concern I have is that the public has been made aware that there has been a payment of some \$18.5 million of taxpayers money as compensation for disruption caused by the expansion of the port of Melbourne. Of concern to me and the opposition is that the release of this information — the fact that we know that \$18 million has been provided to Patrick stevedores — has been shrouded in secrecy. We have seen no disclosure by the government, no announcement and no documents. Nothing has been released. There has been no justification for the decision to pay \$18 million of taxpayers money and no rationale for how that amount was calculated. People are concerned that the only reason we know about this

payment is that Patrick's parent company has disclosed the payment to the Australian Stock Exchange.

I think Victorians expect better. They expect a government that is going to be the source of information regarding the release of taxpayers money. There is a concern that this information is being provided by Patrick stevedores, or its parent company, but not by the Victorian government.

There is also a broader context to the release of this money. Patrick's employees have a concern and a nervousness about a proposed restructure that would see a number of redundancies and an increasingly casualised workforce at Patrick's in the context of this restructure. I know that the Maritime Union of Australia is concerned that the relocation from Webb Dock is triggering these discussions around redundancies and the casualisation of the workforce. The union's concern is what, if any, is the connection between the payment of money to Patrick's and the reorganisation of the workforce?

In many ways these discussions could not be occurring at a worse time. We have seen a whole industry, the car manufacturing industry, effectively disappear, so there is a heightened tension and a heightened nervousness in workforces such as the stevedoring industry. People are very worried about their ongoing employment and whether they will have jobs in 12 months time. It is important that any suggestion that the arrangement between the government and Patrick's connected to the restructuring of Patrick's operations is fleshed out. The best way to flesh that out is to make public the details of the arrangements between Patrick's and the government. That is what this motion does. If we can clear the air by releasing documents which set out the arrangements, that would provide a greater amount of certainty and comfort to the workforce.

It is also the case that the enterprise agreement between Patrick's and the maritime union provides that arrangements such as these might have an impact on the quantum of any redundancy payments. That is another reason the workforce should be fully informed as to the circumstances of any matters such as these which may impact on their redundancy payments as well as their ongoing employment. The workforce has an expectation that the Victorian government will do everything it can to ensure their ongoing employment at the site. The workforce is concerned that this government has not done anything to help the workforce achieve that outcome. More of that can be revealed if these documents are released.

It is important for those workers and their families that all these arrangements be put out in the public. Most importantly, Victoria should not be the place for deals that are shrouded in secrecy.

It should not be a place for these secret arrangements that are announced via the stock exchange rather than via the government. This is taxpayers money, and taxpayers — —

Mr Drum — When have you ever been concerned about taxpayers money?

Mr TEE — Mr Drum might be quite happy for \$18.5 million to just disappear into thin air with no discussion and no announcement, but at the end of the day we on this side think there ought to be greater transparency. The public ought to know why that money has been paid and what arrangements are in place. There is nothing untoward about providing enough information so the public can make sure they are getting value for money. That is all that is being asked — to make sure there is transparency so that everybody can know what is going on and people can make an assessment and make up their own minds about whether or not they are getting value for money. Mr Drum might want to take a different approach, but on this side we are very clear that people have a right to know. This is not Mr Drum's money. This is not the government's money. This is taxpayers money, and it is a lot of taxpayers money — \$18.5 million — without a thread of information as to how it was determined that this money should be paid, what arrangements were put in place and what impact it will have on workers at the site.

I share the concerns of the workers on the site, who are asking for some transparency and some openness. On this side of the house we believe whatever information can be made available should be made available so that people can see for themselves whether or not this was the right outcome. I would urge everyone to support this motion.

Hon. R. A. DALLA-RIVA (Eastern Metropolitan) — I rise to make a contribution to the debate on the opposition's motion 735 seeking that the Leader of the Government table in this place certain documents in the custody, knowledge or control of the Victorian government that relate to discussions or a decision to provide Patrick stevedores with compensation for relocating from Webb Dock East. I note that in the normal course of business the government would not oppose the motion and allow the relevant ministers and departments to process the request.

Mr Tee has again provided an interesting perspective on the former government's achievements in terms of accountability, management of taxpayers money and fiscal management. As Mr Tee was providing that, I scribbled down some interesting points: the north-south pipeline, the desal plant — \$1.8 million per day, which we are still paying — and the failure of the Ararat prison. As I was looking at Mr Tee, I could not help but think that some people last night may have stayed at the Windsor Hotel — and what a debacle that was! Mr Tee talked about honesty and truth and not wasting taxpayers money. It was almost like the nose was going to swing around the whole chamber and whack everyone — you had to duck!

Hon. E. J. O'Donohue interjected.

Hon. R. A. DALLA-RIVA — After those opposite opposed the move-on laws but did not vote against them.

Mr Drum — And the gaming option freebie.

Hon. R. A. DALLA-RIVA — And the gaming option. There are other speakers who wish to contribute. As I said, this was just a quick, off-the-cuff comment because I thought Mr Tee was going to go into the reasons he wants the documents, but all we got was the usual tirade, which we heard yesterday. I wish Mr Tee would make a deliberate contribution to the chamber rather than just repeating the same speech over and over and over.

Ms Broad — And over and over and over, like you just said.

Hon. R. A. DALLA-RIVA — Again we hear from the talking pillar, over and over and over.

Ms Broad — Over and over and over. Is that all you have got to say?

Hon. R. A. DALLA-RIVA — Listen, there it is — the talking pillar! We hear it again. As I said, we are happy to let this motion proceed.

The ports, freight and logistics sector is important to the Victorian economy. Its estimated value to the economy is between \$19 billion and \$23 billion per annum. To put that in some context, the port of Melbourne is Australia's busiest commercial port; we know that. It handles something like 37 per cent —

Ms Broad — You are telling us what we already know.

Hon. R. A. DALLA-RIVA — Over and over and over, we hear from the talking pillar again.

Ms Broad — Do you have anything to say that we don't know already? We all know very well about the port of Melbourne.

Hon. R. A. DALLA-RIVA — Has it stopped? No, the honourable member opposite is continuing. I will stop every time there are interjections, just for the *Hansard* record, so we know what is going on. At the end of the day — —

Honourable members interjecting.

Hon. R. A. DALLA-RIVA — At the end of the day, this is the opposition's business day. If they want to sit here making inane interjections, I am happy to stand here and talk. There are no time lines in this place, so I will stand here and talk about the importance of the port. Those opposite do not care about the port. It is amazing that those opposite spoke earlier about transparency and honesty yet they have the gall to sit here and talk about issues they failed to bring up in relation to their failed projects and the way they used to handle taxpayers money. The reality is that the port is important. It is critical for trade. It handles the majority of the nation's containers. It is anticipated that it will handle something like 5.1 million containers by the mid-2020s.

Just to remind members and those interested, it is important to note that in 2012 the government said it would proceed with the investment in the port capacity project. In March last year the Minister for Ports and the Premier announced the start of the works at Webb Dock as part of the \$1.6 billion port capacity project. That project covers a range of different areas, including a new international container terminal, a new automotive terminal, a new pre-delivery inspection hub for cars and increased container capacity at Swanson Dock. Over 2500 jobs will be created through this \$1.6 billion investment in Victoria's future.

The government is also proceeding with the development of the port of Hastings as Victoria's second container port. We very clear on that. We are not jumping around, 1 minute saying that we are going to deal with the port of Hastings and then changing our minds in opposition.

Mr Barber — How is the progress on that?

Hon. R. A. DALLA-RIVA — There was an interjection asking how it is going. It is proceeding well. I am sure Mr Drum will add to that. Hastings will be able to cater for the additional container demand

once the port of Melbourne reaches capacity in the mid-2020s. In answer to the question put by Mr Barber, we committed \$110 million in the 2013–14 budget to commence important planning and design works.

Mr Barber — But how is the progress?

Hon. R. A. DALLA-RIVA — Again, Mr Barber, you need to design and plan. If you do not design and plan, you end up with this ad hoc approach, like building a desalination plant that costs \$1.8 million a day and has not delivered one drop of water.

Mr Barber — For the next 30 years.

Hon. R. A. DALLA-RIVA — For the next 27 years; it is counting down. That monetary commitment is for the planning and design works as well as the necessary approvals processes. As a natural deep-water port with a significant amount of land already zoned for port use, Hastings is a logical investment, as opposed to some of the policy decisions of those opposite, who are looking to move it somewhere else.

Mr Drum — They didn't make any decision.

Hon. R. A. DALLA-RIVA — I do not know if they have made any decision. They made a decision in government on which they changed their position in opposition, but we will leave others to discuss that. Hastings has operated as a commercial port since the 1930s, and we have a high level of confidence that effective new container port capacity can be delivered at Hastings within the time frames required to avoid a gap in the state's capacity to accommodate the projected growth. In terms of regional ports, the commercial ports of Geelong and Portland are also experiencing record growth and throughput. More importantly, these ports generate significant economic and employment benefits for our regions and assist our regional exporters.

In terms of the motion, the advice that has been provided is that this matter is currently under consideration as a FOI application made to the Department of Transport, Planning and Local Infrastructure. The FOI application has been transferred from that department to the Port of Melbourne Corporation. I understand that the port of Melbourne and Asciano have come to a commercial settlement in relation to the early termination of Asciano's lease at Webb Dock. The terms of such a settlement are commercial in confidence unless the parties agree to make details of any such settlement public. I can report that the Victorian government is not party to any commercial settlement between the port and its tenants.

Having said that, as I said, I am happy to make a small contribution, as I have tried to do — save for the inane interjections at the beginning. As in the ordinary course of a documents motion, the government will not be opposing this and will allow it to go through the normal processes.

Mr BARBER (Northern Metropolitan) — Thank you, Acting President — —

Mr Drum interjected.

Mr BARBER — I am 100 per cent ready, 100 per cent of the time, Mr Drum, particularly when the issue, like that raised by the Labor Party today, is one of transparency with regard to the operations of the Port of Melbourne Corporation. If we have problems with transparency now, one can only imagine what it will be like when the Labor Party, no doubt one day voting in this place with the Liberal Party, privatises the port of Melbourne.

Mr Tee talked about deals being shrouded in secrecy, and he bemoaned the fact that we would have to go to the Australian Stock Exchange to find out what was happening with different players down at the port. Every citizen of Victoria understands what it will mean when and if Labor achieves its plan to privatise the port of Melbourne. Everybody in politics understands that privatisation is a vastly unpopular policy with all voters across the political spectrum. Everybody understands that, so why is it that the Labor Party is pushing forward with a plan to privatise the port? It is because the money men — the super funds and their deal arrangers — want their next transaction and the fat fees that go with it, and they are beating a path to the door of the Leader of the Opposition, the member for Mulgrave in the other place, Daniel Andrews, and no doubt to many other government MPs as well, saying, 'How about it?'

Prime Minister Tony Abbott's government is urging state governments to — I think the expression is — 'work their balance sheets harder'. That is code for 'flog off anything that is left that you have still got in public ownership'. In Victoria, apart from public land such as the people's corner park, the single biggest asset we have in public ownership is the port. Tony Abbott's call can mean only one thing, and Daniel Andrews has responded. Leaving aside the fact that members of the public simply do not agree with that, what can be the argument, if any, for selling the port of Melbourne?

It certainly will not create transparency because if we are having trouble now, the fact is that once it is a

private entity the Parliament, the Ombudsman and the Auditor-General will find it extraordinarily hard to inquire into the management of that asset. The problem with the Audit Act 1994 and many of our other integrity mechanisms is that with contracting out, privatisation and all the rest of it, it is extraordinarily hard to follow the public's dollar or understand the value for money from a public-private partnership, a lease or sale, or whatever it is that the Labor Party is proposing. Transparency will be vastly more difficult under that arrangement. Will it lead to a better competitive outcome? I would not imagine so.

If a new owner was to buy the port from the state government, even at book value it would not be satisfied with that. It is going to want to squeeze some more juice out of the orange, and there are only a few ways you can do that. One way is to start jacking up port user fees, and we have already seen the normally staid Victorian Farmers Federation come out swinging on that one. It is deeply disturbed about the impact on exporters. The exporters are worried about a new private owner squeezing even more out of them by way of port fees.

We could see some sort of dodgy asset plays around the port precinct — even, I would imagine, residential development impinging further onto the port, because that seems to be where the money is these days. Whatever is in the agreement that a punitive Andrews government would want to sign with the new port owner-operator, that would be the deal. If something is not in the contract, there will be no way for a future Victorian government or Parliament to influence what is happening down there, so anything is possible. No doubt we will not see that agreement until after it is signed. Talk about deals shrouded in secrecy: the proposed Liberal-Labor port privatisation will be a multibillion-dollar deal that will be shrouded in secrecy until the deal is done.

The third way a new private port owner can try to squeeze more profit out of what is, by all accounts, a well-run port is exactly the type of thing Mr Tee has warned us about in here, such as casualisation of the workforce and so on. If Mr Tee is worried about all the issues he raised in his contribution, why are they going forward with a proposal to sell the port? We know that Labor has attached the idea to a program of works around level crossing removals. That is merely an exercise in trying to tart up this proposal and make it a bit more palatable to the public, but it will not work. Simply selling a public asset now that is delivering a revenue stream to Victoria and its citizens of \$175 million worth of dividends over the last five years and replacing it with an amount of cash does not

actually change the balance sheet or the net worth of Victoria as a polity. It exchanges one kind of asset for another. There is no magic money tree, but the Labor and Liberal parties are talking about it as if there is.

Even the Productivity Commission, which generally takes a pro-competition and pro-privatisation stance, says that no monopolistic profit is being generated by the way the port of Melbourne is being run now under public ownership. Things can only get worse under private ownership.

Some people are treating the privatisation of the port as a fait accompli. They think that if both the Labor and Liberal parties are more or less committed to selling the port, albeit with some argument about the detail of how that is to be done, then this is a done deal. I am here to tell the chamber that there is a long way to go between now and the election and even after it. When the public gets its head around what this proposal to sell the port means, there will be rising anger. One way or another one of the parties will win the election and the other will lose the election, and I reckon the other one is going to chicken out.

I reckon that when this proposal for the port privatisation has been put to an election and the voters have had their say and considered that key stakeholders, all the way from the Victorian Farmers Federation to the Maritime Union of Australia, are already worried about what this means for their future, the voters will understand that it is not just those key stakeholders who have concerns. At that point, one of the two fraternal twins here — the Labor and Liberal parties, united in their policy of flogging off the one remaining strategic economic transport asset that is purely in public ownership — will cut and run. They think they are providing political cover to each other, but one of them will chicken out of the deal and then suddenly there will be a non-government majority in this chamber opposed to the sale of the port and massive egg on face for the government of the day that then has to backflip.

I am pleased to see this motion on the notice paper and to have had the opportunity to talk about why transparency around the port and its operations is an absolutely critical matter that all Victorians should be interested in and that certainly all port users and port stakeholders have a huge stake in. I look forward to taking to the election campaign the Greens opposition to the sale of the port of Melbourne with, as it so often is, Labor and Liberal united on the other side of the chamber.

Ms CROZIER (Southern Metropolitan) — I am pleased to rise to speak to Mr Tarlamis's motion 735. I

note that he did not speak on the motion but that Mr Tee spoke to it. Nevertheless, I am pleased to rise to speak to the motion because the port of Melbourne exists within my electorate of Southern Metropolitan Region and is a very important asset for not only the electorate but obviously Melbourne and the entire state.

In raising a few points about the port of Melbourne I refer to the latest annual report of the Port of Melbourne Corporation. In relation to what is undertaken at the port of Melbourne, the 2012–13 annual report states:

The port of Melbourne is primarily a container port which handles around 37 per cent of the nation's container trade. Containers also account for over 70 per cent of the port's total trade. With around 3200 ship calls to the port each year, the port of Melbourne has grown with the city to now handle over 2.5 million TEU. In the last 15 years, container volumes have grown by over 150 per cent.

I take up the point that the report makes about the TEU (20-foot equivalent unit). I note that the opposition has put forward some plans for the port of Melbourne. The opposition spokesperson for ports, Tim Pallas, the member for Tarneit in the Assembly, incorrectly guessed that the port's capacity will be more than 8 million TEU if the opposition goes ahead and sells the port under its plan. Clearly Victorians, the government in general and members on this side in particular understand the incapacity of opposition members to manage large-scale projects and the financial aspects of the state in a considered way. Government members know that from the legacy those opposite left us. I do not need to go through and remind members of just some of the issues government members are continuing to fix while at the same time giving certainty and enabling a vision for and growth of the state.

One of those elements is the port of Melbourne. I am pleased that when he was the Minister for Ports the Premier had a very good understanding of the ports. Last March he very correctly announced the start of the work at Webb Dock as part of the \$1.6 billion port capacity project. That again goes to the heart of what the government understands. As I said, the port of Melbourne is significant. It takes in a huge amount of trade for the south-eastern states. As the international trade expands, we are going to need increased capacity and the port of Hastings is part of that vision. In the 21st century boats and ships are getting bigger and bigger. It cannot be expected that they will be accommodated in the current port, so the port of Hastings will be fundamental in catering for those large ships.

Getting back to this report from the Port of Melbourne Corporation, in terms of strategic direction it talks about the port of Melbourne being:

... Australia's largest container, automotive and general cargo port which in 2011–12 handled around 37 per cent of Australia's container trade. The full range of maritime trades that are undertaken at the port include containers, automotive, liquid bulk, dry bulk, break-bulk, general cargo, roll-on roll-off (Tasmanian passenger/freight and freight only services) and cruise vessels.

Those cruise vessels are an important element of our tourism industry. We know that is an increasing attraction to our city, which is regarded as the world's most livable. A number of cruise ships come into Station Pier. The port of Melbourne manages Station Pier, which is a gateway for this important tourism market to our state and to Melbourne, and provides a very good service.

The report talks about the capacity of the port of Melbourne, stating:

The total value of trade handled by the port of Melbourne in 2012–13 was estimated to be almost \$83.7 billion. This is sourced across the trade catchment covering Victoria, eastern South Australia, Tasmania and southern New South Wales ...

Very significant economic elements come through the port of Melbourne, as pointed out in the report. It is an important asset for the state and certainly for the Victorian economy. It therefore needs strategic consideration in relation to how we manage it. Labor's plan to conduct a fire sale of the port of Melbourne would be extremely detrimental to the Victorian economy and to the port of Melbourne itself. The coalition has made its plans in relation to port capacity very clear, and that has been pointed out on a number of occasions. The \$1.6 billion upgrade of the port of Melbourne goes to the future plans for that port.

On Monday there was another release of information on how the port of Melbourne has strengthened its water patrol capability. The Minister for Ports, Mr Hodgett, spoke about the 8000 commercial ship movements in Port Phillip Bay every year and the huge amount of shipping traffic within the bay, which is set to grow should the state increase its trade capacity and develop further export markets. I am pleased that this government has undertaken a number of significant trade missions to Asia, China and the Middle East to seed that economic development. That all goes to our capacity in the port of Melbourne.

Returning to Mr Tarlamis's motion — although, as I said, he did not move this motion; it was moved by Mr Tee — this matter is currently under consideration as part of an FOI application to the Department of

Transport, Planning and Local Infrastructure. I understand the application has been transferred from the department to the Port of Melbourne Corporation. I also understand that the port of Melbourne and Asciano have come to a commercial settlement in relation to the early termination of Asciano's lease at Webb Dock. The terms of such a settlement are therefore commercial in confidence, unless those parties agree to make details of any such settlement public. The government is not party to any commercial settlement between the port and its tenants. That needs to be pointed out clearly to those opposite in relation to this motion.

I am very pleased to be part of a government that understands the economic benefits of an asset like the port of Melbourne — what it does for our economy and how it assists our export markets. It is an important asset for the overall Victorian economy. I commend the Minister for Ports for his work, and also the Premier, in his capacity as Premier and as a former Minister for Ports. As Mr Dalla-Riva said, the government will not be opposing this motion, but I wanted to make a few remarks about the strength of our port of Melbourne and the government's vision in relation to it. I commend the input of \$1.6 billion by this government to support that very important Victorian asset.

Mr DRUM (Northern Victoria) — A motion like this gives a member like me an opportunity to stand up and talk briefly about our ports in Victoria. Quite simply, Labor left government in this state with the ports in effect without plans for the future. When you think about the critical nature of the ports and their role as the engine room for this state's economy, you cannot help but be staggered by the idea that Labor would think business as usual is good enough for this state. We are both a prolific importer and exporter, and Victoria plays a leading role in looking after the 23 million people in this country, with the port of Melbourne being the busiest container port in Melbourne.

We are moving some 2.5 million containers through the port as we speak, and by the middle of the 2020s that will have in effect doubled. For a government that only vacated office a bit over three years ago to not have serious and adequate plans for the future is laughable. Then some opposition members stand up in this house and talk about financial management — the laughter just keeps on coming. If it were not so horrendously serious, we would all be able to enjoy a good chuckle about the Labor Party bringing a motion like this to the Parliament.

This is an incredibly important part of Victoria's economy. I am not just talking about wealth but about the value to the economy — the integral part a functioning port plays in relation to commerce in this state. Quite often we talk about access to markets, and that has two connotations. The first is access to overseas markets. This government, like no other government in the history of Victoria, has led a large number of trade missions to some of our more traditional markets such as China and Japan and the growing market of India. Only last week the Minister for Agriculture and Food Security, Peter Walsh, led a trade mission to Iraq, and there have been trade missions to the United Arab Emirates.

This innovative way to look into international markets to try to facilitate industry and commerce in this state is one way that government can help. What a government can do at times is limited, but it can have a real impact in creating new markets in that field. This government is leaving the previous Labor government for dead in showing initiative in creating new markets for our businesses into the future.

The second connotation of access to markets is a more seamless journey from the farm gate or the factory floor to the docks, containers and ships, and vice versa for our imports on the way back in. The government is able to assist commerce in creating these seamless transactions, and that is what is going to increase our exports. When it comes to this second concept of trying to create seamless access to the ports and from the ports to warehouses, I recall that in 2012 under the leadership of the former Premier, Ted Baillieu, and the then Minister for Ports, Denis Napthine, this government announced the \$1.6 billion port capacity project, which introduced a range of initiatives to fix up and increase capacity at Melbourne's docks. We needed to do that because we understand that with the growth that is forecast for the state we have to plan for the future.

We understand that it is going to take many years to create the capacity we need to match this growth. Even when the work we are putting into Webb Dock at the port of Melbourne is completed, we are still going to be found wanting. That is why we have to develop the port of Hastings and why at the same time we have invested \$110 million into the port of Hastings to increase capacity there. We will get this work done so that we are able to match the demand with the capacity at the port of Hastings. The second port will be necessary.

As I said, even with the upgrades to the port of Melbourne we expect it to reach capacity by the mid-2020s. The fact that the port of Hastings is a natural deep-water port makes developing it a more sensible option, as opposed to trying to invest in some other

way. The commercial ports, such as the port of Portland, are experiencing record growth as well, certainly with grain, which is one of the main export trades through those ports. Both types of port play very important roles in that sector.

In relation to the decision to provide Patrick stevedores with compensation, Mr Dalla-Riva has already mentioned that this issue is the subject of an FOI application that has already been made. We understand a commercial settlement has been reached in relation to the early termination of Asciano's lease at Webb Dock and we also understand that is part of a commercial-in-confidence agreement. We are not going to enter into any of those conversations in Parliament because, apart from it being the wrong thing to do, the Victorian government is not privy to those discussions. Commercial settlements between the port and its tenants is not any of our business.

Quite simply, this is another example of why members of the former Labor government should be hanging their heads in shame whenever the subject of ports is raised in this chamber. They vacated government without having adequate plans for the future of the state, even though both imports and exports are incredibly important to ordinary businesses in Victoria and for that matter greater Australia, in which Victoria plays such a major part.

Minister Napthine bit the bullet with a \$1.6 billion investment into this area. A very complex range of improvements needed to be made just to cope with the growth that we are experiencing at the moment, to keep on top of things and to keep the port functioning as a high-quality port, without any hope of actually handling the long-term growth. Then by working in tandem to make those improvements, there was a \$110 million investment as the start of what we are going to need to make the port of Hastings an addendum to the capacity of the state in conjunction with the ports of Melbourne, Portland and Geelong.

It is the modus operandi of members of the coalition government not to oppose motions which request the production of documents. Members of the government will let the relevant minister look at the legalities of providing documents which are at our disposal, but obviously we will not venture into matters concerning commercial agreements or commercial-in-confidence material. Ministers will release any documents that they are able to release. Hopefully there will be a situation in which those on both sides of politics can effectively work together to create better port capacity across this state, including at the port of Hastings.

Motion agreed to.

HAZELWOOD MINE FIRE

Mr SCHEFFER (Eastern Victoria) — I move:

That —

- (1) this house —
 - (a) notes the —
 - (i) severe impact the coal fire in the Hazelwood open-cut mine is having on the town of Morwell and other nearby locations in the Latrobe Valley;
 - (ii) complexity of the fire and the difficult circumstances in the mine under which firefighters and other personnel are operating;
 - (iii) delayed response by government departments and agencies in providing information, services, and assistance to the community;
 - (iv) conjecture about the fire prevention, electricity redundancy, and rehabilitation strategies in place and the extent to which the incident could have been avoided or the severity reduced; and
 - (v) announcement by the government that the Honourable Bernard Teague, AO, will head a board of inquiry into the circumstances and events surrounding the Hazelwood fire;
 - (b) further notes that the Premier's announcement makes no commitment to the public release of the inquiry's findings or any requirement to report to the Parliament;
 - (c) urges the board of inquiry to conduct public hearings in, but not limited to, the Latrobe Valley, and to specifically call as witnesses:
 - (i) the Secretary of the Department of State Development, Business and Innovation;
 - (ii) the Secretary of the Department of Health;
 - (iii) the Secretary of the Department of Human Services;
 - (iv) the Environment Protection Authority;
 - (v) the chief health officer, Dr Rosemary Lester;
 - (vi) the fire services commissioner, Mr Craig Lapsley;
 - (vii) the chief officer, Country Fire Authority;
 - (viii) the chief commissioner, Victoria Police;
 - (ix) the State Emergency Services;
 - (x) GDF SUEZ;
 - (xi) SP AusNet;

- (xii) the United Firefighters Union;
- (xiii) Volunteer Fire Brigades Victoria;
- (xiv) Advance Morwell;
- (xv) the CFMEU Mining and Energy Division;
- (xvi) Latrobe Community Health Service;
- (xvii) Latrobe City Council;
- (xviii) any contractors the committee deems appropriate; and
- (xix) any other witnesses the committee may seek to call.

- (2) the house will consider the contents of the report in September 2014.

I will begin by commending the great work of Victoria's firefighters, police, emergency services personnel, medical people — nurses, doctors and paramedics — public servants, including those from the Department of Human Services, local government and local government staff and many community organisations and volunteers who fought the fires and who provided support and encouragement to those in need.

Even though the fire has been declared to be under control, and we are extremely thankful for that, it is not yet extinguished. The smoke continues to be drawn into houses and blow down the streets, although last night's rain may have done some good. We also owe a special debt of gratitude to all those who came to Morwell from other parts of Victoria and from other states to help bring the fire under control and to support the community.

I commend the leadership of the authorities: Dr Rosemary Lester, the chief health officer; Craig Lapsley, the fire services commissioner; Ken Lay, the Chief Commissioner of Police; and the incident controller, Bob Barry. As I said yesterday in my members statement, there can be no tougher job than to lead in circumstances that are as complex and as fraught as this fire in the Hazelwood open-cut mine. I acknowledge that the government has finally announced the establishment of a board of inquiry into the Hazelwood fire and its effects, which will be headed by the Honourable Bernard Teague, AO, and I wish the board well in its difficult task.

The motion before us notes that the government has not made a clear commitment to the public release of any interim or final reports that the board will produce. I believe the Parliament should have an opportunity to consider what the board through its reports has to say.

I also place on the record that over the period of the fires no less than eight front-bench members of the opposition, including the Leader of the Opposition and member for Mulgrave in the Assembly, Daniel Andrews, visited Morwell and met with people who were fighting the fires, local government officials, representatives of GDF SUEZ and many local organisations and individual members of the community.

I am bound to say at the outset that the widespread feeling in Morwell and Gippsland is that people were failed by this government at the very moment when clear, open and democratic leadership was urgently needed. We know that a number of bush and grassfires flared across Gippsland in the weeks leading up to the fire in the mine. It is important to understand that the fire effort was sustained over a long period and that firefighters were exhausted. After almost a month of polluted air and the constant anxiety that came with not knowing what was happening and concern for the men and women on the fire front on the south side of the Princes Freeway, residents of Morwell were also exhausted.

This motion seeks to do two things. It provides members in this chamber with an opportunity to collectively place on the record on behalf of the community some of what has happened in Morwell and the very difficult circumstances and potential danger in which the citizens of that town have been placed. The motion also provides the house with an opportunity to respond constructively to the widespread call in the community for an investigation into what has happened. Everyone in this chamber will have huge confidence in the integrity of former Justice Teague to conduct a thorough investigation, and the government did well to enlist his services.

The motion should be supported. It encourages the Premier, in his discussions with Mr Teague over the final terms of reference, to call for all the board's findings and reports, as well as submissions, to be released to the public, for the hearings to be held in public and as many of those hearings as possible to be held in the Latrobe Valley. The Premier has already indicated that the secretariat to the board of inquiry will be established in Morwell, and that is a very good thing. It makes sense to have the hearings held there as a default so as many residents as possible can listen to those proceedings and be engaged.

The motion seeks to give the Parliament an opportunity to consider the findings and recommendations of the board of inquiry's investigation so the government has the benefit of hearing the views of members of

Parliament, the representatives of the people of Victoria. I think the motion is measured, proportionate and fair, and I see no reason everyone in this chamber should not support it.

Many members of Parliament have visited Morwell over the last three to four weeks, and they will have been struck by several things. The first and most obvious will have been the view of Hazelwood power station from the Princes Freeway approach if they were coming from Melbourne: swathed in a pall of smoke and dust with great plumes rising into the sky. On bad days — and there were many bad days — the town itself was enveloped in smoke, but there was also the pungent smell reminiscent of burning briquettes, the acrid air that overwhelmed once you stood on the street and felt the grit in your eyes and nostrils.

The smell did not disappear inside buildings, and the staff on the first floor of the Latrobe City Council building on Commercial Road worked with this heavy, acrid smell for weeks on end. Wind gusts carried smoke and dust and everywhere particles settled on faces and clothing, on footpaths, parked cars, street furniture, the very leaves of the plants, window ledges, front steps and porches. It blew under the doors and cracks into the houses. At times the streets were almost deserted and those who were outside wore face masks. The shops were empty of customers and losing business. Commercial Road Primary School stood silent because the children had been sent out of harm's way.

On a good day when the wind subsided and the sun broke through Morwell looked almost normal, except for the rank smell and the certain knowledge that it was toxic, not fresh, air that was filling your lungs. The unpredictability of the air quality from hour to hour and from day to day and the time it could take for the fire to be put out is what wore people down, as well as the knowledge that not far away, just over the freeway, firefighters battled in the poisonous smoke against massive firewalls on the north and south batters.

The exhausting unpredictability and the growing anxiety was not only about the weather, it was also a function of not knowing what was happening in the Hazelwood mine itself, and Morwell residents voiced their fears that this fire, owing to its sheer scale, was different to anything the town and the Latrobe Valley had experienced before. Just about every person living in Morwell has either worked in a coalmine or had a family member who has worked in one so what mines look like, how they operate, what can go wrong and how breakdowns are fixed is part of the collective knowledge of the community. With one of the highest rates of asbestos-related and dust-borne disease in the

country, the people of Morwell know a thing or two about air quality in an industrial region. Of course this knowledge is not always up to date or precisely accurate, but people in Morwell know from very long experience how to read a situation and they know when official pronouncements from generators or public officials make sense and when they do not.

Around 7 February when the fires began Environment Protection Authority Victoria (EPA) issued low-level smoke alerts for areas across the state that were fire affected and a few days later, by 13 February, smoke alerts for the Latrobe Valley were increased to high level. Alert levels went up and down for a few days, and by 20 February WIN News reported that the EPA had doubled its air monitoring, analysing the particles, ash and carbon monoxide data, and had brought in partner agencies from Tasmania to assist if needed. On 21 February WIN News reported that the EPA said that there was no need for concern and that it was monitoring air particles, but the very next day the EPA issued a high-level alert and launched a dedicated website to increase public access to up-to-date information. The alert levels continued to bounce around but on the afternoon of 26 February the EPA warned of immediate severe smoke impacts and issued high-level alerts for the evening. This continued from 27 February to 2 March when the alert level lowered.

Running alongside these EPA announcements Morwell residents were also receiving advice and updates from the chief health officer, Dr Rosemary Lester, who on 11 February advised that children, the elderly and those with existing heart or lung conditions should not go outside unless they had to and should not participate in strenuous physical activity outdoors. This was the consistent message from Dr Lester and the health department until 28 February when Dr Lester advised that people aged over 65, preschool-aged children, pregnant women and anyone with a pre-existing heart or lung condition living or working in the southern part of Morwell should consider temporary relocation outside the area affected by the smoke.

Dr Lester also consistently and publicly said that Morwell residents are not expected to suffer long-term health consequences from the smoke and ash, but frankly this news failed to reassure those people experiencing headaches, nausea, sore throats and itching eyes. On 4 March Dr Lester reported that while some 1300 people had visited the community health assessment centre in Morwell — of course that figure is far higher now — there had been no significant increase in presentations to Latrobe Regional Hospital, even though GPs were reporting increased demand.

To summarise what we have covered so far, the Morwell community was directly experiencing very bad and persistent atmospheric effects from the Hazelwood fire over a number of weeks. The EPA was advising low to severe smoke levels and the chief health officer was counselling members of the community to limit their exposure by staying indoors or, in the case of vulnerable groups, leaving town. Many people felt the advice from the authorities was hard to understand, internally inconsistent and inconsistent with what people were actually experiencing. As a result, the credibility of these messages was questioned.

Let us not beat around the bush. Everyone in Morwell — residents and coal workers — knows that burning coal produces highly toxic emissions. While for the moment Victoria has little choice but to use coal for its principal source of energy, that does not mean it is benign. The emissions from the coal burnt in the generators are filtered through electrostatic precipitators that capture the particles, but the smoke blowing across Morwell was from raw coal burning directly into the air, and people in Morwell find it hard to believe there will be no long-term harmful effects, as the health authority claims. This is why community patience was further tested when representatives from Latrobe City Council, the EPA and the Department of Health were unable to answer community concerns, especially about the smoke and its health impacts, at the community meeting on 18 February at Kernot Hall.

Maryvale Crescent Preschool closed on 17 February, and on 19 February the education department announced that children from Commercial Road Primary School were to be relocated to schools away from the smoke. On the same day the community respite centre was opened in Moe, which incidentally is 16 kilometres from the most exposed parts of Morwell, and a couple of days later, on 21 February — two weeks after the fire started affecting the town — the community health assessment centre was opened. The community information recovery centre opened on 28 February, which was three weeks after the fire impacts started, which served to increase the perception across the town that the authorities were too slow, that the government did not have a handle on what people were putting up with and that things were palpably sliding out of control.

The growing sense of a worsening situation was not helped by media reports that up to 20 firefighters were being treated for carbon monoxide exposure, or by the announcement from Victoria Police and Ambulance Victoria that officers who are pregnant or are planning to have a baby should not accept shifts at the fire

staging ground because of potential exposure to carbon monoxide. Morwell residents heard David Cliff, a professor of occupational health and safety in mining from the University of Queensland, say on ABC TV on 4 March that some of the chemicals in the air from the coal fire are carcinogens, that they have very low thresholds to cause harm and that their effects may not appear for 20 years.

The Latrobe Valley has a high incidence of asbestos-related disease — seven times the national average — and I know from conversations with Vicki Hamilton, OAM, the CEO of Gippsland Asbestos Related Disease Support and Asbestos Council of Victoria (GARDS/ACV), that the smoke from the Hazelwood fire was having negative health impacts on people suffering from an asbestos-related disease. The smoke was affecting their breathing and keeping many of them at home with their doors and windows shut. Members will recall that this was a time of very high temperatures, so it would have been extremely uncomfortable and stuffy in those houses. It also would have meant residents were not receiving the medication and care they needed to keep them as healthy and pain-free as possible.

Ms Hamilton told me that others were keeping their air conditioners running at home, but I do not know how well their particular air-conditioning units would have been able to filter out any pollutants from the air outside. Alternatively people suffering from asbestos-related diseases went to local service clubs or shopping centres out of Morwell, and a number of them dropped into the GARDS/ACV office in Newborough for a chat and some respite to help with their breathing. Ms Hamilton told me that the GARDS/ACV oxygen supplier said the rate of oxygen use in the area had doubled.

Many people who today suffer from asbestos-related diseases breathed in the asbestos dust decades ago, not knowing the stuff was toxic and lethal. It took decades for the state of Victoria to acknowledge and apologise to sufferers for this terrible disease, and to date more than \$400 million has been paid out to affected workers. The people of Morwell are justifiably terrified when they hear experts like Professor Cliff say the smoke from the Hazelwood mine may well result in terrible health consequences for a new generation of Latrobe Valley citizens.

Everyone understands that the management of this disaster is extremely complex and that highly professional people have been called upon to make the most complex decisions. I have already indicated on behalf of the opposition that we all owe a debt of

gratitude to those fighting the fires and supporting the community, and we all recognise that this is an unprecedented event, but the point I make is that the effect of public announcements is inevitably double edged. There should be transparency and authorities should tell it like it is, but the effect of that information in the context of real threats, real danger and community distress can settle some people but alarm others.

When people saw Craig Lapsley, the fire services commissioner, and the Country Fire Authority (CFA) announce they were searching the world to find qualified people to advise on how best to manage the fire, when experts were brought in from Queensland Mines Rescue Service and from Fire and Rescue New South Wales and when expert engineers, including one from Texas, were brought in to review the use of foams on brown coal fires, many people were even further alarmed. This continued when fire services commissioner Lapsley said that he and the CFA understood that this was one very serious fire and that it had the potential to impact heavily on community health.

Craig Lapsley said on 19 February that he did not believe the triggers were there that would warrant a voluntary evacuation. However, many in the community were puzzled because, as I said earlier, on the very same day children from Commercial Road Primary School were in effect evacuated to schools outside the locality. In the same way, when well-respected former State Electricity Commission (SEC) fire service manager Bill Brown said something catastrophic had happened and that fire suppression systems, including reticulation, should have been in place to stop what happened, some people in Morwell were alarmed — even panicked — while others, I guess, felt settled as a result of being better informed. Mr Brown's remarks underscored those made by Latrobe City Councillor and senior Construction, Forestry, Mining and Energy Union mining division official Graeme Middlemiss that during the last decade the CFA has taken a much broader fire protection responsibility, replacing the operations of the old SEC, and that the current fire incident shows that this strategy has not been effective.

This caused many people to reflect on how well Hazelwood and other coalmines and power plants are regulated and whether these facilities all have appropriate and effective fire prevention and protection procedures in place. Cr Middlemiss reflected the alarm of many in the community when he expressed his concern that the foam which proved critical in bringing the fire under control had to be shipped in from

Tasmania and was not ready to hand in the Latrobe Valley. People are asking: how is it that a critically important firefighting substance is not right there in the Latrobe Valley? The concern expressed by Cr Middlemiss regarding the effectiveness of the electrical backup also struck a chord with many people in Morwell who were troubled by the remarks made by GDF SUEZ spokesperson Luke Deitvorst that both parts of the dual power supply that was supposed to feed the firefighting pumps were knocked out by the fire and that firefighting efforts relied on what Mr Deitvorst said was a gravity-fed water supply.

There are many reasons for the growing anxiety amongst people living in Morwell, and not least amongst them is the time it took to get urgent things done. Why did it take more than a week, as I said earlier, for the respite centre to be established, and why was it that the only advice Department of Human Services staff were able to give people was that they should call a 1800 number? Why did it take 12 days after the start of the fire before the health assessment centre was opened and three weeks before the information and recovery centre was opened? Why was the availability of facemasks so mismanaged, and why have the most vulnerable people — those with disabilities and their families — been virtually forgotten?

In times of crisis people expect and need to see their elected representatives with them in the streets, in community centres and meeting places, listening, informing and calming. In this case these representatives needed to show confidence in the authorities and agencies charged with the responsibility of fighting the fire and caring for the community. A community in danger, such as Morwell, has the right to see its leaders play a central role in bringing the authorities and agencies together to ensure they speak with one voice in the context of a coordinating planning regime. This is what we saw former Premier Ted Baillieu do during the January 2011 floods in northern Victoria. If you look at the stories that were in the media at that time, you will see Mr Baillieu photographed in the flooded towns, talking with emergency service teams and schoolchildren, in community halls and with his senior ministers. This is the Victorian way. This was the way of John Brumby during the 2009 Black Saturday fires and of former Premier Steve Bracks during the fires and floods of 2007. Can the people of the city of Morwell say the same thing of the current Premier?

The member for Morwell in the Assembly, Russell Northe, saw things going from bad to worse in Morwell. I am absolutely sure he did his best to get

things moving and to make the messaging clearer and more consistent. But even he, as a member of the government, had to admit that the response should have been quicker — and people in Morwell agree with him. On 24 February he called for an investigation into the management of the community's health and wellbeing. Can you imagine that? Just think about that: a member of the governing party was pressured to call out his own Premier, who for all the people of Morwell knew was more concerned about the Liberal preselection vote in Kew than their plight. Russell Northe said publicly that the messages from government departments were too slow and inconsistent, and he conceded that even he himself could have fought harder — but anyone with a heart would feel that.

I do not want to dwell on the role of the government, but the record needs to show that there is disquiet, disappointment and anger in the community over the fact that the Premier and ministers were far too slow in standing up for Morwell. On 28 February the Premier and Deputy Premier conducted a media conference in the Latrobe City Council building behind a police guard. At the same time a block away in Hazelwood Road the chief health officer, the fire services commissioner and the Chief Commissioner of Police faced the media and the public on the footpath outside the Department of Justice. The Premier left the leaders of the three key authorities to advise Morwell residents living south of the rail line to relocate. Those leaders responded, in the absence of the elected leadership, to a barrage of questions and the full emotion of the community.

That was followed up by the incredibly undignified spectacle, shown on television, of the Deputy Premier running a gauntlet of United Firefighters Union of Australia and community members in a Traralgon street. This brought him and the government absolutely no credit. People are angry that while firefighters were working 16 to 20-hour shifts to the point of exhaustion, exposing themselves to possible carcinogens and smoke, the government was playing hardball on industrial claims. Morwell residents ask themselves: how could it be that the EPA's water testing was not rigorous enough and that it was only because the tests commissioned by the United Firefighters Union showed that water in the mine was contaminated that the fire commissioner asked the EPA to change its testing regime?

What are the people of Morwell and the Latrobe Valley to make of media reports that the Department of State Development, Business and Innovation inspected what is now the site of the fire on 9 January? GDF SUEZ is reported to have said that WorkSafe Victoria inspected

the mine in June 2012 and that inspections were undertaken after the fires of 2007 and 2008. To be fair, GDF SUEZ issued a media release on 20 February responding to some of the key criticisms that have been levelled, and I understand that its staff have begun a series of meetings in the community. That is a good thing.

This morning's *Age* contains a piece Tom Arup wrote entitled, "Green tape" can prevent black days and red faces'. Mr Arup raises a number of important issues that I am sure the board of inquiry will take up in due course, and they are worth placing on the record as well. Mr Arup asks the questions being asked in the Morwell community, such as why were the sprinkler systems in the mine stripped out? Why were disused parts of the mine, still smouldering, not rehabilitated properly? He asks in the article if it is true that GDF SUEZ is running down the facility. He notes that a 2012 Auditor-General's report found that the Department of Environment and Primary Industries does not have sufficient policies and systems in place to ensure that business is complying with current law.

It is not possible for me or any of us today to settle the conjectures that have arisen as a result of the fire in the Hazelwood mine. People right across the state are dismayed to hear, in bits and pieces, a story emerge of what may be unacceptable practices at the Hazelwood mine, and they want to hear more from the mine owners, GDF SUEZ. They are incredibly unimpressed with the little they have heard so far.

As I said earlier, I support the government's appointment of the Honourable Bernard Teague, AO, to head up the board of inquiry. I believe this chamber should, as the motion states, encourage the government and the board of inquiry to publicly release the inquiry's findings and reports and give the Parliament the opportunity in September this year to fully consider everything the board has found, everything it has reported on and everything it has recommended. I commend the motion to the house.

Ms CROZIER (Southern Metropolitan) — I am pleased to be able to make a contribution to the debate we have before us this morning on Mr Scheffer's motion. It is a rather long motion so I will not go through all the elements of it. I will make some brief comments in relation to various points Mr Scheffer has raised, and I know other members on the government side will also be doing so because this issue affects their local communities.

I have to agree with Mr Scheffer in relation to some of his comments about the complexity of the fire and the

work of the fire and emergency services personnel, who have been working for a number of weeks. Let us just go back to that day of 7 February or thereabouts. It was reported to be the worst fire day since Black Saturday in 2009. Victorians all remember that dreadful day and were on high alert. A lot was learnt from the 2009 Victorian Bushfires Royal Commission in relation to that very significant day for Victorians. Some of those things include an increase in our emergency services and the work of the Country Fire Authority and the appointment of the fire services commissioner, Craig Lapsley, who does a tremendous job in organising and running the personnel for which he is responsible.

Paragraph (1)(a)(ii) of Mr Scheffer's motion talks about the 'complexity of the fire and the difficult circumstances in the mine under which firefighters and other personnel are operating'. Let us not forget that this fire was, I believe, started on 7 February and ended up in the mine on 9 February. Let us also not forget that this fire was deliberately lit by an arsonist, not in one place but in a number of places. We have to understand the very nature of this fire, the very nature of what happened on that day and how it impacted the community. There is considerable discomfort to the people of Morwell; I acknowledge that. We have all been watching various news clips and news items in relation to the smoke plume and the very uncomfortable situation those people have unfortunately been placed in due to the act of an arsonist.

Yesterday's announcement by the Premier of the establishment of an independent inquiry into Hazelwood mine fire, which will be headed by the Honourable Bernard Teague, is an important announcement. It will be a very important inquiry because many of the issues raised by Mr Scheffer will be addressed in that very inquiry. It is important to note that Justice Teague's secretariat will be based in Morwell, and this will allow all affected parties to have their say. It is significant that the secretariat and the inquiry are going to be based in Morwell, going down to the very community that has been so adversely affected. That, I believe, is testament to the government's commitment to be open and transparent and allow the views of the community to be heard.

As I said, this has been a very difficult and distressing time for the people of Morwell and for those people who have been affected. The chief health officer, Dr Rosemary Lester, who has been monitoring the situation over the past few weeks, has advised that we do not anticipate seeing any long-term health effects from this fire. I am pleased and reassured that she has put that statement out.

This fire was lit on 7 February, and on 9 February it became apparent that it was in the mine. It became a very complex fire. We have seen those infrared pictures of the fire. It has now been contained, and I hope the recent rain would have also contributed to bringing this fire under control. When the fire got into the mine, it soon became apparent that air quality was being affected. You could see that just from the plumes. I am sure that those in the area — like the member for Morwell in the Assembly, Russell Northe, who has been working very hard with the local community — would be only too well aware of that very uncomfortable air quality, as would Mr Ronalds, who has also been working very hard down in that area, and I am sure he will have more to say in relation to that.

Warnings were issued to vulnerable members of the affected communities, and these were backed up in the media by the chief health officer. Vulnerable members of the community were identified. Obviously those who have respiratory diseases would be severely affected by smoke in the air, as would the very young, the very old and people with chronic diseases. Pregnant women would also be at risk. Warnings were made on a number of occasions. Multiple media were used to ensure that this message was spread, including fact sheets, paid and unpaid media, and door-to-door communication with residents. There was significant activity in getting the information out to members of the community.

In addition, the Department of Health and the Department of Human Services (DHS) established a community respite centre at the Moe town hall, which was open between 9.00 a.m. and 7.00 p.m. on a daily basis to provide relief from the smoke for people in the nearby town of Morwell. As we have seen over the past few weeks as this event continued, the decision was made that additional services were needed, leading to the establishment of a community health assessment centre, which will continue to operate until at least the end of this month. We hope it will have concluded by that point, the fire having been extinguished. Nevertheless, it is there, and that demonstrates the department's commitment to ensure that those vulnerable members of our community have some respite. As I said, this has been an important service for the people of Morwell, providing residents with reassurance about their health through health checks and advice from ambulance paramedics and nurses. I believe a number of GPs, as well as other allied health professionals, have worked very hard to enable those health checks to be undertaken and to reassure members of the community.

The decision to recommend the relocation of vulnerable individuals from Morwell South was precautionary, based on the advice of the fire services commissioner at the time that the event would continue for at least a further two weeks. This advice remains in place. That is very significant, because that is where the mine is and that is where significant smoke was generated from, and so residents in that area were obviously affected to a greater degree than others. That is why the fire services commissioner made that precautionary decision and, as I said, that relocation continues to this point.

At all times the Department of Health has worked closely with colleagues through the state emergency management team and in partnership with DHS under the guidance of the State Crisis and Resilience Council. To say that the government has not acted, and to use the floods of 2011 as an example, is completely ridiculous. The government has been working with the appropriate agencies at all times. As Mr Scheffer said, it has been a complex fire in its very nature, and the fire itself, as I stated at the outset, was commenced in a deliberate fashion by an arsonist.

Mr Barber — You do not know that. Won't the inquiry determine that?

Ms CROZIER — The inquiry will determine that; Mr Barber is absolutely right. The inquiry that has been set up by the government will get to all those points, but indications from reports — —

Mr Barber — Do not pre-empt the findings.

Ms CROZIER — No, I will not pre-empt the findings, but there have been reports. I am only saying that if that is the case — if the inquiry concludes that the fire was deliberately lit and that an arsonist was responsible — then let us hope the full hand of the law will deal with that particular individual.

The chief health officer, Dr Lester, has been in the community of Morwell on a regular basis. She sought further advice from external experts, who concurred that while short-term irritation and risk were very real — and Mr Scheffer spoke of some of those irritations, such as itchy eyes and sore throats; obviously smoke is an irritant and can cause various irritations to individuals — the long-term effects were not likely to be significant. Dr Lester has consulted with the council, health services, Medicare local, GPs in the Latrobe Valley, all those agencies I mentioned and allied health personnel, and undertaken almost daily press conferences. She has been very engaged with the local community, getting that information out, working

with the various health agencies, really looking into the situation and being very concerned with the overall best interests of that community.

This was a significant event and has been ongoing for some weeks, and it is interesting to note that there has not been an increase in ambulance callouts or the use of the Nurse on Call service. They have reported only a small increase in demand. I understand GPs have reported some increase, but that is largely related to the effects of the smoke and is well within their capacity to manage. It is not unexpected, as I said, with the significant amount of smoke in the air and the degree of air quality.

It is fair to say that this event has been a very upsetting time for the people of Morwell. Let us not pre-empt what the inquiry will find, but if it finds that the fires were deliberately lit, it will be a lesson for many people across Victoria. I do not think they will take kindly to an individual who has undertaken such an act.

The Premier's announcement yesterday to set up an inquiry should be applauded, and I commend him for doing so. I note that the terms of reference will broadly examine the regulatory regime that applies to the Hazelwood mine, the adequacy and effectiveness of the emergency response, how the fire started and spread into the mine and the adequacy of the information provided to and the support given to the affected communities. The government is being completely open and transparent in relation to the information that it is trying to glean from this inquiry.

It is to be hoped a final report will be completed by the end of August this year. Former Justice Teague will be asked to report to the government by the end of August, and he has extensive experience, obviously, having headed the 2009 Victorian Bushfires Royal Commission into the Black Saturday fires. The community can be reassured by the leadership of Mr Teague during this very important inquiry.

Obviously there are lessons to be learnt from such a complex fire, but I do not agree with all the points referred to by Mr Scheffer during his contribution to the debate on his motion. I will be interested to hear the contributions of other members in this debate, but I cannot agree with the proposition that government departments and agencies have not provided information services and assistance to the community in an appropriate and timely fashion. Emergency services, the fire services commissioner, Craig Lapsley, Dr Rosemary Lester, other professionals involved and Victoria Police have all done an extraordinary job, not to mention the hundreds of Country Fire Authority

firefighters who have also done an extraordinary job in what has been a very complex and difficult fire to fight. I commend all those people involved. With those words I indicate that the government will not be supporting Mr Scheffer's motion.

Mr BARBER (Northern Metropolitan) — I thank Mr Scheffer for moving this motion in the house. It is totally appropriate that the house has an opportunity to express its view about how the inquiry into an incident as impactful as this might set about its task and what matters should be covered. It was the same with the 2009 Victorian Bushfires Royal Commission. However, unfortunately the government will not support this course of action.

We have just heard from Ms Crozier that there is really no need for the inquiry that her government has just announced. We have just heard the conclusions of the Crozier commission of inquiry, and if you were to listen to that, we can all be reassured — in her words — that everybody did a great job and everything was handled quite well. Having just listened to the lead speaker for the government, I find it somewhat perplexing to understand why the inquiry her government has just announced is needed. In fact the most important reason that this level of inquiry is required — and the Greens have been calling for it for some time — is not just to learn the lessons from the operational aspects of dealing with the fire and its effects as they unfolded; it is to finally get some accountability for the failure of political leadership that has been the hallmark of this incident at every stage.

We need to spend some time on this matter because there are many aspects to this incident. It is important for the inquiry to look at the full scope of matters from the adequacy of the fire suppression systems in and around the mine through to the cause of the fire, which is still unknown. Some information circulating in the valley is that the fire that Ms Crozier was referring to may itself not actually have been the original source of the ignition of the fires burning in the mine and that it might have been something that had happened even a day earlier.

Before anyone goes down the track of leaping to conclusions, which is what the government speaker seemed to be doing, we should not assume anything about the events that led up to this crisis. We should keep an open mind as to what the inquiry might find, and that is why Mr Scheffer's motion is so appropriate and why the Greens will be supporting it. It invites members of the chamber to talk about the questions that the inquiry should be asking and is not about leaping to conclusions the way government speakers have done. It

was my observation that the government was on the back foot all the way with this matter. It seemed to be incapable of keeping up with the events as they unfolded and developing the appropriate response at the appropriate time.

I will give my observations of what occurred over the period of the fire in a discursive way. Fighting a coal fire of this size and scale is not something that emergency services authorities are required to do every day. There have been a number of smaller fires in coalmines in the Latrobe Valley over a number of years, so the incident and the possibility of the incident was not completely novel. But certainly the scale of what emergency services ended up dealing with was unprecedented in Victoria, and quite possibly there are very few similar examples around the world.

In the first few days of the fire the Country Fire Authority (CFA) was doing what it does best: it was fighting the fire. The fire was listed on the CFA fire app in the same way as every other fire — every other bushfire, grassfire, building fire and car fire. There was a location, and there was a description of the fire. Most of the time what we want to know about a fire is: where is it and how fast is it moving towards my community?

The fire was for the most part contained in the mine; it was the smoke from the fire that was doing the damage. In the early days, from my direct observation, the CFA was managing the fire. But it was also managing the community response, where normally it would be expected to do just one of those things. In the first week, the Environment Protection Authority Victoria (EPA), the Department of Health and all those other support agencies were either absent from the scene or not responding in any meaningful way to the community's concerns. That was left to the CFA.

That was the situation as I found it when I first visited the fire at Hazelwood, the incident control centre and the surrounding towns on the Sunday after the fire had first commenced — that is, a week or so later. In the following days, after I returned to Parliament and then more than a week after the ignition, the CFA's information was that the EPA was saying that the Department of Health was saying that there was smoke in the Latrobe Valley due to bushfires. At 4 o'clock on the Tuesday that we were sitting in this Parliament, that was what the warning still was. By 9 o'clock that night the official warning that goes with every fire was that the smoke was due to a coalmine burning. It took that long, more than a week, for the official information — the one source everybody goes to to find out about a fire — to be correctly updated to reflect reality.

In the following week the EPA started to roll into town, setting up its monitoring equipment and getting it filmed by the TV cameras to say, 'Look at what we are doing'. But all it was able to do was tell us what anybody who understands the impacts of particulate smoke could have told us: that thick smoke of that nature is more than simply an annoyance and by simply observing visibility you can observe how severe that smoke is. A couple of days later, I think on the Friday two weeks later, we started to get live data. On that day I was returning from my second trip to the fire. I got on the train at Morwell at about 2 o'clock, and by 5 o'clock we were getting live data from the equipment the EPA had installed.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

WorkSafe Victoria

Mr LENDERS (Southern Metropolitan) — My question is to the Assistant Treasurer. I am advised that in the past six months WorkSafe Victoria has shed 110 jobs, which includes cuts in its workforce dealing with explosives and major hazards. Will the minister confirm that a further 30 jobs are slated to be shed and advise where they will come from?

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — I thank Mr Lenders for his question about the Victorian WorkCover Authority (VWA). Obviously the Victorian WorkCover Authority is a large agency of government. It employs around 1000 people across an insurance business and across areas of responsibility associated with overseeing the Occupational Health and Safety Act 2004.

Across those business areas the needs of the organisation change, and the board and the executive of the VWA are charged with operating and running the VWA in an efficient and effective manner. That means that from time to time staffing levels change and staffing needs change. As the business goes about its operations — as it is required to do in accordance with its statutory obligations — and as its functions and the areas it focuses on change, its staffing needs will change as well. It is appropriate that staffing changes are made from time to time as the needs and the operational activities of the organisation change.

Supplementary question

Mr LENDERS (Southern Metropolitan) — I thank the minister for his answer and note he did not take the opportunity to rebut my assertion that 140 jobs were

being shed. Were any of those 140 jobs among the ones that the minister or the Premier announced to the Geelong community would be moving to Geelong?

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — I thank Mr Lenders for his supplementary question. As Mr Lenders highlights, late last year the Victorian government announced that, if re-elected, it would relocate the Victorian WorkCover Authority to Geelong to establish a centre of excellence in statutory insurance, along with the Transport Accident Commission, the VWA and the headquarters of the national disability insurance scheme. It is the government's expectation that that shift to Geelong will see around 550 VWA jobs relocated from the Melbourne CBD to Geelong, and it is the government's expectation that that will continue to be the case.

Immunisation

Hon. R. A. DALLA-RIVA (Eastern Metropolitan) — My question without notice is to the Minister for Health, the Honourable David Davis. Could the minister inform the house of initiatives to raise the level of immunisation amongst health workers?

Hon. D. M. DAVIS (Minister for Health) — The government is proud of the fact that it is very much focused on lifting the immunisation levels of our health-care workers. I know the Parliament, for example, is an employer that is focused on delivering immunisation for its workers, and that is a very important step for employers to take. Immunisation, particularly flu vaccination, is an important step for employers to take. It is a win for employers because there is less absenteeism, it is a win for the employees because they are less likely to end up with the flu that year and it is a win for the community. In the case of health-care workers it is an even bigger win because there is less likelihood of them transmitting the flu virus to patients, who are often at a vulnerable point.

The government has set a clear target for immunisation; initially it will be 75 per cent of health-care workers. Given the fact that they are dealing with vulnerable patients and given the fact that they can transmit those viruses to patients, I think the community would be surprised to hear that in many cases across the state — and this is a longstanding pattern — immunisation has not been at a high level amongst health-care workers.

The government has set this target. The government is putting resources behind it. The government is seeking to encourage health services. In the statements of priorities health-care services are required to focus on

that target. I note that a number of recent enterprise bargaining agreements have included additional clauses, with the support of the relevant unions, to ensure that they will assist and support the health services to actually implement the target.

This is an important public health step. It will see less transmission of viruses and in many cases the cost of the immunisation is more than covered by the fact that there is reduced absenteeism amongst employees. Just simply doing the work, getting the systems in place and making sure that the outcomes are there will see reduced costs and reduced transmission of the flu virus.

To clear up a few points, people are often of the view that a vaccination for the flu can transmit the actual flu. The advice to me is very much that this in fact is not a live virus, so that transmission is not possible in that way. People may get a little bit of pain and tenderness and even some aches and pains that follow. Nonetheless the effort is well worth it, not only worth it for them and their families but worth it for the institution that they work in and worth it particularly for the patients they support.

Heatwaves

Ms HARTLAND (Western Metropolitan) — My question is for the Minister for Health. The minister has stated the importance of not confusing the response to individual occasions of heatwave with more esoteric debates on climate change. The year 2013 was the hottest on record in Australia. The January heatwave was the hottest four-day period on record. The Bureau of Meteorology has said that there have been 21 days from 2001–14 which have reached 45 degrees Celsius, compared with 13 days in the 44 years before that. CSIRO has stated that climate change is happening. Does the government reject these scientific findings and deny that heatwaves are becoming worse in Victoria as a result of climate change?

Hon. D. M. DAVIS (Minister for Health) — That was a nice try by the member, but I am not the minister for the environment or the minister responsible for the Bureau of Meteorology. I am not going to give the member an expert opinion on climate change and whether it is happening. I understand that there are international discussions on this matter and that there are climate change panels. The state government has made a number of comments publicly about these matters.

However, that is not my portfolio responsibility. My portfolio responsibility is to have in place systems that enable proper responses on those occasions when there

are significant heatwaves. The member will recall that in speaking on a motion, which I think is live on the notice paper at the moment and due to be debated today so probably for that reason I should not respond to this question — —

Mr Jennings — You're not.

Hon. D. M. DAVIS — I am, Mr Jennings. What I would say is that the government put in place a heatwave plan in 2011, which was the first time the state has had such a heatwave plan. We took some of the learnings from 2009, put in place a set of responses and worked with a whole series of institutions, including importantly our councils, our health services, our community sector and others. In the case of the heatwave that we had in the recent period, the chief health officer put out advisories across the state, and indeed press conferences were held jointly with other agencies, and I attended a number of those. The aged services or seniors commissioner made a number of public statements and communicated directly with seniors across the state.

This was an important process where a community response was elicited. People were able to help look after their neighbours, to look after their family members and to put in place responses at a community level. Councils played a critical role, and I pay tribute to the work of councils. Ambulance Victoria played a significant role, with additional resources being put in place. As the warnings went out from the Bureau of Meteorology and statements and advisories were put out by the chief health officer, our health services also put in place responses. The outcome overall will be assessed in the normal way. The review will be undertaken, as it was in 2009, to see what further learnings can be gained and what further improvements can be made in response to these matters.

Supplementary question

Ms HARTLAND (Western Metropolitan) — The minister is correct in saying that he is not the minister for the environment, but he is the minister responsible for heatwave planning. If the government denies that climate change has an effect on heatwaves, I would have thought that that makes it very difficult for the government to actually plan for what will become a regular event. While there were a number of warnings et cetera, one of my concerns is that there was not enough actual support. A bit like what happened with the Morwell fires, what was needed on the ground did not happen. What will the government do this year? If we do have a repeat heatwave situation, as we had over the previous summer, what has the government got in

place to actually assist especially low-income people who are not able to go to watch several movies? Where will the cooling centres be for those people?

Hon. D. M. DAVIS (Minister for Health) — I am not sure if the member listened carefully to my response. I made it clear that there is a heatwave plan in place. It actually had an enormous response across the state. Councils, health services and individuals across the state were closely involved. That heatwave plan is light years ahead of previous approaches. The member has asked whether there is a plan into the future. The same plan stands, but we will of course review the response this time and there will be further learnings. That is the normal process that will apply here.

If the member is asking what has been put in place to actually support pensioners, let me make just one very critical point. The government changed the winter energy concession into what is now an all-year-round concession. There is a concession for pensioners and concession card holders, including older people who fit into that category — and there are hundreds of thousands of them. The member may well be laughing, but I can tell her that for an older person who needs their air conditioner in summer — —

The PRESIDENT — Order! Thank you, Minister.

Parole reform

Mrs KRONBERG (Eastern Metropolitan) — My question without notice is directed to the Honourable Edward O’Donohue, Minister for Corrections. Will the minister update the house on measures being taken by the coalition government to further reform the Victorian adult parole system?

Hon. E. J. O’DONOHUE (Minister for Corrections) — I thank Mrs Kronberg for her question and indeed her strong advocacy for improved community safety. This government was elected over three years ago on a mandate to improve community safety. A key component of that is reform of the parole system. We know that Labor’s policies on parole and law and order had failed and we know that over several years too many people have died at the hands of parolees. This government has accepted the challenge of reforming the parole system. We have passed the cancellation of parole legislation. We have made breaching parole a criminal offence. I commissioned the review by former High Court judge Mr Ian Callinan and we are progressively implementing his 23 recommendations. Indeed we have passed legislation to make community safety the paramount consideration in parole decision making.

In response to Mrs Kronberg’s question, I am pleased to update the house about further reforms to the parole system that we are implementing. We are going to complete the task of implementing the recommendations made by Mr Callinan. This means a massive overhaul of risk assessment and treatment programs for serious violent offenders and sex offenders. From now on risk assessment and participation in relevant treatment programs will occur from the start of the sentence. Those offenders will not be considered for parole unless they have undertaken all the required programs and have been of good behaviour. When those offenders apply for parole, they will face a two-tiered process: a preliminary hearing and a subsequent hearing chaired by the chair of the Adult Parole Board Victoria. Further, under these changes offenders with sentences of more than three years will have to apply for parole. This is an important change of emphasis and a cultural change in the parole system.

Importantly, we will dramatically expand and strengthen the community corrections service to ensure stricter supervision of serious offenders when they are granted parole. We as a government are allocating \$84.1 million over four years to deliver these significant and very important reforms.

As I have said repeatedly and as the Premier has said repeatedly, parole is a privilege and not a right. We know anecdotally that offenders in the prison system are well aware of the changes we have made and the implications for them. This is as it should be. These changes are about keeping the community safe and making the community feel safer. The community understands. The coalition has taken up this important challenge of reforming the parole system. Only the coalition recognises the need for this dramatic and sustained reform. Today I am very pleased to announce the investment to deliver the balance of the important recommendations made by Mr Callinan to improve the parole system and improve community safety.

WorkSafe Victoria

Mr LENDERS (Southern Metropolitan) — My question is to the Assistant Treasurer. Does the minister have full confidence in his hand-picked CEO of WorkSafe Victoria’s executive and professional ability to run that organisation?

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — I thank Mr Lenders for his question. Denise Cosgrove is chief executive of the Victorian WorkCover Authority (VWA). She was selected for that role in 2012 following an extensive executive

search which included international candidates. Ms Cosgrove has been in the role for approximately 12 months and is doing a great job and has the government's support.

Supplementary question

Mr LENDERS (Southern Metropolitan) — My specific question to the minister was did he have full confidence in her abilities in executive and professional areas, because the WorkCover authority is at the moment engaging Mr Greg Tweedly and Ms Kay Rundle, at tens of thousands of dollars, for executive and professional coaching of the CEO. If the government has full confidence, why is it necessary — in a time of job cuts at WorkSafe — to engage professional coaches to assist the CEO in what I would have thought were her core activities?

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — I thank Mr Lenders for the supplementary question. Mr Lenders refers to coaching. That is his term. I would say to the house, and say to Mr Lenders, that the government expects agencies like the Victorian WorkCover Authority to obtain and use appropriate advice where required. The executive of the VWA is tasked with the job of running that organisation, and we expect the executive to draw upon the skills, use the skills, acquire the skills that they need to run that organisation. That is an appropriate thing to do.

Geelong training initiatives

Mr O'BRIEN (Western Victoria) — My question is to the Minister for Higher Education and Skills, the Honourable Peter Hall, and I ask: can the minister update the house on what the coalition government is doing to support job-relevant skills training in Geelong?

Hon. P. R. HALL (Minister for Higher Education and Skills) — I thank Mr O'Brien for the opportunity to comment on a program I was very pleased to implement in April 2011, and I have been following its progress since that time. I am referring to the government's specific program that responds to the area of Geelong and some of its job needs as a result of unemployment and in some cases restructure. I am referring to a program called Skilling the Bay. Skilling the Bay is a program, as I said, which I implemented in April 2011 and have followed through at various times to the present. Last Thursday I travelled to Geelong to meet with the Skilling the Bay implementation advisory committee. I was pleased to have Mr Ramsay and a staffer from Mr O'Brien's office join me on that

occasion. We met with the organisation down there to discuss the next stage of that program.

Skilling the Bay was a \$1.8 million program initiated in April 2011. Of that \$1.8 million, \$500 000 was set aside to assist people who were either unemployed or who were retrenched and required some assistance in terms of retraining. Part of the distribution also went to a company called Cytomatrix, and that was for the Future Industry Project, a pilot demonstration of what can be achieved with new technology. We also had programs like the Geelong Jobs Summit and the Geelong labour market snapshot as part of the work being funded under that first tranche of funding for Skilling the Bay.

In this chamber in December last year I announced four successful projects coming out of the advisory committee totalling \$4.6 million. Members would be aware that at that particular time I spoke about some of those particular programs. I might add that those programs are supported by members of both sides of this Parliament, particularly Mr Eren, the member for Lara in the Assembly, who worked with one of those bodies in establishing one of the employment programs that we have further supported. This is an example of how the government can respond where there are specific needs in specific locations around Victoria. As I said, the investment started with \$1.8 million, and then an additional \$4.6 million in December of last year.

I met with the advisory implementation committee down there last week to discuss the next suggestions and recommendations that committee will be forwarding to government. I am pleased to indicate to members that we have indicated to the advisory committee that there will be funding available for a number of projects. It will be similar to the \$4.6 million we announced in December last year. That will further improve employment and job opportunities for the very deserving people of the Geelong region.

Government procurement policy

Mr LENDERS (Southern Metropolitan) — My question is to the Assistant Treasurer in his capacity as minister responsible for government procurement policy. Can the minister advise whether contract splitting — a practice where an individual or an organisation may be appointed for a single activity on multiple contracts under \$100 000 — is consistent with Victorian government procurement policy?

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — I will take on notice the specifics of

Mr Lenders's question around exactly what the technical requirements are under Victorian Government Purchasing Board (VGPB) policy. What I will say to Mr Lenders is that the Victorian Government Purchasing Board's role is to put in place a procurement framework, which is required to be followed by all government departments and all agencies which are subject to the VGPB's jurisdiction. The government's expectation is that all agencies and all officers within agencies are expected to follow those procurement policies.

Supplementary question

Mr LENDERS (Southern Metropolitan) — I thank the minister for his commitment to take my question on notice. While doing so, I ask him to specifically take on notice the media reports that the Office of Living Victoria has been engaging in contract splitting to engage a series of former Nationals advisers to work for that organisation. Will he take that into consideration when replying on the policy?

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — What I will say to Mr Lenders is that where there are irregularities under the procurement framework, departments are required to report those to the VGPB and those are reported to Parliament by way of the VGPB's annual report in the ordinary course of affairs.

High-rise construction

Mrs COOTE (Southern Metropolitan) — I have a question this afternoon for my friend and colleague the Minister for Planning. Can the minister inform the house what action the government has taken to create a pipeline of investment in our high-rise construction industry and what impact these measures will have on jobs and housing affordability?

Hon. M. J. GUY (Minister for Planning) — How very nice it is to be asked a question by my good friend and colleague Andrea Coote, a fantastic member for Southern Metropolitan Region who is doing an outstanding job on focusing — —

Mr Lenders — Are you reflecting on Ms Crozier?

Hon. M. J. GUY — I was actually just reflecting on the person who asked the question, Mr Lenders, but if you would like to ask me about the magnificent announcement that was made on Super Tuesday, I am more than happy for you to do so. I acknowledge and inform the chamber about the government's fantastic announcement the other week on Super Tuesday — and what a super day it was. This government is

absolutely, 100 per cent committed to Melbourne. Unlike other governments, we believe our central city area should be a centre of excellence, of growth, of population management and of activity.

The Super Tuesday announcement I made last week will see thousands of new jobs provided over a long pipeline for those in construction industries. Let us not look at anything else but confidence, jobs and housing affordability — three key things that Mrs Coote has focused on in her time in this Parliament, that this government has been focusing on and that had been missing from government action in planning for some years until 2 December 2010. Importantly, this is about making sure that those who want to can buy an apartment in and move into what is without doubt Australia's greatest central city area. The Super Tuesday announcement, approved as it was, will see six towers, covered by five permits — —

Mr Finn interjected.

Hon. M. J. GUY — Six towers, Mr Finn. What a wonderful situation. The six towers total 810 metres in height and total 248 storeys of high-rise apartments — —

Mr Jennings interjected.

Hon. M. J. GUY — Mr Jennings, if only they could be. I would have a building and be able to see Ukraine from there! I could give you some Ukrainian quotes. I could say, 'Слава Україні', from the top and look back to Kiev, but instead there will be 248 storeys over six buildings and five permits. The government approved 127–141 A'Beckett Street, at 63 storeys — a beautiful design, which will create hundreds of construction jobs for the city — and 464 Collins Street, with 185 apartments and 55 storeys. I sound like I am at an auction, and an auction it was — an auction of great jobs and hundreds of millions of dollars worth of investment coming to this city. There is also 398 Elizabeth Street, 420 Spencer Street and 395 Dockland Drive, which of course is two towers.

These 2000 new apartments will create a total of 4000 construction jobs that would never have been approved or allowed to proceed if it were not for the coalition government focusing on a central city policy that is determined to see Melbourne as Australia's first truly 24-hour city. This will see a fantastic development of the CBD area with this government, as is clearly the case, going forward and building a better Victoria.

WorkSafe Victoria

Mr LENDERS (Southern Metropolitan) — My question is to the Assistant Treasurer, Mr Rich-Phillips. Can the minister advise the house whether he or his office sought briefings on or expressed views on companies participating in WorkSafe Victoria's creative agencies procurement expression of interest or request for tender of last year?

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — No.

Supplementary question

Mr LENDERS (Southern Metropolitan) — I thank the minister for his succinct answer. I refer the minister to the Pitcher Partners probity report into that particular tender and the evaluation report of 6 November 2013, which recommended pricing negotiations with the company that is now out of the loop. Will the minister take on notice my question and report back on why that was not proceeded with, given it is part of the probity auditor's summary of the preferred pricing partner?

The PRESIDENT — Order! I am not sure whether Mr Lenders might need to provide further information privately to the minister to assist him in getting the answer that he is looking for, because his question is a little bit out there — from my perspective, anyway.

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — Mr Lenders is raising the issue of what is a live tender. This is a tender process that I am advised is still under consideration by the Victorian WorkCover Authority, and I am advised that that process will continue through the course of March this year. Mr Lenders purports to talk about outcomes and decisions having been made. My advice is that that tender is yet to be finalised; when it is, the outcomes will be announced in due course by the Victorian WorkCover Authority.

Early childhood facilities

Mr RAMSAY (Western Victoria) — My question is to the Minister for Children and Early Childhood Development, the Honourable Wendy Lovell. Can the minister update the house on which Victorian communities have celebrated the delivery of new early childhood facilities through the children's facilities capital program in recent weeks?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — I thank the member for his question and his ongoing interest in early childhood development in Victoria — and his ability to

get the most wonderful photographs on slides with young children as he has celebrated either the turning of the sod or the opening of new facilities throughout his electorate of Western Victoria Region.

Over the last three weeks since Parliament last sat there have been eight major capital projects opened in the early childhood sector. The first of those was opened during the last sitting week, at White Road Kindergarten in Wonthaggi. This provided 41 additional places in the Assembly seat of Bass.

On 25 February I had the pleasure of opening the Kids on Campus Childcare Centre, which is co-located with Wodonga TAFE. I did that together with the member for Benambra in the Assembly, Bill Tilley, and that provided 48 additional places.

On Wednesday, 26 February, I had great pleasure in opening the Newport Gardens Early Years Centre. Ms Pennicuik accompanied me to that opening. It was a very special opening because that facility is co-located on the primary school site where Ms Pennicuik and I went to primary school together. As I have said before, I do not think that if anybody had looked at primary schools in the early 1970s and asked, 'Which primary school in Victoria would produce two members of the Legislative Council?', they would have said Newport West, but we are here to prove them wrong! That particular facility is a great integrated centre that has provided 149 additional places — a fantastic result for the Newport community.

On Friday, 28 February, I had great pleasure in opening three early childhood centres in the Assembly seat of Seymour. First was the Wellington Street Kindergarten in Wallan. I did that together with the member for Seymour, Cindy McLeish, and also I was accompanied — —

Mr Lenders — On a point of order, President, I think I understand what the minister is saying, but she has referred to the 'seat of Bass' and the 'seat of Seymour'. A more technical term probably is useful for this house if she is describing kindergartens, because I do not recall many kindergartens being perched on a green bench in the Legislative Assembly.

The PRESIDENT — Order! I am not in a position to direct the minister how to answer, and I think her geography in terms of the answer that she is providing at least gives members an idea of the parts of the state. Obviously we as members of Parliament identify different parts of the state according to seats, so I think it is appropriate that the minister pursues that line. As I

said, I am not in a position to direct her in the way she ought to describe these facilities.

Hon. W. A. LOVELL — I know it upsets the opposition when we talk about our investment in early childhood facilities because of its shameful record. It reminds me of Guy Fawkes Day when we were children, and the little packet of crackers called Tom Thumbs. Normally when I do this and I toss it across the chamber, it is Ms Mikakos going off like a string of Tom Thumbs, but today it is Mr Lenders.

On 28 February I opened the Wellington Street Kindergarten, accompanied by the member for Seymour in the Assembly, Cindy McLeish. Amanda Millar and Damian Drum were there for the opening of the Wallan Kindergarten as well, which has provided 33 additional places. All three of those members were also present for the opening of the Wandong Kindergarten, which has provided 25 additional places.

On Saturday, 1 March, I had great pleasure in opening the Boorai Centre in Ocean Grove, accompanied by David Koch and Simon Ramsay, both members for Western Victoria Region, along with Sarah Henderson, the wonderful new member for the federal seat of Corangamite, and Lisa Neville, the member for Bellarine in the Assembly. That is a fantastic new integrated centre — 92 long day care places and 66 sessional kindergarten places.

On Wednesday, 5 March, the Dandenong South Primary Kindergarten was opened by Mrs Peulich, and that has provided 44 additional places.

In Victoria the coalition government is investing in early childhood. We are revitalising services, increasing kindergarten places and providing consulting rooms for allied health professionals, consulting rooms for maternal and child health services, new kindergarten rooms, new office spaces, new storage places and increased access to kindergarten for children with a disability. More than \$4 million of government funding has gone into these eight projects, and that has produced a \$14.6 million investment in early childhood services and infrastructure through our partnerships with local government.

HAZELWOOD MINE FIRE

Debate resumed.

Mr BARBER (Northern Metropolitan) — Coming up to two weeks after the fire first started, the public first started to see data from the monitoring by the Environment Protection Authority Victoria (EPA). During those two weeks there had been some

information available from the one operating station in the Latrobe Valley, at Traralgon, 10 or 15 kilometres down the road. The Morwell East air quality monitoring station was reinstated, providing some information, but when Morwell South started providing information we immediately saw air quality readings that were 10 times worse than what had been available from Morwell East. The government was yet again on the back foot in terms of monitoring the air quality and providing that information to the public.

The advice at this stage for Morwell residents was to stay indoors, to take their medication and to talk to their doctor if they were worried. That was two weeks in, but the Country Fire Authority (CFA) was openly stating that it did not know how long it was going to take to put that fire out — at least another two weeks. It became increasingly obvious to the citizens of Morwell that the advice to stay indoors and take your medication — keep calm and carry on — was going to be all they would have for some weeks to come.

It was pretty clear by that stage that the impact of the smoke on the 13 000 residents of Morwell was a lot greater than simply the way the government has described it. Ms Crozier, speaking for the government, used words like ‘uncomfortable’. We understand pretty well the effects of unusual levels of smoke on human populations. They have been studied extensively. I will take a recent example from the *Journal of Epidemiology and Community Health*, which published an article in September 2013 entitled ‘Evaluating the impact of air pollution on the incidence of out-of-hospital cardiac arrest in the Perth metropolitan region — 2000–2010’. The lead author is Dr Lahn Straney from the school of public health and preventive medicine at Monash University.

The abstract states:

Out-of-hospital cardiac arrest (OHCA) remains a major public health issue. Several studies have found that an increased level of ambient particulate matter ... smaller than 2.5 microns ... is associated with an increased risk of OHCA. We investigated the relationship between air pollution levels and the incidence of OHCA in Perth, Western Australia.

What did they find? Between 2000 and 2010 there were about 8500 out-of-hospital cardiac arrests that met the criteria for their study. The report continues:

An IQR —

an interquartile range, a statistical term —

increase in the 24 and 48 hour averages of PM2.5 was associated with 10.6 per cent ... and 13.6 per cent ... increases, respectively, in the risk of OHCA.

In other words, the effects of even low levels of smoke in a city like Perth were immediate, with a 10 to 13 per cent increase in heart attacks within the first day or two.

We were two weeks into this crisis. People were still being told to stay indoors and take their medication. They did not know how long the fire would continue. That is what prompted federal Greens senator, Richard Di Natale, and me to say that the response the government was providing to the citizens of Morwell was inadequate and that those citizens most vulnerable in a medical sense needed to be provided with whatever assistance was required to get them out of that smoky environment.

During this smoke event I visited people's homes in Morwell. I should also say that ash from the burning coal was raining down on the town. It was coating every surface inside people's homes. The ash itself is a form of fine particles that can get into people's lungs, and we know that ash from coal-fired power stations is not good stuff. We know that because many thousands of tonnes of it are produced each year from coal-fired power stations. But here we had large amounts of coal being burnt in the open air, generating dust that was far more than simply annoying or irritating, as some government people have described it.

We did not know what was in that dust because the EPA, when it got around to it — about two weeks into the event — took some samples of dust from the soil in someone's garden and from a swimming pool. When the EPA analysed the soil, which took a few days, it was analysed against the standard that is appropriate for soil contamination and for recreational swimming in water. In other words, this dust that was raining down from the sky, day after day, and coating every surface in people's homes and in public buildings was analysed from the point of view of soil and swimming in water. At that point the EPA gave the all clear to plant a vegetable garden or to go swimming in Morwell, but who knew about breathing or ingesting it.

I got a call from one of the EPA's people late that Sunday night after I had spent most of my Sunday on the phone to highly distressed Morwell residents. The person from the EPA asked me if I had seen its published research. I replied that I had seen it, but I asked where the health risk assessment was that went with it. We had been given a bit of information about the content of the ash, and that was no surprise because in a normal power generating operation it is analysed when it comes out of coal-fired power stations. What we were not given was a health risk assessment. We had not been told how much people were ingesting through the various pathways.

The ash was in my ears, up my nose, under my eyelids and in my mouth. When I was sitting at Morwell railway station, after having ingested a certain amount of it, I wondered how much of it was likely to send various types of chemical elements through my system and how would that affect certain vulnerable groups and their physiology. The EPA told me that that was for the Department of Health to determine. That was the same answer I was given when I was given a second CFA briefing at its incident control centre (ICC), which had moved to Traralgon at that stage. I was told that these were questions that should be directed to the Department of Health.

By this stage we knew that on the Sunday a week after the fire had commenced the ICC and those running it had considered an evacuation of Morwell due to carbon monoxide levels. They had gone as far as logging that evacuation into the system and were ready to broadcast that message through the media when that decision was overruled by those close to the action. We know that, but we do not know who by, how or when. That in itself is a question that the inquiry needs to look into and I believe answer satisfactorily.

When we did get the data on the fine particulates PM10 and PM2.5, it was off the scale. As I said, at Morwell South it was 10 times what was being reported from the Morwell East station. We also got quite a bit of information about carbon monoxide. Carbon monoxide levels at Morwell South during some periods exceeded the internationally recognised standard of 9 parts per million averaged over 8 hours. In fact it was averaging up to 10 to 12. It was at an unhealthy level. It is unusual to have to address carbon monoxide in an open-air environment; as a risk it is generally what happens in enclosed areas. There is no question from the data on the EPA website that the standard for carbon monoxide exposure was being exceeded.

When I say the standard is 9 parts per million averaged over 8 hours, there is a further element to that. That is a level of exposure the World Health Organisation would like you to receive only once in every 12-month period, but it happened on several days, and there was still no end in sight.

It was for that reason that the Greens went public and asked for an organised evacuation of the most vulnerable citizens from the most affected areas. When we talk about the most vulnerable citizens, they include everybody under the age of five, everybody over the age of 60, those with pre-existing illnesses and pregnant women. That describes more than 25 per cent of Morwell's population of 13 000 people. Clearly it was going to be a very large task to get that many people out

of harm's way, and the government did not act at the time.

Subsequently, as we now know, the government changed its advice from, 'Stay indoors, take your medication and consult your doctor', to, 'Get out of town'. That was the breakthrough. Of course the government said, 'This is not an evacuation; it is a recommendation for a voluntary, temporary relocation', but that sounds like the same thing to me. It sounds like what we had been saying all the way through — that is, that the environment was unhealthy, that it was damaging to all people in the short term and quite severely to the vulnerable in the immediate term, and that the best course of action, with the fire continuing to burn and clearly likely to for weeks to come, was to get those people out of town.

The lead speaker for the government told us people were given warnings to get out of town, but members of this community quite simply do not have the resources to move themselves out of town and out of the valley, leaving behind their homes, their jobs, their children's requirement to attend school and their pets for what would be weeks at a time. I spoke to people who were suffering the effects of smoke but did not even have enough credit on their mobile phones to call friends, to receive information online and all the rest of it.

This is one of our most needy communities. It has one of the highest burdens of disease of any municipality in Victoria. It has 8 per cent public housing. In addition to the poverty and ill effects, it is a group of people who simply do not have the resources to take themselves out of town. Of course some took themselves out of town — those with the resources did as soon as they could — but it was always going to mean that a high proportion of those thousands of people who ought not to have been there for the good of their health would not be able to move. In fact those who one would understand to be the most vulnerable would probably be in the group least able to evacuate by themselves.

I heard many stories from distressed people who started to approach me on Facebook and once my mobile phone number got out. For example, there was someone with twin sons who were born prematurely and were on asthma medication. The parent went through all the pharmacies in town trying to find asthma medication and eventually found it at the third place they went to. They also told me that the old guy next door was fading. He had been sitting there for two weeks. He was not healthy because of the smoke, and the psychological toll was starting to have a real effect on him. That was typical of the stories I was hearing all

the time. By week three there was a respite centre staffed by health professionals and volunteers. You could go there if you could catch the bus, which runs about once an hour in that town, and you could stay there for a large part of the day.

There was also a decision — and I compliment the minister on this — that buses would be organised for the public schools to take students and their teachers out of the valley during the day. That decision, announced in this place by Mr Hall, was one of the few effective and timely measures taken. Once kids are at school, as legally they must be, the Department of Education and Early Childhood Development has the duty of care. If the education department could not provide a healthy environment for them to learn in, the education department needed to fund their relocation during school hours. However, it meant that at the end of the day the students were bussed back into the smoke, which sent a further mixed message from the government. If kids had to leave the valley to go to school during the day, why was the government bussing them back at night? The government's message to the public became even more confused. However, as I said, I think it was a proper measure.

On *Lateline* on 26 February we learnt that the authorities had been doing evacuation planning. It was absolutely clear by that stage that in addition to the failure of political leadership — the failure of the Premier to step in and do the no. 1 job of government, which is to secure the safety of its citizens — there was a range of bureaucratic disagreements between different agencies, many of which were directed at the Department of Health, from what I have heard from various people who have contacted me. There was disagreement about the correct course of action. Belatedly we saw not only a final message from the government, which was that it wanted to take the vulnerable people out of town, but also some financial assistance to do so. I understand that the Deputy Premier has just informed the lower house that 3000 claims for respite payments have been made, which still seems rather short of the number of people we would hope would take advantage of being given money to get out of town.

Another issue is that many people in Morwell are recipients of pensions and benefits and have various kinds of tests to meet in order to keep receiving payments. Single mothers and the unemployed have to apply for a certain number of jobs each week. It was another mixed message if they were being told they must stay in town to attend the social security office, which had been closed down and then reopened with a skeleton staff, and at the same time being told to get out

of town. The federal government was telling them they had better keep looking for jobs or else their payments would be cut.

Further representations were made by the Greens to the federal Minister for Employment, Senator Abetz, suggesting that rule needed to be relaxed for welfare and benefit recipients in Morwell during the period of the crisis. I do not want to hear months from now that people have had their pensions and benefits cut because they did not meet a work test during the smoke crisis when the Premier was telling those same people they should get out of town. There is example after example of the government's belated response, often with lags of a week or more. The government has been on the back foot from day one in coping with this disaster, and that is why we need this inquiry. These are the matters that the inquiry should be looking at.

Even the announcement of the inquiry itself was half baked. As residents of Morwell took advantage of their free V/Line travel to come to Melbourne, protest on the steps of Parliament House and get a bit of air-conditioned comfort while watching Parliament from the gallery, the government was rushing out an announcement about this inquiry which stated who would head it and when it would report, but it did not provide terms of reference to go with that. This is yet another example of the government playing catch-up and not coming to grips with the speed with which these events have unfolded and the cumulative impact this had had on economics, health, mental health and, at the end of it, community trust.

This inquiry has a lot of work to do. The 2009 Victorian Bushfires Royal Commission produced both interim and final reports. The interim report addressed emergency response issues and was released well in advance of the following fire season so that our emergency services could prepare for possibly another dangerous summer. The broader issues associated with the inquiry came out in the second part of the bushfires royal commission. I hope this inquiry will be able to produce findings and recommendations before the next summer, because we could be facing the same problem again. That is why the Greens will be supporting this motion.

Sitting suspended 1.00 p.m. until 2.02 p.m.

Mr RONALDS (Eastern Victoria) — First of all, when I look at this motion I see some things that the government agrees with, but unfortunately there are some points that it cannot agree with. We very much agree with the statement referring to the severe impact the coal fire at the Hazelwood open-cut mine is having

on the town of Morwell and other nearby locations in the Latrobe Valley. We also acknowledge the complexity of the fire and the difficult circumstances in the mine under which firefighters and other personnel are operating. The government has been very aware of this.

That brings me to express our thanks and appreciation to those who have worked tirelessly now for many weeks, particularly the chief health officer, Rosemary Lester, the Chief Commissioner of Police, Ken Lay, the fire commissioner, Craig Lapsley, and the firefighters. We have firefighters from the Department of Environment and Primary Industries, the Metropolitan Fire Brigade and the Country Fire Authority all diligently working on this fire, in many cases around the clock.

I also acknowledge the Premier, the Minister for Police and Emergency Services, Kim Wells, and the Minister for Health, David Davis, who have done an outstanding job of not just staying in Melbourne but also visiting the mine. They have been to Morwell and they know what it is like — and they are listening to the people. I also particularly acknowledge today, as we talk on this motion, Russell Northe, the member for Morwell in the Assembly. Russell is a fantastic local member who has not only been present in Morwell at every opportunity — in fact he lives in Morwell — but he knows what this fire has been like. He has done what the local member should do — that is, listen to the community. He has worked in the community, and he has helped the community. Russell has been a fantastic advocate.

This has been an interesting debate. I was interested to listen to Mr Barber's comments before. It appears that Mr Barber has set himself up as an expert on all things to do with this fire, but clearly in many cases he has not read the press releases we have been talking about. Clearly he is not aware of the actual activity of the government in this particular instance. I thought it might be worth going through some of the facts of this fire. Yesterday the Premier announced the establishment of an independent inquiry into the fire, which will be headed by the Honourable Bernard Teague and will look at all aspects of the situation. It is important to note also that the secretariat will be based in Morwell. This will be an inquiry based in Morwell — a testament to the government's commitment to be open and transparent — and will allow all members of the community to have a say.

It has been distressing and a difficult time for the people of Morwell. The chief health officer, Dr Rosemary Lester, has advised that we do not expect

to see any long-term health effects from the fire, but this government is responsible and is open to looking at what sorts of long-term effects there might be. If some sort of investigation needs to be done on that matter, we will listen to what the experts say. That is a point I make here. In contrast to what the opposition has said in this instance, the government is listening to what the experts say — a tradition that almost all governments follow, it would be fair to say. That is why we have experts employed in the government.

The Department of Health became aware on 9 February that a bushfire had spread to the disused coalmine at the Hazelwood power station. Initially the event was considered to be a bushfire. We have since learnt not only that it started as a bushfire but that it was started deliberately. The police are investigating this now. It was soon apparent that the fire was more than just a bushfire; it was compromising the air quality in Morwell and the surrounding areas. Warnings were issued to vulnerable members of the community, and those were backed up in the media by the chief health officer.

We used multiple forms of media to make sure that the message was spread, including fact sheets, paid media, unpaid media and door-to-door communication. In fact doorknocking was organised in all the affected areas of Morwell. The Department of Human Services (DHS) established a community respite centre at the Moe town hall, which opened from 9.00 a.m. to 7.00 p.m. daily to provide relief from the smoke. As the event continued, the decision was made that additional services were needed, leading to the establishment of the community health assessment centre, which will continue to operate until the end of this month. It has been an important service for the people of Morwell, providing residents with reassurances about their health through health checks and advice from ambulance paramedics and nurses.

The decision to recommend relocation of vulnerable individuals from Morwell South was precautionary. It was based on advice from the fire services commissioner at the time, which said that the event would continue for at least a further two weeks. At all times the Department of Health has worked closely with colleagues, the state emergency management team and DHS, under the guidance of the State Crisis and Resilience Council. Dr Lester has sought further advice from external experts, who have concurred that while short-term irritation is very real, the real long-term effects are not likely to be significant. Again, this will be investigated further. It is important to note too that ambulance call-outs have not increased. Nurse on Call reported only a small increase in demand, and GPs have

recorded some increased demand, largely related to smoke effects but well within their capacity.

Another aspect that must never be forgotten — and I mentioned this before — is that this fire was deliberately lit. There is no getting away from the fact that it is an upsetting time for the people of Morwell.

The symptoms experienced by residents in Morwell South in particular have been most upsetting. But the Premier's announcement of an inquiry is to be applauded. It will allow those affected to have their say. It is important to note that after the Environment Protection Authority Victoria (EPA) advised that the fire was compromising air quality in Morwell, health alerts were issued, the community respite centre was set up and financial aid was made available for people in the relocation. In fact nearly 3000 people have now received some sort of financial assistance. That again is a testament to the government's continued support for the people of Morwell.

I know what it is like to be in the fires. As I have said before in this house, I unfortunately experienced firsthand the fires of Black Saturday. I know what it is like to have a fire come at you. I know what it is like to lose land. In fact we lost a house as well. I also know what it is like to look at a fire and try to predict just what might happen. That is a very difficult situation. One of the things that is often missing from debates such as this is the fact that when the health authorities and emergency services make their decisions and recommendations, they make them with the information they have at the time.

I particularly think back to the Friday in Morwell. At that time the fire was small, conditions were, to be fair, benign, and the smoke, while there, was not creating a massive issue. The recommendation was certainly to stay inside at that stage, and massive amounts of firefighting assets were deployed. But of course we do not know what the weather is going to be like tomorrow — at least not quite as accurately as I am sure we would all like to know. As we look back now, we know that Saturday and Sunday were the days that made that fire a lot worse. That was in fact my experience. I have an office in Sale and I live in Warragul, so I am regularly in that area. I know what it is like, and yes, the smoke was bad. In fact it is still bad, but it is improving.

I am disappointed that this matter has been turned into a political debate. At the end of the day governments of all persuasions have always followed the advice of professional people within the departments, and we have also done that. We have listened to experts like

Dr Rosemary Lester, who was the deputy chief health officer under the last Labor government. It is important to remember that too. We listened to the advice of the Chief Commissioner of Police, Ken Lay, and to the advice of other experts. That is how decisions are made. What is very disappointing is the fear that the opposition, and in particular the Greens, put into people. They did not look at the facts; in fact they decided that this would be an opportunity to come out and score political points — I guess that is the best way to put it — and create fear. Frankly the talk of an evacuation right at the start of the fire made people scared. Was it necessary? Were there any facts? I do not think it really mattered, certainly not to the people who were saying these things. They were more interested in getting a nice grab on the front page of the newspaper or on the TV.

It was interesting listening to Mr Barber talk about his observations before. One of the problems brought about in this situation is that a lot of people have just been making observations — not facts, not any real experience; just making observations. We have heard criticisms of the Country Fire Authority and the EPA, and it was said that people at the incident control centre were not working together. I can tell the house that I have been to the incident control centre. I went to the one at the mine and I have been to the one in Traralgon multiple times. I know that those personnel were working together for one purpose, and that was to look after the people of Morwell and to put that fire out. That is what they were working on. As I listened to Mr Barber before, it was clear that at this stage he has put himself up as an expert on all things. It was nice to hear his lovely commentary, but he forgot a lot of the facts and he forgot a lot about the real story that is out there. Let us not forget that at the end of the day the Greens actually want to close down the power industry. Let us not forget that when we listen to what they have to say.

Also of interest was hearing Mr Barber talk about the Greens wanting to take credit for the relocation. I want to be clear on this: the government conducted the relocation of the people in Morwell South on the recommendation of the experts. It was done at the recommendation of the experts, keeping in mind that at that stage the fire had been going for a few weeks and the reality was that it was not going to be put out straightaway. Some 3000 people have had some sort of financial assistance. If we wanted to sum up what this government has done in this situation, I think that would do it quite well. This government has been generous in looking after people and has been available to help people whenever they have needed it. We have made payments available of \$500 to \$1200.

I was at the meeting with the various professionals in the departments before the relocation, and I can assure members that the directive was very clear: look after the people of Morwell. I distinctly recall one person asking at that particular meeting, 'What if?'. There were a lot of 'what ifs'. What about the dog? What if we live 110 metres away instead of 100 metres away? What about Uncle John who looks after Auntie Jo but they live in another street — what do we do? One thing I will always remember is the Premier saying, 'The problem is that we need to look after people'. To me, in my — granted — short time in this Parliament, one of the proudest moments I have had was when I heard our Premier say, 'We will look after the people of Morwell. Let us just keep that first and foremost in our minds'. That was a very important point to make. Another important point to make about that is that the government can look after the people of Morwell in terms of providing financial help and so forth, because at the end of the day it is a government that is financially responsible.

In conclusion, I will read from the press release put out by the Premier yesterday because there has been some misinformation in this house about exactly what the Premier said. The press release states:

Premier Denis Naphthine and Deputy Premier Peter Ryan today announced the establishment of an independent inquiry into the Hazelwood mine fire, the response to and support of the Morwell and affected communities and the emergency response.

The board of inquiry will comprise three members and be headed by the Hon. Bernard Teague, AO. It will be asked to submit its report to the government by the end of August 2014.

Justice Teague will bring to this inquiry his extensive experience, which includes having headed the royal commission into the Black Saturday bushfires.

The inquiry will be convened by the end of March. Its secretariat will be based in Morwell and will be given all necessary resources to fully support the inquiry.

Dr Naphthine said the government had decided that a board of inquiry — with coercive powers similar to a royal commission — was the most appropriate legal form for the inquiry.

'I have directed the establishment of this inquiry to give Victorians confidence that the government is focused on ensuring community safety and recovery. The inquiry will enable us to review the mine operations and the emergency response to the fire. The inquiry will also cover health and environmental responses and the response to and support of the affected communities', Dr Naphthine said.

Dr Naphthine also thanked everyone involved in fighting the fire and supporting the community.

'I welcome the news that the fire is under control and congratulate all those involved in this work over the last few weeks in addition to agencies and volunteers who have, and continue to, support the community as it recovers ...

'Now is the time for individuals, families, community representatives and businesses to have the opportunity to have their say on how they and their communities have been impacted by the fire, the level of support they received and their views of the emergency response.

Mr Ryan said the government had made good on its vow for an open, independent inquiry.

'This inquiry is testament to the government's commitment to be open, transparent and straightforward with the community', Mr Ryan said.

The inquiry provides the local community the chance to have its say, and it is important the views of the local community are heard.

'The government will continue to work with the community and council to get businesses and the community back to full strength as soon as possible'.

The terms of reference will be finalised after consultation with Justice Teague and the solicitor-general before being submitted to Governor in Council and made public.

Broadly, the terms of reference will examine the regulatory regime which applied to the Hazelwood mine; the adequacy and effectiveness of the emergency response; how the fire started and spread into the mine; and the adequacy of information to and support of the affected communities.

It is a good thing that the government is committed to this inquiry and its outcome.

Ms DARVENIZA (Northern Victoria) — I am pleased to rise to make a contribution to this debate and to speak in support of the motion. I am glad Mr Ronalds believes the government is looking after the people of Morwell. I am glad he feels he is able to stand up in Parliament and tell this chamber that his government is looking after the people of Morwell, because I think he is kidding himself if he thinks that is the case.

He is also kidding himself if he thinks the people of Morwell believe the government is looking after them and their interests. In fact the member for Morwell in the other place, Mr Northe, has been critical of the government and its response. Enormous confusion exists in Morwell and has done right from the outset of this fire. There has been enormous confusion, and part of that confusion has been caused by the conflicting advice that has been given. Mr Northe has said that he believes the government was too slow to respond and to put in place the actions that were needed in response to this very toxic fire.

I also note that Mr Ronalds took this opportunity to congratulate the Premier and members of his government on visiting Morwell. In the case of an emergency such as a fire like the one at Morwell I would have thought that the place where government members — a Premier and ministers — should be would be Morwell. They should be there listening to what people need and taking the necessary advice, and they should be there sooner rather than later. In the case of natural disasters that have occurred in this state we have seen previous Liberal and Labor premiers at the scene sooner rather than later. However, Mr Ronalds thinks that it is okay to get up and congratulate the Premier, his government and his ministers for finally getting to Morwell.

The problem is that this government was just too slow to respond and to put the necessary actions in place. Certainly actions have been put in place, I acknowledge that, and they are actions that have been welcomed by the citizens of Morwell, but you really just have to listen to some of the expressions of dissatisfaction, frustration and anger that we saw exhibited by people from that community who visited this chamber yesterday to understand how angry, upset and concerned people are. I do not think the people from Morwell who were here yesterday would be congratulating the Premier, the ministers and the government for finally getting to Morwell. I do not think they are congratulating the Premier, the ministers and the government for looking after the people of Morwell; that is not the case at all.

I should not be surprised by what the government comes up with. Mr Ronalds and Ms Crozier have said that this motion is some sort of political stunt and that to have moved it is to play politics with a very serious fire, a serious health risk and the very serious situation that people in Morwell are facing. That could not be further from the case. Members simply have to look at the actions, the lack of actions and the speed at which actions were finally taken by this government to see that government members have been distracted by their own political problems and preselection processes rather than focusing on the serious situation at Morwell. For them to come into this chamber of Parliament and accuse opposition members of playing politics is really far-fetched. Opposition members consider this to be a serious issue and a serious problem that needs to be put on the agenda for debate. It is certainly not about playing politics. We do not believe that the people of Morwell have been or are being properly looked after by the government.

As previous speakers have done, I take this opportunity to acknowledge and express my appreciation for the

Country Fire Authority, the Metropolitan Fire Brigade, the Department of Environment and Primary Industries, the Department of Human Services, Parks Victoria, the airport firefighters and the five state fire services whose members have been working tirelessly under very difficult circumstances to bring the fire at Morwell under control. I want to take this opportunity to acknowledge also the work of the volunteers. An enormous number of volunteers have been on the ground in that community tirelessly doing important work. Volunteer members of various charities in that community have been doorknocking homes. During this fire, people in some 6600 homes have been doorknocked by the volunteer members of various charitable organisations.

Morwell residents believe that the Premier and other members of the Liberal-Nationals government were far too slow in their response to this very serious fire and health risk to the citizens of Morwell. Government members were slow not just in their response but also in putting in place on the ground the actions necessary to assist and support people. The absence of the ministers and the Premier was definitely noted by the residents, and I think they were very disappointed. There is a huge sense of being let down by the government. Yesterday we saw some of that anger expressed in the public gallery of this chamber. Many local Morwell residents believe that health officials took far too long to recommend that vulnerable residents, such as children under the age of five, pregnant women and those with some pre-existing health conditions, should be relocated.

Residents have reported a great deal of confusion and receiving conflicting advice, so it has been difficult for people to make decisions on what is the best thing to do, particularly for family members who they believe may be vulnerable. They hold the government responsible for this. I know that government members back-pedal all the time, saying, 'We take advice from this one, we take advice from that one, we take advice from someone else', but really it is up to the government to get that advice and to give very clear advice and instructions to the local people so that they can make informed decisions about what is the best thing to do in their particular and individual circumstances. That has been sadly lacking throughout this incident.

Morwell residents want an inquiry that reports publicly. They want to be able to have their say, and they want the inquiry to be open and transparent. They want the recommendations and findings of the inquiry to be released publicly. That is very important, but equally or more important is that the findings and

recommendations of the inquiry be reported to this Parliament. Members will then have an opportunity to debate and consider the findings of the inquiry and how its recommendations can be best implemented so that a similar situation does not occur again and also should it happen again, the appropriate responses can be put in place in a speedy way.

Burning coal produces very highly toxic emissions which cause a whole range of health problems and concerns. As late as yesterday, even as the mine fire was being downgraded, Morwell residents were being told once again to shelter from heavy smoke. The Environment Protection Authority said that visibility would be dramatically reduced due to the high particle concentration in the air and that there would be high-level smoke impact across Morwell. The health alert stayed in place because of the high level of smoke. The smoke has caused irritations and other problems for people's eyes, noses and throats. Many residents have had breathing difficulties. Even those who do not normally suffer from respiratory problems or illnesses or more chronic respiratory diseases have been feeling the impact, particularly from the irritation caused by the very toxic smoke.

An environmental toxicologist, Dr Peter Dingle, said that some people who live close to the mine have reported symptoms very similar to those experienced by people who smoke cigarettes. The impact of the toxic smoke on people's ability to breathe is fairly serious. They are not breathing easily by any stretch of the imagination. As someone who suffers from asthma, I know the distress and difficulty associated with the inability to get that next breath in or to exhale. It is often as difficult to exhale as it is to inhale when you have respiratory problems, and it is incredibly distressing. People who have no history of respiratory problems are having difficulties.

Many other associated health issues have been reported, such as spikes in blood pressure. Some residents have even been coughing up a black substance, which is due to the particles in the smoke and the highly toxic nature of the coal-burning emissions. Ambulance Victoria and police have warned their female staff to stay away from the fire front if they are pregnant or trying to conceive, acknowledging the level of toxicity and the danger and health consequences that someone who is close to the fire could experience. Of course it is not just those who are right at the fire front. While Ambulance Victoria and police are giving their female staff this warning, there are grave concerns within the community generally about prolonged exposure to this level of smoke and the lasting health consequences that might result.

A Morwell teacher, Erin Gruis, has four children who are being forced to live temporarily with relatives. I use this one instance as an example, but there are lots of families in Morwell who have decided that it is better for their children — and maybe for the elderly or people with chronic health conditions — to move to another area, away from the smoke. Some people do not have relatives or friends they can call on in this way, and they are stuck in Morwell with the smoke. One of Erin's children has been coughing and heaving; he is an asthmatic but it has never been considered severe asthma. However, the effects of the fire and the smoke have made breathing far more difficult for this child, and for many others. There are concerns about the health impact of the poor air quality over the long term and that exposure to particles the fire has produced could lead to very serious health problems.

I have also heard from a Wallace Street resident who reported that she has slept only one night in her own home and can only spend 2 hours in her ash-filled home before she starts to wheeze. Other members who have made contributions to this debate have talked about the ash invasion, how it invades people's homes — the roof cavities, the carpets, the cupboards. Residents are experiencing a range of insurance cover scenarios that go with this, because such a large invasion of ash throughout your house means that it is a big clean-up job. With disasters — such as fire and flood et cetera — some will find that their insurance cover is adequate and they will be reimbursed for the clean-up, but others will find that they are less fortunate and will fall short.

There has been a real, coordinated effort in the firefighting in Morwell. It includes 120 firefighters from the Metropolitan Fire Brigade and the Country Fire Authority. There are Tasmanian foam trucks and New South Wales and ACT brigades. The Tullamarine aviation brigade has also been involved. David Beard, a firefighter from Cobram, which is in my electorate of Northern Victoria Region, said that the fire was unlike any other bush or grass fire and has been extremely difficult to put out. Fire crews have had to work 2 hours on and 1 hour off to recover from exposure to the carbon monoxide. A Sunraysia firefighter who has been assisting with the fire effort says that they have been working through their breaks at the fire, which is breaching safety regulations, with reports of nausea and headaches. In fact a United Firefighters Union deputy shop steward, Malcolm Hayes of the Mildura fire brigade, confirmed that some conditions have in fact been breached as firefighters have fought this fire. He said the ferocity of the fires meant that crews could not always take the breaks they needed or that were required.

Locals say there has been a lack of government response and transparency regarding the effects on residents' health. A Save Morwell from the Hazelwood Power Station Fire group has been set up on social media, and that has given locals an opportunity to vent their concerns. I understand also that locals are gathering evidence for a potential class action against the mine's owner. Resident Nerissa Albon said residents are collecting data to see what the health issues are and what has been the fallout for businesses in the area. The economic impact that a fire like this has on a community has to be considered as well. People are either moving out or staying indoors and closing their windows and doors. As they are not coming out, they are not frequenting the shops, so businesses are suffering, and therefore the local economy is suffering as well. We are not seeing shopping strips full of shoppers; in fact the streets are empty.

As I said, the response from the government has been slow and inadequate, particularly early in the piece. Thousands of people have left Morwell because of the smoke and ash — and I think they are considered to be the lucky ones — 4843 residents have registered with the Australian Red Cross an intention to move. Relocation payments to families and individuals have been made in 658 cases, and 2462 payments for respite have been made so far. I was greatly concerned to learn that some elderly residents who were advised to go to respite centres or leave the town were unable to do so — they were forced to stay — because no transport was made available.

I will briefly speak about the inquiry. An independent investigation into what I would call the government's failed emergency response in Morwell has finally been announced. Justice Bernard Teague will head the inquiry, which will investigate how the blaze started and the emergency response as well as the regulatory requirements for the mine. I believe the inquiry must be public and transparent; it must give the people of Morwell the opportunity to be involved and to feel that their concerns have been heard properly. It must also examine the role of the mine owner, GDF SUEZ, the response from government agencies as well as from the government, the effectiveness of health warnings and any long-term health effects.

What is missing from the press release we have seen and the announcement we heard about the inquiry is information about what is going to happen to the findings of and any recommendations made by this inquiry. There is nothing that says these findings or recommendations will be made public, which they should be. The government and the Premier should let us know — 'us' being not just the opposition and the

Parliament but also the people of Morwell and the broader Victorian community — that we will be informed of any findings and recommendations from this inquiry, that the report will not just sit on the Premier's and minister's desks and never see the light of day as far as the public is concerned.

Even more than that, it is important that the report also be made available to the Parliament. The report, with its findings and recommendations, should be tabled in Parliament. Again I call on the Premier, the minister and the government to add to the announcement that they have already made — and there will be further announcements because the terms of reference have not been determined yet. Before those terms of reference are finalised the government should announce that the report of the inquiry, with its findings and recommendations, will be tabled in this Parliament and made available to the public. It is important that we have this inquiry. It is something for which the opposition, the Greens and the people of Morwell who are being affected by this fire have been calling for some time. It is important that we all get to see the results of this inquiry.

The government response has been too slow; it has not been quick enough to take action. I look forward to the inquiry getting under way, to hearing what the people of Morwell, those people from various agencies who have been involved with the fire firsthand and the government have to say about it. I look forward to the findings and recommendations being made available to the public, along with the Parliament.

Hon. P. R. HALL (Minister for Higher Education and Skills) — While it is not my duty to sum up the debate, I think I am the last speaker on the list. I am sure that Mr Scheffer will make some response.

Mr Scheffer interjected.

Hon. P. R. HALL — There are others to come? That is terrific news. I have listened to the contributions, at least in part, of all speakers during the course of this debate. I will start by listing matters about which there has been common agreement — that is, matters that are not in dispute.

There is no dispute about the sterling efforts of the many people who formed the emergency services response team to the recent fires that swept across parts of the state and the fire in the open-cut mine that serves the Hazelwood power station. I add my admiration for the efforts undertaken by all those who combat fires and seek to protect the good citizens of Victoria. That is not in dispute.

Secondly, I do not think there is any dispute about the severity of the impact of the fire on the people of Morwell and associated property. Many of us have visited the area in the last few weeks and are familiar with the climate and the current hardships and risks to health et cetera being experienced by the people of Morwell. There has been no underrecognition in this chamber by anyone I have heard speak today about the seriousness of the impact of the fire upon the people of Morwell.

Thirdly, I do not think there is any dispute about the fact the Victoria has never experienced a fire event of this magnitude burning in an open-cut mine. From time to time fires have broken out in open-cut coalmines in Victoria, but never to the extent of the one we are currently experiencing in Morwell. That in itself has meant that our response to the fire is one through which we have learnt by experience. The emergency services personnel have learnt by experience as they have sought to combat this fire.

Fourthly, there is no point of contention in this debate that there is a need for an inquiry to be conducted; the government recognises that as do members on the other side of the chamber. Some of my colleagues, and those who have spoken from all parties, have recognised the announcements made yesterday by the Premier and Deputy Premier regarding the proposal to establish an independent inquiry into the Hazelwood mine fire. The notice of that inquiry has been welcomed by members who have contributed to this debate, albeit they have asked questions about the terms of reference and other associated matters, and rightly so. It is perfectly reasonable to do so. Those are the four points about which I do not think there is any dispute among the speakers I have heard in the course of this debate.

History also shows us that if we look at the response to major fire events in Victoria, invariably we see that an inquiry of some sort has followed every one of those fires. Looking through the cupboards in my office last night I came across some of the reports. For example, one I have with me is the report of the inquiry into the 2002–03 Victorian bushfires, and some further reports were produced as a result of an inquiry into the 2006–07 bushfires. I was involved in moving some terms of reference for an inquiry by the Environment and Natural Resources Committee into the impact of public land management practice on bushfires in Victoria, and that parliamentary committee reported in 2008. Following the 2009 bushfire events a royal commission looked extensively at the impact those fires had upon Victoria, and rightly so. The volumes associated

with that inquiry are vast, and I have one with me today.

After every major bushfire event — certainly while I have been a member of Parliament — there has always been an inquiry. The nature of those inquiries and their establishment have always been undertaken with a bipartisan approach. People from all sides of the Parliament have sat down and agreed to what were appropriate terms of reference. These matters are best tackled when we allow an independent inquiry to take its place and not prejudice actions or recommendations that might arise from those inquiries.

As I mentioned in passing, for one inquiry I moved some terms of reference in this very chamber. We asked the Environment and Natural Resources Committee to inquire into the impact of public land management practices on bushfires in Victoria. Before setting those terms of reference, I wrote to all the political parties. I had feedback from the Labor Party and from the Greens, and I had feedback from a former Independent member for Gippsland East in the Assembly, Mr Ingram. I sought that feedback and incorporated it into the terms of reference of the inquiry. For that very reason I think we can walk into this chamber today, take a bipartisan approach and get some real and productive outcomes from any such inquiry.

We are close to having full bipartisan support for the inquiry which was announced yesterday by the government. That support could have been obtained if there had been some consultation between the parties in terms of setting up the motion before us today. If we look at that motion moved by Mr Scheffer — and I understand that the origins of his motion may have been to establish an inquiry but that they have been superseded by the government's announcement yesterday — we can see that if a few words had been changed, all parties could have agreed to many of these factors.

Mr Scheffer's motion asks the house to note the severe impact the coal fire in the Hazelwood open-cut mine is having on the town of Morwell and other nearby locations in the Latrobe Valley. We all agree with that, and members have said as much as they have contributed to the debate. The same goes for the complexity of the fire. We can agree on some other points too, but when opposition members start making judgements about the appropriateness of the government's response — including by talking about the delayed response by government departments or conjecture about fire prevention — then they are making a judgement about actions and criticism of

government action and they are asking government members to agree with that judgement. If we are really going to have an independent inquiry, it is my view that we should allow the people conducting that inquiry to make up their own minds about the appropriateness of those particular matters which, by the very nature of the way this motion has been framed, have already been prejudged as being unsatisfactory. I refer to such matters as the government's response.

That is where we are close, but this motion could have been better. I do not think Mr Scheffer can realistically expect members of the government to support a motion that contains criticism when government members have already said that they are prepared to subject themselves and their actions to the scrutiny of an independent inquiry led by a well-respected person, who I note the opposition and Greens have equal confidence in, as does the government. That inquiry process will bring about some truly independent and well-researched recommendations to government.

Apart from some of the wording, the motion could have been expressed in a much better way so that the government could have agreed to it. Perhaps some suggestions could have been made rather than making judgement decisions. The motion could have talked about the need for an independent inquiry to examine the time limits of the government response, for example, and it could have been expressed in a manner whereby we truly ask members of an independent commission to make up their own minds about matters of that nature.

Throughout the course of the debate we heard such comments as the government finally announcing it was going to undertake an inquiry. I point out that the fire is under control, but it is still burning. It is pretty hard to outline the nature of the inquiry when a fire is still a live beast. As I recounted a little while ago, all inquiries that follow bushfire events have invariably been held shortly after those fire events, but each inquiry has been conducted in a timely manner after the fire event has been dealt with. It is a bit rich to suggest that the government has been tardy in announcing an inquiry into this fire. Both Mr Scheffer and Ms Darveniza have said things like the government has failed the people and the government has failed in its tardy response to the fire. By saying those things, those members have started to play politics with what should be a bipartisan issue.

That is why I say that we are close, but we have strayed from the main point of how we should respond to those events — that is, in a bipartisan and constructive way. If we are going to entrust an independent inquiry to

make a judgement about how we can respond, then we should refrain from making personal assessments on matters that will be examined by the independent inquiry in due course. As I said, I think we are at a point here today where we can agree upon much of the commentary given by members. The points I outlined at the start of my contribution were very important areas on which I do not think there is any dispute, and it is a bit of a shame because we could have done a little bit better. I think with a bit of cooperation from everybody in the chamber we could have got to a point where we all agreed, because there is so much that we agree upon.

As a member who represents Eastern Victoria Region, I know this inquiry is important and necessary for the people of Morwell — and for the people of Gippsland. It is not only Morwell that has been affected; depending on the prevailing winds, Traralgon, Churchill, Glengarry, Moe, Yallourn and places around there have all been impacted to a certain degree by the fire. The views of people who are involved in combating the fire and providing services to meet the needs of people who are under fire stress should be considered. They will be very much a part of this inquiry process. I just wanted to say those few words in responding to the motion put before the house today.

There is one other matter I want to respond to, and that is the fact that the motion calls on the Premier to make a further announcement that there will be a public release of the inquiry's findings. To me that goes without saying. I have just cited all of the inquiries that have followed bushfire events in Victoria. They have occurred under coalition governments and under Labor governments, and invariably those reports have been made available. Why would you set up an independent inquiry to be undertaken by a group of esteemed people, headed by the Honourable Bernard Teague, and then not make its findings public? It goes without saying. You could make the comment in passing that you look forward to receiving it, but to grab onto that single point about the need for somebody to come out now and say, 'Yes, we will make this a public document' is again stretching what should be the bipartisan nature of these reports.

We are all in it because we have the welfare of the people of Victoria at heart in moving these sorts of motions, but it is a little bit of a shame that we cannot come to an agreement on the terms of the motion. I think that could have been so easily achieved, and the motion today could have been so readily and wholeheartedly supported by the chamber because the sentiment of it is supported. I think a little bit of politics got in the way of a good outcome for all.

Ms HARTLAND (Western Metropolitan) — I am going to speak very briefly because my colleague Mr Barber has covered a range of issues, as have a number of other people in this chamber. I want to talk about this motion from a personal point of view. I was born in Morwell, and I lived there for 17 years. I still have a number of family and friends there. The thing that really concerns me about what has happened over the last month is the sheer frustration in that first week or so of getting anybody to take serious notice of what was happening to residents in Morwell — getting people to understand that it was not just about the smoke or the carbon monoxide, it was also about the fly ash and the fact that people just did not seem to understand. The authorities certainly were not taking them seriously.

I organised to have one of my nieces moved from Moe, where she and her small child had become quite severely affected. She did not have the financial means to be able to move anywhere, so I did that for her. It really struck me when I did that how many other people in Morwell simply could not afford to move. The grants are really good now, but it took three weeks. I do not understand the slowness of the actions of this government. We were in here asking the minister what the health concerns were, what was going to happen and how he felt things were being managed. On one occasion the Minister for Health talked about a briefing he had received the night before rather than bothering to look at the Environment Protection Authority Victoria (EPA) figures of that morning. That is an indication of the disregard the minister and this government showed for the people in Morwell.

I, too, have a high regard for the people who have managed this fire over the last month, including the Country Fire Authority officers; Craig Lapsley, the fire services commissioner; and the chief health officer. All of these people have worked incredibly hard. I think what has happened is that for some reason that I do not quite understand this government thought, 'You could kind of forget about Morwell; it does not really matter. The Latrobe Valley does not really matter'. I am therefore in total support of the inquiry and of the motion moved today, and I hope that some of the things raised by the inquiry will be seriously regarded.

One of the issues that has been raised with me by family and friends in the valley is the cost of medication. I met a gentleman at the rally yesterday who told me he had spent \$800 at the chemist on asthma medication in the last two weeks for himself and his children. He is working, and he does not have a health-care card. It is those kinds of costs he is concerned about. He has moved his family out of

Morwell, but he has to drive to Morwell each day to go to work. It is the cost of that relocation and also the cost of the petrol to get back to work that he is concerned about.

It is also about the cost to small businesses. I have been to visit Morwell. My colleague Mr Barber has also been there. Richard Di Natale, a federal Greens senator, has been to a public meeting, and all of us have visited the sandwich shops and the pie shops — the little businesses that have been really impacted by this fire. It is not just the lack of trade, it is things like keeping their premises clean. How is that going to be managed?

Houses will have to be cleaned after this event. I understand that the Latrobe City Council is looking at that, but my experience of when houses have been contaminated with lead is that the clean-up is quite a difficult procedure. I presume it would be similar for fly ash.

I will finish there. I think the government has ignored the valley and acted too slowly. I do not believe it is a political issue, and I simply do not understand why the government did not think Morwell was important enough to do something about the situation.

Ms MIKAKOS (Northern Metropolitan) — I rise to speak in support of Mr Scheffer's motion, and I commend him for bringing the motion before the house. I note that he, as a hardworking local member, has gone out of his way to familiarise himself with the issues affecting his local constituents and to do everything he can to assist them and ensure that their concerns and needs are at the forefront of members' minds, particularly those members in the Labor opposition. I was pleased to visit Morwell together with Mr Scheffer at the height of the problems associated with the mine fire and to visit a number of community agencies, and I will say more about that shortly. I particularly want to speak about paragraph (1)(a)(iii) of the motion, which relates to the delayed response by government departments and agencies in providing information, services and assistance to the community, because that is something I experienced directly.

The open-cut coalmine fire in Hazelwood began on 9 February 2014, and for more than a month the people of Morwell and others in the Latrobe Valley have endured the dangerous side effects of toxic smoke as a result of the fire. We know the community was confused and angry with the government's lack of response to the issue, as it had every reason to be. I find it extraordinary that the minister responsible for managing and coordinating the emergency relief effort, Ms Wooldridge, the Minister for Community Services,

was nowhere to be seen during this time. The fire began on 9 February, and I understand that the minister's first visit to the area — perhaps her only visit to date — was on 6 March, so it was almost a full month after the fire began before the minister finally made her way to Morwell.

We all know why the minister was not able to get there earlier. We know she was preoccupied drinking cups of tea with branch members in Kew, as she was focused on keeping her job rather than on her responsibility as a minister of the Crown to assist the victims of the Hazelwood fire. I am certain that if the minister had taken the trouble to visit Morwell earlier, as I did, she would have discovered that there were a whole lot of problems with the emergency relief response.

On 26 February I visited Morwell together with Mr Scheffer, and we visited a number of community agencies and heard from members of the local community directly. I visited the Moe respite centre and had the opportunity to have a conversation with a staff member of the Department of Human Services (DHS). I do not wish to be critical of individual staff members, because I know they do their best and work as directed by their managers and that ultimately comes down from the secretary of the department and the minister herself. However, I was disappointed, when I spoke with that DHS staff member, to be informed that she was not able to give specific details about any relief available to the community — certainly she was not forthcoming with me — and that she was not able to process applications on the spot.

When I asked what assistance she was able to provide to a community member coming into the respite centre, she advised that she would give them a 1800 telephone number to call. I was disappointed that people who took the trouble to travel to the respite centre — at that point a bus service had just started, but before that it was difficult for people to get to the respite centre — would not be given particularly useful information by the Department of Human Services.

It became clear to me when I subsequently went to Morwell that no information was readily available to the community about the relief grants. It was certainly not available at the respite centre, and neither was it available at the community health assessment centre in Morwell itself. At neither of those centres was there printed material that talked about the relief grants; there was not even a phone number on the website. Clearly many of my tweets were read by someone in the government, because it finally rectified the situation and put a 1800 number up on the emergency website. As I travelled around and met with the Salvation Army,

the Latrobe City Council, the Latrobe Community Health Service, the Gippsland Carers Association and others, it was clear that those community organisations were all doing their best to assist the local community that was directly affected but that there was not a great deal of assistance forthcoming at that point from the Department of Human Services.

The fact that information about the relief grants was not forthcoming was not the only issue, but it was clearly a big problem. I discovered that organisations such as the Gippsland Carers Association, which is a worthwhile and important organisation, had not been advised by the Department of Human Services about relief grants, despite the fact that it provides information and support to many carers of people with disabilities across the Gippsland region. This would have been multiplied of course because there were other such community organisations that were not contacted by the department and not advised about potential relief grants to cover relocation costs. That is one concern I have about the botched and delayed response by the Department of Human Services, and the minister was not focused on it.

Another concern I have is about the level of support that was initially available. My inquiries led me to discover that the level of relief was initially \$500. I should point out that this information was provided to me by a member of the Red Cross, and I thank the Red Cross for providing information to members of the community about the relief grants, because the department was certainly not providing that information. That level of support was clearly inadequate, particularly to support a family to relocate. We all know and appreciate that \$500 would not go very far. It would probably cover only two or three nights of accommodation, let alone relocation costs.

I believe the fact that the opposition raised a number of concerns and questions around the relief grants led the Premier to announce two days later that the level of the relief grants would be slightly increased. From recollection, I believe it was \$1250 for a family. I welcomed that increase. The point I would make is that it should not have taken that long for that level of relief to be provided to the community. It should not have taken that long for basic information, such as how to access the grants and who was eligible — no-one knew who was eligible — to be made available to the affected community.

One other point I wish to make is that when I visited Morwell I also had the opportunity to visit the Carinya Early Learning Centre. The employees there raised concerns with me about the lack of clarity in the advice

they received about the circumstances in which local kindergartens should close and relocate entirely. Following my visit I contacted the acting CEO of Latrobe City Council, Mr John Mitchell. The council responded to me in a speedy manner, but it particularly responded to the concerns expressed by Carinya and other kindergartens and early childhood services within Morwell. It provided advice that a recommendation had been made to close all Morwell-based preschool services, effective as at close of business on 26 February until Monday, 3 March. Carinya was one of the centres that was recommended to close. There was also a relocation plan for Carinya and the preschools that would be implemented from Monday, 3 March 2014. I want to put on record my thanks to Mr John Mitchell and the council for taking on board the concerns of some of the early childhood educators in the community and for responding to them in a speedy manner.

I also want to thank Mr Mitchell and the council for meeting with Mr Scheffer and me to discuss the council's response to the emergency. I had the impression that the council was working very hard to support its local community. The council established the community bus that I referred to earlier, which started taking people to the respite centre. The council also started the process of doorknocking households to check on people and to ensure that vulnerable people in particular were okay. The Department of Human Services could have assisted with these tasks. The response could have been more effective, more comprehensive and quicker if the department that should have been coordinating the response had played a bigger role and had played the coordinating role that it should have played.

What I hope will occur as a result of the inquiry that has been announced by the government is that public hearings will be conducted, particularly in the Latrobe Valley, to give members of the community an opportunity to express their concerns and frustrations. These do not only concern the relief effort and the circumstances of personal hardship the residents have experienced; there have also been other concerns about the confusing nature of the health advice that has been offered. All of these issues need to be explored and aired in a thorough manner.

It is important that we do this in order to learn lessons from this emergency. We need to consider what further support and assistance needs to be provided to the people of Morwell and the Latrobe Valley. We also need to learn from this. Governments and departments need to learn from this and consider how things can be done in a more effective way in the future. We have

had major bushfires in this state which were followed by royal commissions, and there have been investigations into many other disasters, so it is disappointing that the response to the recent fire at the Hazelwood mine was so tardy.

Mr Scheffer's motion lists a number of individuals and organisations that should present and give evidence at the inquiry. This includes the Secretary of the Department of Human Services. I also think the Minister for Community Services has a lot of explaining to do about the role she played during this emergency. Why was she not available to visit Morwell, and why did these problems occur: the lack of clarity and information around the relief grants, the inadequate level of the relief grants and the lack of a coordinated response to this fire? With those words, I again thank Mr Scheffer for bringing this motion to the house.

Mr SCHEFFER (Eastern Victoria) — In summing up I would like to take this opportunity to thank all members who have contributed for their words and sentiments. The people of Morwell will appreciate that members have taken considerable time during this day to seriously consider the emergency and disaster that has befallen the area over the past month.

In conclusion I will make a couple of observations about Mr Hall's contribution, which basically informed the house that the government cannot support the motion because it contains criticism that might preempt the work of the board of inquiry. He particularly singled out paragraph (1)(a)(iii) of the motion, which asks the house to note the delayed response by government departments and agencies in providing information, services and assistance to the community. In her contribution Ms Mikakos spelt out a lot of evidence that indicates that that particular section of the motion is not a criticism without substance.

The observation Mr Hall made is little more than a fig leaf to provide a defence for the government to not support the motion. It is extremely disappointing that that is the government's position. The fact is that a motion brought before the Parliament that did not recognise the demonstrated, clearly delayed response on the part of government departments would quite simply have squibbed one of the key concerns the people of Morwell have. The government's indication that it will not support this motion is disappointing in the extreme.

House divided on motion:

Ayes, 18

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

Noes, 20

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

Pairs

Viney, Mr

Koch, Mr

Motion negatived.

NATIONAL PARKS CAMPING FEES

Mr LEANE (Eastern Metropolitan) — I move:

That this house notes that —

- (1) after promising to lower the cost of living and failing, the Napthine government has put a further impost on Victorian families by hiking camping fees at some sites in national parks up to \$60 a night, as well as putting a charge on 11 national parks where camping was previously free; and
- (2) this will have a harmful effect on families that can only choose affordable holidaying options and will definitely result in the Napthine government having to face more unhappy campers at next year's election.

I apologise for that bad pun at the end of the motion because this is actually a serious issue. Previously people could enjoy camping in our Victorian national parks. Families could set up a camp in any of these particular parks where there is pretty much just nature — there are no permanent facilities there for them — and they would not have to pay a fee. We always believed that that was a fair and reasonable thing to happen in those circumstances.

However, as we know, in recent times the Napthine government has put a \$60 per night charge on that particular type of camping, which flies in the face of one of the principal election commitments the Napthine government came to office with, which was to reduce

the cost of living. It is not just the fees on national parks; that is obviously just the tip of the iceberg when you look at the extra charges on drivers licences and a number of other areas where the government has increased the cost of living imposed on families. As I said in the motion, the government has clearly failed. You can add to that list the extension of the congestion tax in the CBD recently. It just goes on and on.

Here we have a situation where the Napthine government has imposed a fee for camping in national parks when only last week the federal government once again supported the Napthine government's position on a scientific trial of placing cows in national parks. When it comes to national parks it seems that cows get a better run in this state than Victorian families. We have a scientific trial in which cows are placed in national parks to find out if they can work out the difference between what they should and should not eat, and therefore whether they will have an effect on the park. I would not have thought you would need a trial to see if a cow is able to differentiate between a piece of grass that is okay to eat and a native species that is an important part of the national park. It is a sad day when Victorian families are treated as much less important than a bunch of cows. Let us hope these cows taste good. They are going to be the most expensive cows in this state once we have finished identifying the implications of this so-called scientific trial.

I restate that it is disappointing that the government came into power on the principle of reducing the cost of living but has introduced national park fees for camping. For a very long time families could set up a camp in a national park and enjoy themselves and enjoy the surrounds free of charge.

Mr BARBER (Northern Metropolitan) — I am very pleased that Mr Leane has brought this motion before the house, because I am very unhappy with this proposal to raise camping fees for our national parks. It is not a very egalitarian thing to do, is it? The national parks belong to everybody, and they are to be enjoyed by everybody. What can the plan really be? Perhaps the Liberal Party wants to keep jacking up fees until only a certain class of person can afford to camp in the national parks. I guess the Liberal Party members who go camping would like to think that the person in the tent next to them is someone of equal or possibly even greater social standing. What do they call them these days — flash packers or glampers? Pretty soon the parks will be available only to the rich, whereas at the moment they are of course available to everybody, a concept that I am sure Liberal Party members find quite offensive. Who knows, maybe they will eventually jack the fees so high that they will be able to privatise the

parks as going concerns. After all, there are really only two things left in public ownership in Victoria to flog off. One is the port, and that will happen soon enough if Labor has its way, and then there are the national parks.

As a policy this proposal has been tested and found wanting. Any benefits from the proposed changes, which are few enough, do not really outweigh the disadvantages. Generally speaking, proposals to pay for park management through a user-pays scheme usually fail because they take as much to administer as they return. This comes from a government that has been busy sacking park rangers as quickly as it can, the result being that key park assets — everything from the bike path on the Yarra to my local waterfall when I am enjoying my time at Apollo Bay — have now been shut down and closed off due to a lack of resources for the parks service. After all these years of being told that it is the Greens who want to lock-up public land, it is absolutely stunning and galling to visit these parks and find quite literally that gates, chains and padlocks have been put in place due to a lack of resources to maintain the areas and even a lack of personnel to keep on top of maintenance and the inevitable wear and tear from high public use.

The validity of the revenue and expenditure estimates that were put out in the government's regulatory impact statement are easy to destroy. The government is forgetting that the prime aim of the parks system is actually to encourage people to make use of parks, not to ration access. The natural areas themselves already generate far more economic return to the state because they are the reason people come here, whether it is the Great Ocean Road, the Victorian Alps or even the deserts or the majestic forests — those that have been protected from the depredations of wood chippers. Even by themselves, without turnstiles at the entrances, they are bringing in a large and demonstrated economic value, and that is the reason national parks should generally be funded and cared for out of general revenue, with small exceptions for attractions where there is an entrance fee or a contribution — certain attractions, certain car parks and so forth.

The only real rationale is that costs have not been going up faster than CPI, that there is no standardisation or that there is some sort of inconsistent pricing. That is not an excuse for a cost-shifting exercise. The fact that only 24 of the 133 parks charge any kind of entrance fee is not itself a demonstration that there is something wrong. In many cases those other parks, the more extensive and remote ones, are delivering a lot more than just a simple recreational asset. They are protecting our water catchments, creating wilderness experiences and so on and so forth. Basically it is just a dud idea

driven by some residual economic rationalism, and the public, as it comes to hear about it — and we will make sure that every national park user gets to hear about it — will give it the thumbs down.

Mr Leane widened the debate quite considerably by bringing alpine grazing into it. It is odd, and Mr Leane and I seem to be equally confused about why the government on the one hand wants to shoot 2200 deer because they are large feral animals that dig up the ground, create mud wallows, create erosion and selectively graze certain endangered flora, while on the other hand and at the same time it is introducing, in some cases into some of the same national parks, the other cows, the more privileged cows. Deer bad, cows good — understand that? I do not, but someone can try to explain it to me.

We have a big feral animal problem in our parks, and the problem of deer is one of the worst because they are basically giant feral goats, never mind the impact they have when they come out of those wooded areas and onto productive farmlands. Year after year we have seen the number of deer growing, and the deer are getting out of remote areas into more neighbourhood national parks and then into farmlands and the rest of it. It is high time the government addressed that issue seriously and once and for all eliminated deer from those parks where they are causing environmental damage.

That is one of the very basic things a government should be doing. It should be managing forevermore, protecting for all time, our national park estate. This pathetic proposal around a few extra camping fees where there will not be any rangers to collect them anyway is just another indication that the government has taken its eye off the ball when it comes to the environment, and therefore the Greens will support this motion.

Mrs MILLAR (Northern Victoria) — National parks are an important and critical part of this great state and include some of the most beautiful and iconic places in this country and even, I do not hesitate to say, on this planet. I know this very well especially considering the many national parks within my electorate of Northern Victoria Region. Ensuring that all Victorians have the opportunity to spend time in, appreciate and get to know those places is, it goes without saying, an important principle.

As I mentioned in this place yesterday, and it is a fact that is not known by many Victorians but about which they are hugely surprised, Parks Victoria manages more than 4 million hectares, or 17 per cent of the state of

Victoria. I will say that again as it is significant: Parks Victoria manages more than 4 million hectares, or 17 per cent of the state of Victoria. It is a staggering figure and brings to mind the enormity of the work required to be undertaken by the staff of Parks Victoria. Whether this figure is appropriate or sustainable is perhaps a debate for another time, but what is called into question in this debate is the real cost of effectively managing this enormous land-holding and what share of that cost might reasonably be expected to be borne by those who use those places, bearing in mind that, rather sadly, many Victorians never access them.

No-one likes to see fee increases for the services which are important to us, and I am exactly the same, but Victorians expect and this government is committed to continuing to deliver a financially responsible government. Those supporting this motion, in particular Mr Jennings who was previously the Minister for Environment and Climate Change, know full well, and knew during Labor's most recent term in government, that camping fees need to increase. I am going to quote from some of the Parks Victoria recommendations from 2009 — that period of government — which indicate the compelling case for camping fees to increase.

Labor knew about the problem and did nothing at that time. In fact the former minister was told twice that he needed to do something about this: Mr Jennings spent \$127 711 on consultants and focus groups, only to ignore the advice that he received and let the problem fester. Some of those recommendations included the advice that:

The camping and roofed accommodation product has been identified as an area of Parks Victoria's business that requires significant product and pricing reform.

...

The recommended operating model will position the camping and accommodation product to ensure it can be managed in an environmentally and economically sustainable manner into the future.

The same report states that:

Deakin University have undertaken qualitative and quantitative research on behalf of Parks Victoria. The qualitative research included two targeted focus groups and the internet-based quantitative survey was provided to 400 existing Parks Victoria customers. The research gauged consumers' expectations in relation to camping and accommodation services and their level of preparedness to pay. Existing users, such as Prom campers and previous customers of other Parks Victoria camping locations have been included in the research as well as members of the general public who enjoy this type of activity. The survey results will be available —

later in 2009.

What can be seen is that for some period of time there has been a compelling case for why prices for camping need to rise in some instances. While no increase will be popular or welcome, it is nevertheless compelling and is required.

This brings me to a place of much significance to me and to many in the Macedon Ranges — that is, Hanging Rock, about which I have spoken in this place on a number of occasions. The iconic beauty of Hanging Rock speaks strongly to many thousands of Victorians, and many thousands of them have spoken out against any proposed development occurring in the adjoining eastern paddock. Hanging Rock itself is Crown land. It is not managed by Parks Victoria but rather by the Macedon Ranges Shire Council. The fee, which is currently \$10 per motor vehicle visiting the park, is frequently criticised as being too high, and significant debate continues locally about whether the fee, which is charged by the council and contributes to the maintenance of Hanging Rock and its surrounding facilities, is sufficient to cover the maintenance costs.

What I can tell members in the current context is that the importance and significance of protecting Hanging Rock and its surrounds places the question of the entry fee firmly in context. Many locals have said to me that they would happily pay this fee and even see this fee increased just to secure the viability of Hanging Rock into the future and guard against the possibility of any hotel or conference facility development in the eastern paddock owned by the Macedon Ranges Shire Council.

Mr Barber interjected.

Mrs MILLAR — Too true. This concern has sharpened local views on entry fees as being something of far less significance than the importance of protecting and maintaining Hanging Rock and continuing to ensure that future generations will be able to come to Hanging Rock and enjoy it in all its current setting and beauty. While Hanging Rock is not managed by Parks Victoria, this example puts in context the concept that Victorians place significant value on their iconic places and are not deterred by the concept of paying appropriately to maintain things of great and unique value.

The current price increases are largely modest, although I do not take for granted that this can still be significant for a percentage of families. A media release by the Minister for Environment and Climate Change, Ryan Smith, sets out in greater detail the research and analysis which was undertaken prior to this decision being taken. In the release the minister says:

We are truly lucky in Victoria to have a magnificent and diverse system of national parks, featuring 680 camping grounds with a range of facilities such as roofed accommodation, gas and electricity supply, water recycling, waste disposal, barbecues and visitor information centres.

However, a base review conducted by the Department of Treasury and Finance found that the previous Labor government mismanaged Parks Victoria, leaving a massive \$178 million black hole in its budget.

There are 133 parks and reserves across Victoria and only 24 charge a fee for the use of the facilities. This has resulted in the cost of providing and maintaining these facilities outstripping the revenue generated by more than \$10 million each and every year ...

Research conducted by Deakin University also identified issues for camping and roofed accommodation including:

- costs for camping have not increased higher than CPI in 10 years;
- no standardisation of pricing across the park estate;
- inconsistent pricing of services and facilities provided; and
- inconsistent quality and services delivered across parks.

The proposed modest adjustments will help offset only a proportion of the annual shortfall but will enable Parks Victoria to sustainably provide:

- camping ground/accommodation maintenance;
- asset maintenance — i.e. shelters, toilets, barbecues;
- environmental management of surrounding areas affected by visitation;
- ranger patrols and staff presence associated with delivering services;
- refuse management and recycling, revegetation and site protection;
- operation and maintenance of waste water, water treatment, underground gas/electricity supply and power generation infrastructure;
- bookings, ballots, issuing of permits, visitor information and interpretation; and
- risk and emergency management, and emergency response associated with camping.

It can be seen that there is in fact a wide range of facilities and services required to support Parks Victoria and the services and parks on offer that is not currently being fully provided for.

To maintain and improve these facilities to ensure that these areas continue to be both viable and welcoming, some modest fee increases are required at this time. The fee increases are not huge but are necessary, and that decision has been taken to ensure the appropriate

management of these beautiful and special places for all Victorians to continue to enjoy. For these reasons I will be opposing this motion.

Debate adjourned on motion of Ms TIERNEY (Western Victoria).

Debate adjourned until later this day.

STONNINGTON PLANNING SCHEME

Ms PENNICUIK (Southern Metropolitan) — I move:

That, pursuant to section 38 of the Planning and Environment Act 1987, Amendment C190 to the Stonnington planning scheme be revoked.

On 3 February the Minister for Planning signed off on a letter that was received by the Stonnington City Council on 13 February advising the council that, following a request from the Minister for Education, the minister had decided to exercise the power under section 20(4) of the Planning and Environment Act 1987 to exempt himself from notice and prepare, adopt and approve amendment C190 to the Stonnington planning scheme. The effect of the amendment is to insert and incorporate a document into the Stonnington planning scheme which allows, subject to conditions, for the development of the Melbourne High School gifted education academy, a multistorey mixed-use development at 661 Chapel Street, South Yarra. The amendment will come into effect when notice of its approval is published in the *Victoria Government Gazette*. This was the first that the Stonnington council had heard of this development, and amendment C190 was tabled in the Council on 18 February.

Section 20(4) of the Planning and Environment Act 1987 provides that:

The Minister may exempt himself or herself from any of the requirements of sections 17, 18 and 19 —

those sections provide for the exhibition and notice of planning scheme amendments —

and the regulations in respect of an amendment which the Minister prepares, if the Minister considers that compliance with any of those requirements is not warranted or that the interests of Victoria or any part of Victoria make such an exemption appropriate.

I would argue that the minister's intervention in this particular matter does not fall within the provision that compliance with the mechanisms of the City of Stonnington is not warranted or that the interests of Victoria or any part of Victoria make this exemption appropriate. This is a completely inappropriate

exemption by the minister. It begs the question: in whose interests has the minister applied section 20(4) of the Planning and Environment Act? Certainly it was not applied in the interests of the citizens of Stonnington, either now or in the future.

It is also worth pointing out that section 20(5) of the act provides that:

The Minister may consult with the responsible authority or any other person before exercising the powers under subsection (2) or (4).

It is obvious that the minister has chosen not to consult the responsible authority but has chosen to consult other people — namely, the developer, the Minister for Education, persons at Melbourne High School and obviously other persons unknown.

An article about this issue appeared in the *Age* of 10 February, fairly quickly after a decision was made by the minister and only three days after it came to the notice of the council. It was portrayed as a bit of a good news story. The principal of Melbourne High School was reported as having said that this project had been in the planning for five years and that the education department had confirmed an interest in supporting some of the academy's services but most of the operations would be run by Melbourne High School. In the article a spokesperson for the high school was reported as having said that the planned \$5 million building would be five storeys high. The application put earlier and rejected by the council was for a four-storey building. The fact that it was, as quoted in the article of 10 February, a five-storey building was again unknown to the council at that time. It is interesting that a lot of information — the facts are not all clear — about this particular intervention has come to light through the media.

In a letter the Minister for Planning stated that he had acted on a request from the Minister for Education. On 5 March I wrote to the Minister for Education, repeating two paragraphs from the letter the minister sent to the mayor of the City of Stonnington, Cr Adrian Stubbs. In my letter I stated that, 'The minister states that he had taken the decision following a request from you' — the Minister for Education. I said also:

In the interests of transparency I ask the following questions:

1. Why did you make a request to the Minister for Planning, given that the City of Stonnington had rejected an application for the development on that site, and what was the nature of the request from you to the minister?
2. Did you meet with the developer before or after the City of Stonnington had rejected the proposal?

3. What was the involvement of the department of education and the Melbourne High School?

I have received no response to this matter from the Minister for Education. He is clearly involved in it but has nothing to say.

An article in the *Age* of 15 February confirmed that the state government's intervention application to approve a 29-storey — that is, a 94-metre — tower and a new 5-storey education academy in Chapel Street had outraged the Stonnington council. It certainly had. Cr Stubbs is quoted in the article as having said:

If the government wanted it (the gifted education academy) to be built, wouldn't they have funded it?

The article goes on to confirm that the developer of the apartment tower at 661 Chapel Street is Mr Michael Yates. The article states that he:

... will sell a portion of the site for cost price to the Melbourne High School Foundation for the new gifted education academy.

Mr Yates confirmed he contacted the planning minister's office, the department of planning and the Office of the Victorian Government Architect about the proposal.

It goes on —

Mr Guy confirmed he discussed the issue with Mr Yates, the council and Melbourne High School.

The council was not involved in the discussions about this intervention. The article continues:

Mr Guy said the scale of tower development was appropriate for the site in the urban renewal Forrest Hill precinct.

The proposal as put by the developer was rejected by the council on 14 October, and in December a subsequent application for the school was also rejected. Both those matters were heading for the Victorian Civil and Administrative Tribunal (VCAT) when the minister intervened. The article further states:

The Australian Electoral Commission notes Michael Yates made a \$25 000 donation to the Liberal Party of Victoria in 2011–12.

Mr Yates is reported in the article as having said that he went through all the appropriate channels. The appropriate channels are the mechanisms involving the City of Stonnington as the responsible authority. The planning application was rejected by the City of Stonnington and following that the appropriate channel was the hearing at VCAT.

Mr Yates is quoted as having said:

This not a political thing, it is a town planning decision. I am very conscious that it is removed from the politics and that it's based purely on town planning.

That is not what it looks like from here. It looks as if the appropriate planning channels have not been followed.

The article also reports the principal of Melbourne High School as denying that there is any link between the tower approval and the sale of the land for the academy and quotes the principal as stating:

It wasn't as if there was some sweetheart deal or anything like that done.

It certainly seems to be a closed-door arrangement between the minister, the developer and the school.

Following the publication of these articles, at the beginning of general business at the Stonnington council meeting on 17 February the mayor made a statement. He referred to the article in the *Age* and clarified the council's concern about the intervention of the minister. He confirmed that the council was advised only on Friday, 7 February, of the decision by the planning minister to approve the development known as 661 Chapel Street and that the minister had used his powers under the act, as I mentioned earlier. The mayor said that he had difficulty with this and failed to see how this was done in an open and transparent way. He said that contrary to what was in the *Age* article the council was not involved in any negotiations between Melbourne High School, the developer or the planning minister, Matthew Guy.

The mayor said that the council was frustrated and that he had met with the planning minister on 5 December to discuss a range of planning matters. Council officers, the member for Prahran in the Assembly, Mr Clem Newton-Brown, and the Treasurer, Michael O'Brien, were also at that meeting. During the discussions the minister assured the council that he had no interest in intervening on individual sites, so the council was disappointed that he had decided to change his view without recourse to the council and in a manner which allowed a development so contrary to council's objectives for the site. Of great concern to the council was:

... the requirement for the developer to provide no more than 2 per cent public open space contribution when the Stonnington planning scheme requirement is for 5 per cent. We currently have an amendment due to go to panel to increase that to 8 per cent.

That is because Stonnington has the second-least open space of any municipality, after Glen Eira.

It is outrageous that the minister has approved a 2 per cent open space contribution for this developer when open space is such a precious commodity in Stonnington.

The mayor goes on to confirm that they only received the documentation concerning amendments made to the planning scheme by the minister on 7 February, and only after council's continued requests. The changes, made directly by the minister, would allow one of the towers on the site to be 94 metres. The original planning application, which was refused by the council in October 2013, was for 80.5 metres, so the developer has been given another five storeys. It is important to remember that the preferred height limit under the development and design overlay in the Forrest Hill precinct structure plan is 38 metres. The mayor went on:

The minister justified this amendment, saying that it was required because the education centre and the student accommodation are 'contractually and conceptually linked' to a proposal for a 94-metre tower on a site where the preferred height limit is 38 metres.

This is despite previous reports, certainly from the school and as reported by the paper, that there was no link. The mayor asked:

Does this mean that the developer would not release the land required to build the education centre unless he is allowed to build his tower —

at the height that the minister has approved? That goes against all the planning rules for the site, and it is against the interests of the city of Stonnington. The mayor goes on to say:

It appears that the situation, in short, is as follows:

In exchange for selling a part of his land to the Melbourne High foundation at cost price ... the developer appears to have received the following extremely favourable decision from the government:

a reprieve from a costly VCAT hearing —

and certainly it appears that the developer has withdrawn from VCAT, presupposing that Parliament will pass this planning scheme amendment —

approval to build a 94-metre tower where 38 metres is the preferred height; and

a 60 per cent reduction in the open space contribution due to the Stonnington community.

It is important to stress the point that the open space contribution is for the people of Stonnington, and it is a requirement under the Stonnington planning scheme that there be a 5 per cent open space contribution. The only concession the government could argue the developer has made is the arrangement to offer the

option of buying the land on the north part of the site at cost price to the Melbourne High School Foundation. The mayor reiterates that:

If the government considered the requirement of Melbourne High to be so important, why hasn't it funded this activity ...

Melbourne High of course is a government school. He goes on to say:

Of significant disappointment is the fact that council went through a lengthy ... costly and transparent planning scheme amendment process to articulate its objectives and desired design outcomes for this site and the immediate surrounding precinct.

These provisions were tested and assessed at panel in a public environment, with Melbourne High being an active participant. They were ultimately signed off at ministerial level. These provisions were in place and public knowledge prior to the developer purchasing the site.

The developer was well aware of the design and development overlay that existed on the site. The mayor says:

Despite the matter being listed for open debate and consideration at VCAT —

set for April —

the minister has chosen to make the decision in other than an open and transparent manner ... with no concession to due process.

The mayor also makes the point:

... the minister has been delaying signing off on other planning scheme amendments we have before him that are crucial to us delivering quality outcomes to the people of Stonnington. In one instance, this delay, which breaches his own guideline for sign-off timelines, has resulted in a most disastrous outcome for the residents of John Street, East Malvern, as VCAT was unable to consider Stonnington's objectives for a neighbouring site because the amendment had not been approved by the minister despite numerous requests!

While it takes months, in some cases years, to sign off planning scheme amendments requested by the council, when a developer is involved it seems the process can be done virtually overnight. That was from Cr Stubbs, mayor of the City of Stonnington, outlining at a council meeting the concerns held by the council. The mayor also wrote to the Premier and to the minister the following day, outlining those concerns in letters to them.

The council is aggrieved mainly because the minister changed its planning scheme at the stroke of a pen with no consultation; the council has a number of outstanding amendments in which the minister has not intervened, stating to council that he does not support single-site planning amendments, but has then rushed

this one through without council involvement; and Stonnington council is about to embark on a number of structure plans and is concerned that this will be a pointless exercise if the minister just overrides existing ones. Those plans include the Chapel reVision structure plan, which is out for public comment until tomorrow. The council is also concerned that this sets an unfortunate precedent for planning in the city of Stonnington as it moves to put in place, with community consultation and following the proper processes, the structure plans that will achieve the planning objectives and the vision that the council and community have for Stonnington.

The site we are talking about at 661 Chapel Street is on the east side of Chapel Street in what is called either the Forrest Hill precinct or Chapel Street north. On the west side of this precinct is Melbourne High School. The site is close to the corner of Alexandra Avenue, for people who are not familiar with the area. The northern part of Chapel Street from Alexandra Avenue to Malcolm Street is called Chapel Street north and is subject to the development design overlay (DDO) which I mentioned, under which the preferred height limit is 38 metres. I will go a little more into the DDO later.

Following the council meeting, the *Stonnington Leader* covered the issue in an article by Holly McKay, who interviewed the minister and the mayor. You would have to say that the minister used the offensive defence tactic in his comments to Ms McKay. Instead of going to the issue and explaining what had happened — people are still trying to infer what has happened because the minister has not come clean, the Minister for Education has been completely silent and has not answered my letter or made any public comments about it and the developer's comments were strange, to say the least — the minister labelled the council 'utterly inconsistent' and said it should get off its backside and so on.

As I have already outlined, the council has legitimate concerns about a substantial overdevelopment proposed for this site at 661 Chapel Street, which was rejected by the council in October. A subsequent and separate application for the school site was also rejected in December, and I will go into some of the details as to why that was rejected. It certainly went through the full process. The council officer's report goes into some detail as to how the proposal put forward by developer Michael Yates failed to comply, by a long way, with the planning objectives, which is why the council refused the application.

Instead of talking about those issues, the minister hit out at the council. An interesting quotation from the article is:

Mr Guy said the council had identified the area as urban renewal and a growth area, but had rejected the proposal because of its height. 'There's a tower across the road which is much taller', Mr Guy said.

The tower across the road is much taller. It was rejected by the council but was unfortunately approved by the former Minister for Planning against the council's wishes. It is no benchmark against which to judge the value of the proposal for 661 Chapel Street. Also it is in a different precinct, as I have explained: 661 Chapel Street is in the Forrest Hill or north Chapel Street precinct and is subject to lower height controls than other parts of South Yarra.

The article continues:

When asked about the 2 per cent open space contribution, Mr Guy said the council did not have a development contributions plan in place.

I am not the Minister for Planning and planning is not my portfolio, but I understand that there is a difference between an open space contribution plan and a developer contributions plan.

The article finishes by quoting the minister swiping at the council, suggesting that it stop whingeing at the state government, get off its backside and do something. Of course that did not go down well with the council. The council responded to those comments by pointing out that it does have a developer contributions plan, but it is waiting, like the whole of Victoria, for the department to deliver the promised amendment scheme to simplify and unify the plan for all Victorians. The department has been reviewing those guidelines since 2012.

The mayor replied by saying in a letter to the editor of the *Stonnington Leader*:

Our issue is that Stonnington needs more open space. We have the second-lowest open space per capita of any Victorian municipality.

I have mentioned this. He went on to say:

Large-scale developments are required to pay a 5 per cent open space levy under the Stonnington planning scheme in line with the Subdivision Act (state legislation) ... Approving a 2 per cent open space contribution for this particular developer says that Stonnington residents do not deserve the open space that other municipalities have. Increased density, with reduced open space per capita, hardly sounds like good planning.

We know that with increased density we need more open space, and that is why the council has applied to have its open space levy increased from 5 per cent to 8 per cent. The mayor made the point that:

The reduction in the open space levy for the development is the equivalent of a 1 per cent rise in our general rates.

As I said, of the applications that were rejected by council, the first one was applied for in August 2012, was updated in December 2012 and was refused by council at a meeting on 14 October 2013 by a vote of seven to one, with one member absent. The matter was due to go to the Victorian Civil and Administrative Tribunal but was withdrawn on 7 March.

I have read through the council officer's report detailing why the development proposal by Michael Yates was rejected by the council in October. I mentioned the design and development overlay for the site at 661 Chapel Street, which is in Stonnington's Forrest Hill precinct in the Chapel Street North area. The report states that design standards require that the development should:

incorporate a street parapet height of a minimum of 7.5 metres and a maximum 12 metres;

incorporate a 12 metre setback from the street frontage above the street wall height;

not exceed a podium height of up to 30 metres;

not exceed a preferred building height of 38 metres;

incorporate upper level setbacks for any tower building above a podium of a minimum of 6 metres from side and rear boundaries;

incorporate upper level setbacks above street wall height so that development is separated horizontally from other buildings on the same or adjoining sites by at least 12 metres.

It also says:

The scale and design of new buildings should:

relate to the prevailing scale of development along the east side of Chapel Street;

reinforce the boulevard character of Chapel Street;

respect the significance and maintain the prominence of the Melbourne High School building;

maintain uninterrupted view lines of the 1927 Melbourne High School building from the west;

avoid overbearing forms and attention grabbing design details;

display design excellence.

Other points in the development design overlay (DDO) include:

to encourage appropriate scale, setbacks, built form, materials, articulation, landscaping and mediation with the surrounding built form;

...

to ensure reasonable sunlight penetration to the east side of Chapel Street.

It also states:

The general design objectives of DDO8 seek to encourage a 'precinct where new buildings are of a pedestrian friendly scale and design at ground level, with upper levels setback ... so as to minimise off-site amenity impacts'.

Amendment C174 slightly changes the DDO in terms of setbacks et cetera and has been approved by the minister. Ironically it was approved by the minister on 5 March, just over a week ago, after all this has occurred. There were many reasons for the 83 objections to the application by Michael Yates, including overdevelopment, built form and design, height exceeding 38 metres, lack of setbacks as specified in the DDO, scale not in keeping with the area et cetera. I would not have time to go through them all.

Council planning staff commented that the proposals are an unnecessary overdevelopment of the site as opposed to the precinct and the Chapel Street activity centre can adequately cater for the projected increase in residential infill and demand without requiring such excessive breaches of preferred maximum building heights. A key objective of the 3-metre front setback from the property is to provide for the boulevard character of Chapel Street North. There were also some problems with higher storeys overhanging and not allowing for the planting of trees to enhance that boulevard character which the City of Stonnington is looking for in that precinct.

With regard to the application for the school building — the gifted education centre on the northern part of the site — the council report says:

It is considered that these aspects of the proposal are not considered matters of 'direct community benefit'. Council is actively seeking to incorporate a 3 metres setback of the entire building to create a boulevard effect —

as mentioned. It further states:

The matter of subsidising land to Melbourne High School is not considered as a 'direct community benefit' given the immediate community will not gain anything from this sale. Public benefits include matters that pedestrians, residents and workers in the area will substantially and demonstrably benefit from. It is considered that the proposal does not provide any 'public benefit' that warrants a significant (more than double) increase above the preferred maximum building height.

Therefore the recommendation was to refuse a planning permit, and that was carried with seven councillors voting for it, one against and one absent. That is the situation that faces us — that is, a development that is clearly an overdevelopment and an application that was clearly rejected by the council. The minister has just intervened in that matter without the involvement of the council or the community. He has written his own rules for the site in contravention of the precinct structure plan and the design and development overlay for this site, especially regarding height and open space to suit the desires of the developer for an overdevelopment of the site.

A developer has made a donation to the Liberal Party and effectively to the local school, and now he appears to have got what he wants on the site and more. This is a very poor precedent for future planning in Stonnington and across Melbourne and Victoria. Communities have to live with these decisions long after any developer has gone. It is an abuse of process which overrides the council's vision and objectives for planning its precinct structure plan and its design and development overlays. It overrides everything that has been put in place by the council in consultation with the community. The minister has intervened and completely rewritten the rules for that site and called that an incorporated document which he now has control over, and the council and the community have been shut out. That is why I hope the chamber will support my motion to disallow amendment C190 to the Stonnington planning scheme.

Mr TEE (Eastern Metropolitan) — This is an important motion, because in many ways it highlights in one fell swoop what is wrong with planning under this minister. The motion shows with one very clear example the contempt that this minister has for communities, for process, for the Victorian Civil and Administrative Tribunal (VCAT) and for local councils. I suppose what is most depressing about it is that the minister has not changed. He has not learnt one thing in the three years that he has been in the position.

We can think back to some of his earliest interventions, including the disastrous intervention at Ventnor where, at the behest of a developer, he intervened. Again, he crushed the local council, the local community and the independent panel process. Here we are, three years later, and the minister is acting in the same arrogant way. He acts with that same disdain for process. He acts without any regard for the legacy that he will leave as a result of the disastrous decisions that he has made. We see that replayed time and again, this planning scheme amendment being the most recent example.

Another characteristic of the minister and the way he operates, which is telling and which plays out in this instance, is that he acts like a bully. Like most bullies he will walk away from those who are his critics. He is not in the chamber now because like most bullies he walks away, and that is what happened on this occasion. He met with the council on 5 December. He met with the mayor and with Mr Clem Newton-Brown, the member for Prahran in the other place and, with his hand on his heart, said he was not going to intervene in individual projects.

Mr O'Brien — On a point of order, Acting President, I believe Mr Tee referred to the Minister for Planning as a bully. I believe that term is unparliamentary, so I ask that you ask Mr Tee to withdraw. Given that the minister is not in the chamber listening, I make that request on his behalf.

The ACTING PRESIDENT (Mr Ondarchie) — Order! I uphold the point of order and I seek Mr Tee's indulgence in withdrawing.

Mr TEE — I withdraw.

As I said, the Minister for Planning attends the meeting with the council, with the mayor and with Mr Clem Newton-Brown. He stands there hand on heart and says, 'Trust me, I am not going to intervene. I have got no interest in intervening in particular projects'. What he does not say is that at the same time he is meeting with the developer, a Liberal Party donor, and behind closed doors his department is drawing up the paperwork in secret. But in public the minister says, 'No, trust me. I am not going to intervene'.

If the council has learnt one thing from this episode it is that when a minister says, hand on heart, that he is not going to intervene, you cannot trust him. When it comes to intervening, he did not mean what he said, because that is what he did two months after he told the council he was not going to intervene in individual matters. He did a backflip. He changed his mind. He went back on his word. He did not even pay council officials the courtesy of a phone call. He went back on his word without even the courtesy of a phone call. He meets with them, looks them in the eye and says he is not going to intervene, but then he makes another decision in secret and does not even bother to let them know.

Two months later at the request of the developer, Mr Yates, a Liberal Party donor, the minister approved a 94-metre high tower when the height for the area is 38 metres. The most remarkable thing about it is that that is more than the developer wanted. The developer

was not asking the minister to approve a 94-metre tower; the original application was for 84 metres. But that was not good enough for this minister; that was not good enough for this developer. He gave the developer a bonus. Just for asking he got an extra 14 metres.

Imagine the cruel blow to the community and to the council. Where is the local MP, Mr Clem Newton-Brown, in all of this? He attends the meeting with the council and sees the minister with his hand on his heart saying, 'I am not going to intervene'. When Mr Clem Newton-Brown has a choice between standing up for his community or not, what does he choose to do? He chose to stand by the minister. He got out of the way quickly so that the minister could walk all over this community. Mr Clem Newton-Brown was nowhere to be seen. He was scurrying out of the way so the minister could have his way.

It is worth just having a look at why this application was knocked back by the council, because the council considered this application over a considerable time. The council's reasons were:

The proposed building height is excessive and fails to meet the state and local planning policies ...

The original application was for 80 metres. The minister has approved something even taller than that application. The council goes on to say:

The proposed building form, scale and massing fails to provide sufficient upper level setbacks and fails to meet the state and local planning policies ...

The proposed building height, form, scale and massing provides significant visual bulk to the streetscape and from the rear, especially when viewed from Yarra Street, Alexandra Avenue and the railway bridge.

The proposed building presents an overbearing presence on the heritage-significant Melbourne High School building —

I will come back to that. The council goes on to say:

The proposed building B provides no front setback at the upper levels which is inconsistent with the street wall of the building to the south, will hinder the growth of any street trees planted in front of the site and be inconsistent with the boulevard character of this section of Chapel Street as anticipated in amendment C174.

This is a development that the council, which understands its local community, says is completely out of character with the streetscape. The development is completely out of character with the boulevard the council is trying to create. It will mean the trees on the site will not grow properly and will spend most of the time in shade. The proposed building will create unacceptable levels of shadowing. The proposed building will create an unacceptable outcome with

regard to the collection of waste, given that there is no on-site collection area.

The council had a look at all these things — the impact on the community, the visual impact, the character of the suburb — and in October said that it would not approve it because it did not fit with its community. It said it was not what its community wanted and that it did not fit with its livability. The council knocked it back, and the developer then went to VCAT, as was its right. The matter went through the process and was listed for April, but that was not good enough for the minister. He was not going to wait for the VCAT process to see where the umpire went. He would not allow a third party to have a view about whether or not the development would help or destroy the character of the community. He took it out of VCAT and overrode the community and the council.

As Ms Pennicuik pointed out, there were 83 objectors — that is, 83 people who wanted to have their day in court. All they wanted was a fair hearing and an opportunity to put their case, to have their say, to be heard, to have an independent, impartial process and to have their day in court, but that is not how this minister operates. He operates behind closed doors.

If the minister had bothered to listen to the community and read the submissions to VCAT, he would have heard what Melbourne High School, for example, had to say. Melbourne High School has an iconic building, and it wrote an articulate and detailed submission in which it talked about the importance of its 1920s main building. It talked about the significance of the building, about its heritage and about how over the decades it had become an iconic part of the landscape. The school also talked about how this development, if approved by VCAT, would destroy the building's amenity, not just from the perspective of the school but from the perspective of the whole community. The submission talks about how this Melbourne landmark will be dwarfed by the overbearing development.

I know the minister has not read the submission, so I will give him the courtesy of telling him what Melbourne High School said. Paragraph 25 of the school's submission says:

The recognition of this significance by the school is reflected in the careful siting of all later buildings to avoid any interference with these significant sight lines.

The school is saying that since the 1920s everybody else has had the courtesy, the foresight and the decency to make sure this iconic building is protected from overbearing development — but not this minister. Unlike local councils, unlike former ministers and

unlike planners, he has rejected all of that. He has walked away from decades of planning that has carefully protected the heritage of this 1920s building. All that work was for nothing, because in one fell swoop the minister has destroyed what has taken years to preserve. Paragraph 27 of the school's submission says:

Over time 'the school on the hill' has grown to become an immediately recognisable Melbourne urban landscape, as has been said, of iconic status.

Melbourne High School, in its carefully considered submission to VCAT, clearly set out its role and the importance of this iconic building to the school, to the school community and to the community at large, but it never had the chance to actually make the submission. It never had the chance to be heard. It was never given the chance to have the merits of its submission considered, because that is not the way this minister operates. It is not the way he does his business, because he does not talk to people, except for some. He operates in secret.

What about the issue of open space? As has been said, this is a big issue for the residents of Stonnington. It is a big issue because they do not have a lot of open space. The Stonnington planning scheme provides for an open space contribution of 5 per cent. In his public comments the minister has confused the issue of open space. I hope he has received some advice and can clarify that, because he has been very unclear about it. Let me state clearly: the Stonnington planning scheme provides for an open space contribution of 5 per cent. This matters because Stonnington has the second-lowest percentage of open space of any Victorian municipality. Kids in Stonnington do not have anywhere to play and kick a footy.

So concerned has the council been that it has started a process, which the minister has supported, to increase the open space contribution from 5 per cent to 8 per cent. The exhibition of that planning scheme amendment has been approved by the minister, and it is about to go through the panel process. The current open space contribution is 5 per cent, and the ambition of the council is to increase that to 8 per cent, in recognition that it has the second-lowest level of open space of any municipality in Victoria. The minister had the option of 5 per cent or 8 per cent, but what did he do? He gave the developer a 60 per cent discount — a windfall — by only having to make a 2 per cent open space contribution. What an appalling outcome. What a disgrace.

I am not sure how Mr Clem Newton-Brown, who was at the meeting with the minister and got out of the

minister's way so the minister could have his way, can stare his community in the face and say, 'I know you have next to no open space, but I've stood out of the way so the minister can rip you off'. I do not know how Mr Clem Newton-Brown manages to go back to his electorate when he did nothing to stand up for his community. All he did was get out of the way so the minister could rip them off.

These issues matter because it is important to make sure that families and kids have open space. We all know how important these issues are to local families, except apparently for the Minister for Planning, aided and abetted by Mr Clem Newton-Brown. What a slap in the face for local families. VCAT has been knocked out, and with one fell swoop the minister has had a crack at the local council.

The mayor summarised it very well when he said on 17 February:

So while it takes months, and in some cases years, to sign off planning scheme amendments requested by the council, when a developer is involved, it seems that process can be done virtually overnight!

It is worth reflecting on some of these planning scheme amendments. Amendment C173 is one that has been mentioned. It has been on the minister's desk for four months now. The minister's guidelines provide for 45 days, but this amendment has been sitting on his desk for four months and we still have not had a response. I suspect the application by the developer did not sit on his desk for four days, but for four months the council has heard nothing from the minister when it comes to amendment C173.

Think about who benefits from this. It is not the community, it is not the families; it is the developer. Think about the speculation. The developer has already sold on this property on the condition that there be a minimum height limit. Think about that speculation, the integrity of our planning system and the way these actions undermine confidence and the integrity of planning in this state. That ripples all the way through. Why would you put in a submission for a planning scheme amendment when it can just be taken away? Why would you have any confidence in putting in a development application when there is no openness or transparency in the planning system?

The minister has not provided any justification for his intervention. He has not provided any reasoning for why he acted against the wishes of the local community. Instead what his actions have done is create an impression that the merit of your application and the merit of the development do not matter. The

views of the local community do not matter. The local planning scheme and the height restrictions put in place there do not matter. The views of the local council do not matter. The views of VCAT do not matter. All that matters is the views of the minister and the people he listens to. On this occasion that appears to be one person: a Liberal Party donor. We will not support this planning scheme amendment.

Hon. M. J. GUY (Minister for Planning) — For a quietly spoken man Brian Tee has a unique art of developing foot-in-mouth disease every time he opens his mouth. We have heard a speech from Ms Pennicuik, who clearly does not understand how planning scheme amendments come about, and a speech from Brian Tee, who seemingly has amnesia about events from 2 December 2010 onwards.

I heard comments such as, ‘What is wrong with planning today is contempt for councils, communities and the Victorian Civil and Administrative Tribunal (VCAT)’, a comment which was made because I approved a tower along Chapel Street. I listened to all of this. This is a building about 90-odd metres high. This presentation from the Labor spokesman for planning conveniently ignores the fact that over the road there is a building of around 130 metres which was called in from VCAT by Justin Madden, the Minister for Planning in the previous government and now the member for Essendon in the Assembly, overriding the council. It is in fact 40 metres taller than the building Mr Tee spent 25 minutes boring the chamber with as to why he will not support Ms Pennicuik’s bizarre planning scheme amendment revocation.

I would like to take Mr Tee’s speech and re-read it. Maybe he would like to put in the words ‘Madden’, ‘Labor’ and ‘Tony Lupton’ — we remember a useless member named Tony Lupton — and then it might be reflective. If you were to go to the site where this tower has been approved, which the school supports and which the Department of Education and Early Childhood Development supports — —

Mr Tee — No, they do not. Read their submission.

Hon. M. J. GUY — You are piping up now, are you? Would you like to talk about Justin Madden’s 130-metre tower? I am sure you would not. It is 130 metres. Not 90, not 100, not 110 and not 120 — Justin Madden will give you 130 metres!

Mr Tee — That makes it all right?

Hon. M. J. GUY — Mr Tee, that makes it all right, does it? The entire credibility of Mr Tee’s boring

performance in this chamber has been lost. He has cured us all of any insomnia for the last 25 minutes. He has come in here and now admitted via interjection that his speech was rubbish.

Mr Tee interjected.

Hon. M. J. GUY — Yes, it is all I have got because Mr Tee’s speech was rubbish.

The ACTING PRESIDENT (Ms Crozier) — Order! Mr Tee has had his turn for his contribution.

Hon. M. J. GUY — Mr Tee’s speech was comically embarrassing given that the tower over the road is taller and was approved in the same process when Labor was in government and his mate Justin Madden sat right here. The least Mr Tee could do is acknowledge it in his speech and try to fashion an argument as to why one might be right and one might be wrong, but he did not even do that. It was quite bizarre. You would think he would come in here and try to justify it in some way: ‘Yes, I know Justin Madden may have approved that one, which was larger’.

Why stop at that one? Let us look at the whole precinct and at what Justin Madden intervened in to approve the entire precinct — not one tower, as Mr Tee is talking about, but a whole host of them. Mr Tee and Ms Pennicuik have come in here and in speaking on this awful motion complained that I have approved a skyscraper in the middle of a bunch of other skyscrapers. They walk in here totally oblivious and do not mention the other towers to the chamber. You would not believe it: 670 Chapel Street, approved in the same process by Justin Madden; 77 River Street — again in the same precinct, approved by Justin Madden.

There is more. The ILK tower at 227 Toorak Road was approved, again, by Justin Madden. The Claremont Street tower was a project called in from two VCAT proceedings relating to a 15-storey mixed-use residential development in Claremont Street. It was a \$66 million project. Do not take my word for it; I am quoting from a press release of 18 September 2009 from the then Minister for Planning. It reads:

The Brumby Labor government has again cleared the path for significant developments in a fourth round of fast-tracking that will create more than 831 jobs and boost the Victorian economy by more than \$162 million.

We did not see the then opposition, the Liberal-Nationals coalition, bring in a disallowance motion, did we? We actually said that the process was not bad as those towers are worthwhile in an area that is defined. Here you have the idiocy of the Labor Party coming in to oppose us. I say again: do not take my word for it,

take the words of the Brumby Labor government, in which Brian Tee was a parliamentary secretary. He may have forgotten that in his rush for amnesia.

A further press release, this one from Tuesday, 28 September 2010, says:

The VCAT hearing was called in, submissions were heard from all parties to the VCAT hearing and a recommendation was made to the Governor in Council.

That came from Justin Madden. That press release is headed ‘\$100 million development approved in South Yarra’. Mr Madden was quite proud of it. The release says:

... the development, at 227 Toorak Road, South Yarra included the construction of a 25-storey development in the Forrest Hill precinct ...

Is that not the precinct we are discussing in this motion? I think it is! It is happening all over again. Mr Tee came in here, basting me and the fantastic work of Clem Newton-Brown, the member for Prahran in the Assembly, oblivious to the fact that his own party is responsible for the skyline that you look at in the Forrest Hill precinct today. Those opposite are responsible for it. It is quite astounding. The press release continues:

Mr Madden said the development would provide a boost of \$100 million to the economy and create up to 1000 full-time, part-time and casual jobs during construction and development ...

I find it quite astounding that again you would have the Labor Party coming in to support a motion from the Greens. We acknowledge that the Greens are quite bizarre, odd people who support the G20-style protesters. It is really some kind of throwback to the East German socialists trying to get elected under a green banner, but nowadays they have all been found out as a mere bunch of low-rent socialists who have fashioned themselves as whale savers.

I want to give you another one, if I can, Acting President, because much of Mr Tee’s and the Labor Party’s presentation has focused on the issue of calling in a proposal and how appalling this is. In Mr Tee’s contribution — do not take my word for it — he effectively blamed me for the Kennedy assassination, Roswell, Area 51 and faking the moon landing. On top of that came this criticism of call-ins. How terrible call-ins are! I just had this from the shadow planning minister. A press release of Friday, 8 January 2010 is headed ‘\$100 million Box Hill proposal fast-tracked’, which means called in. It was called in by the Brumby government. The press release says:

The Brumby Labor government has called in a proposed \$100 million development in Box Hill with the potential to create hundreds of local jobs.

You will not believe it — there is a comment down the bottom of the page. It says:

Member for Eastern Metropolitan Region Brian Tee MP welcomed the fast-tracking of the proposal saying it was in the best interest of the Box Hill community.

I will quote what Mr Tee said in the press release:

In order deliver this we need more high-density housing options in ... Box Hill ... close to transport, services and jobs.

So the proposal was fast-tracked. I must say that I am not sure what has occurred between 8 January 2010 and 12 March 2014, but clearly the concept of fast-tracking is one that has been fast-tracked out of Brian Tee’s mind. He was all for fast-tracking. I did not criticise him at the time; it was quite a worthwhile press release. Fast-tracking — not a bad idea. One hundred million dollars — not a bad idea. No wonder the Labor Party is not fit to form government in this state, and no wonder people are terrified of the concept of Brian Tee ever coming into the planning portfolio, as clearly this man has a memory shorter than that of a goldfish.

I want to make some comments, if I can, about the building, because apparently I have called in this building and said, ‘I will make it higher!’. The Labor Party and the Greens have again not looked at the process. I remind Ms Pennicuik about the process. The process does not mean storming into Parliament and locking your hands and having these whistles when the police come near you and trying to blame law enforcement officials for your woes. The process means that this building was not just called in; it was a request sent to me by a school and the Department of Education and Early Childhood Development which I did not simply approve. I sent it off to the Office of the Victorian Government Architect (OVGA) and its design review panel.

I ask: who appointed the Office of the Victorian Government Architect and the Victorian government architect himself — a very good man — Geoffrey London? Who appointed him? Me? No. Former Premier Ted Baillieu, the member for Hawthorn in the other place? No. The current Premier, Denis Naphine? No. It was none other than the Labor government. The advice came back from the Labor-appointed Office of the Victorian Government Architect, which is doing a good job, and that was to address the issues in relation to the objectors and the councils. It was a slender proposal which was ever so slightly higher but not as high as Justin Madden’s proposal over the road. This

should be the permit that is put in place, as recommended by the Office of the Victorian Government Architect. Do not take my word for it. Do not take the Department of Transport, Planning and Local Infrastructure's word for it or even the word of the Department of Education and Early Childhood Development. Take the OVGA's word for it, which is what the government did.

We have talked of process and who knew and how no-one knew and how the minister did it because of all these kinds of Area 51-style weirdo conspiracy theories. That is all I seem to get from the occasional spokesman for planning from the opposition. It comes as a matter of course from the Victorian Greens. The proposal was in fact a recommendation from a Labor-appointed body, which I have kept in place because I think it and its people are actually doing quite a good job in terms of the intervention.

I think I have gone over how many other interventions in the Forrest Hill precinct were a result of Justin Madden. Better than that — while I must have made five or six interventions on VCAT in my time, Justin Madden had around 40 and nearly 50 in his time as minister. He even had a unit in his department called the development facilitation unit whose sole objective was to identify projects, give them to the minister and call them in off VCAT. He actually had a unit designed to identify projects to be called in. Let me go back. What were the words — 'contempt for councils, communities and VCAT'? This was Labor's presentation on this motion today. Again, the memory of a goldfish must be in play here, because the Labor Party had a unit — which this government scrapped — that actively identified projects to call in to override VCAT, to override councils and to override communities.

While we are on that, do we remember the Building the Education Revolution funding? Do we remember the social housing funding, which followed the same line? Further than that, do we remember Labor's process on wind farm approval, which — you will not believe it — overrode communities, overrode councils and gave them no chance of appeal? While we are talking about overriding councils or overriding communities, let us not beat around the bush here — this is clearly something Labor has form on, and it will have form on it again because the opposition has said that it would simply reinstate Melbourne 2030, scrap our zone proposals and open all of the city of Stonnington up to the sort of one-size-fits-all development regime that characterised the previous government. Those are not my words; they are an interpretation of the opposition planning spokesman's words.

Melbourne High School is seeking to put in place a gifted education academy. The Greens could not imagine anything worse — a gifted education academy. It is not an academy for people to train to be in the military, which the Greens would find offensive, or even, as we have found out again, to train to be in the police force, which the Greens — bizarrely — find offensive. This is a gifted education academy. You have to ask yourself, 'Why do the Victorian Greens have such a problem with Melbourne High School and this level of excellence for its students?'. As I have said before, here you have a bunch of people who are unreconstructed East German socialists. That is who we have. They probably have pictures of Walter Ulbricht and Erich Honecker hanging on their walls.

I can understand that from these kinds of Luddites, but I cannot understand it from the Australian Labor Party. The Australian Labor Party does not have a history of saying that gifted education academies should be shut down. To the contrary, I would have thought Labor members would be saying, 'We should be encouraging education'. If we can make sure that a developer contributes to an educational facility for gifted children, they should be there to contribute to it. That is what we should get a developer to do, not necessarily to contribute to a road or a bus stop but to an education facility.

Mr Tee interjected.

Hon. M. J. GUY — As I said, I can understand the Greens, and I can even understand old Stanton T. Friedman, the unidentified flying object expert over there, saying that we should not have an education facility for gifted children. The Labor planning spokesman is a member of the socialist left. Even the Labor leader bizarrely says he is not a socialist, but he is member of the Labor socialist left. I understand it from them, but I do not understand it from the men and women more broadly in Labor and Labor's right who should be supportive of saying to a developer, 'You pay for part of this facility, support this facility and allow it to proceed'. I do not understand that.

Again, there has been commentary. Mr Tee came in here and uttered this great line. He said, 'Kids in Stonnington don't have a place to kick the footy', as though the Forrest Hill precinct is some kind of park, national park, state reserve, African game reserve or part of the Amazon, a place where you go to catch wild arapaima. It is the Forrest Hill precinct; it has got skyscrapers.

Mr Finn interjected.

Hon. M. J. GUY — Mr Finn and I understand this. There are places where there are high-rise buildings, like the Forrest Hill precinct, and there are places where, as I said before, you might go and catch a wild arapaima, but it is probably going to be in the Amazon.

Mr Finn — A what?

Hon. M. J. GUY — An arapaima. It is very big fish. It is on *River Monsters*. To actually state that the Forrest Hill precinct should somehow be an area where people can kick footballs is bizarre. That is not necessarily what you would expect to find in this precinct. There are precincts that should be determined for public open space; I understand that. No-one doubts that whatsoever, but you would have thought that a precinct which already has 130-metre buildings courtesy of — who was it?

Mr Finn — Justin Madden.

Hon. M. J. GUY — That is right, Justin Madden, the member for Essendon in the Assembly. Given that Justin Madden has approved a whole host of buildings using the call-in mechanism that the Labor Party rails against today, you would not have thought the Labor Party would now advocate for a \$40 million land purchase to build a football oval in the middle of the Forrest Hill precinct. I will look for Labor's election commitments as to how that is going to be funded. No doubt Clem Newton-Brown, the member for Prahran in the Assembly, will too, because he and I will be very interested to see which buildings and homes are going to be compulsorily acquired for Labor to make way for its large park in the middle of the Forrest Hill precinct, as opposed to other areas in that electorate where it would probably make more sense. I understand there would be no problem,

Mr Finn interjected.

Hon. M. J. GUY — That is right. Labor was going to bring back footy to Waverley. Bring footy to Waverley and the Forrest Hill precinct! Both of those ideas have about as much credibility as claiming, as Mr Tee virtually has, that I am hiding UFOs in the basement of 1 Spring Street, but that seems to be where this is going.

I find it quite odd that the Greens have come in here and talked about a whole host of amendments I have not approved that the Stonnington City Council is suddenly very upset about. Let us talk about those amendments. One of them relates to a high-rise building. The Greens have not mentioned that the mayor of the City of Stonnington is asking me to intervene to knock out a permit for a high-rise building.

They want me to knock one out at the other end of the municipality.

Here we have the mayor on the one hand saying that I am somehow akin to Robert Mugabe because I have intervened in a high-rise building permit and that the process of my doing so is awful, and on the other hand criticising me for not intervening on — guess what? — a high-rise building permit. I am not sure what level of the word hypocrisy he has not understood. He is saying, 'Please intervene on a high-rise permit at one end of the city of Stonnington, but don't intervene in one on Chapel Street', which is, bizarrely, a high-rise building permit. I find it quite odd that people would come into the chamber and say, 'Matthew Guy has intervened on a high-rise building permit and thus he is Satan, and yet we have an amendment that we would like him to approve which is an intervention on a high-rise building permit'. I am actually quite perplexed as to why that would be used as an argument against the government, when the Greens should know through their mayor that that is exactly what they are asking me to do at the other end of Chapel Street. It is quite bizarre.

In conclusion, the Forrest Hill precinct has been identified for high-rise growth. This is not farmland, this is not green wedge land and this is not residential zone 1, general residential zone or neighbourhood residential zone. This is a high-rise building — —

Mr Tee — It is 38 metres, not 94 metres.

Hon. M. J. GUY — Keep going, please. What did Paul Keating say? The fish jumps on the hook! This is the Forrest Hill precinct in South Yarra. Anyone who goes to the roof of Parliament will see the high-rise buildings at the Forrest Hill precinct, because it is a precinct for high-rise growth. This government believes that precinct should be able to grow, that more people can live in that precinct, and that in doing so councils can put in place a neighbourhood residential zone to mean that no further excesses of density upon quiet neighbourhood streets outside of this precinct can be approved.

That is the balance that has been missing under Melbourne 2030, and that is why this government is very deliberate about saying that high-rise buildings have a place. It is not everywhere, but they have a place. But you have to be consistent and clear, and send those messages. One of those clear messages is that this precinct, which is already awash with high-rise buildings — many thanks to the previous Labor government — is a place for high-rise buildings. This one, which would be only the fourth tallest in the precinct, is certainly within keeping with what is

already there. Outside of the Forrest Hill precinct, because that precinct exists, this government is for the first time giving Stonnington the chance to put in place mandatory controls of 8 metres in its neighbourhood residential zone, which represents over 40 percent or more of its residential areas. That is what it has asked for, and that is a sensible suggestion. This government has allowed the City of Stonnington to have the balance that has been missing there for so long.

In short, this side of the house — the Liberal Party and The Nationals — have always been hesitant to use the upper house of the Victorian Parliament as a planning tool, to say that we will intervene on planning scheme amendments wherever we like or to act as just another planning device in the state of Victoria. It is an incredibly irresponsible move when used without serious thought or with flagrant disregard for what is being put to the Parliament.

Members of the Greens have no level of responsibility within them. We have seen that in their support for Occupy Melbourne, for the east-west demonstrators, for people closing down legitimate businesses like Max Brenner and for others. That is what the Greens stand for; we understand that, and it is just accepted. They are unreconstructed socialists; we understand that, and in my view those people are a massive danger to the Australian way of life in the future. I understand that, but I do not understand members of the Australian Labor Party coming into this chamber over and over again, seeking to undermine the Victorian planning system by using the upper house of the state Parliament as a vent mechanism for planning scheme amendments. In 11 years of opposition our side of the chamber used that mechanism possibly twice: once for the Barwon Heads bridge and once for another matter previous to my entry into Parliament. It is an incredibly powerful tool that needs to be used in a measured and sensible way.

Since I have been the minister, the opposition and the Greens have come in here on a whim with little thought as to what that tool means and what the use of that tool means. That is why I finish where I started, by saying that there are members who have made speeches in this debate who have clearly got fundamentally very little understanding of the Victorian planning system. They may understand a grab in a magazine or newspaper or something that appeals to a bunch of fools at their branch meetings, but they genuinely do not understand what it means to make comments when you go to planning forums or functions, what it means to use the Parliament as a tool for the planning system and what their intervention in that planning system means.

Sue Pennicuik's motion should be opposed. In my view her motion has little credibility. I am surprised the Labor Party would lower itself to support a foolish motion like this, but then again I guess over the last three years we have become accustomed to this kind of foolishness from the opposition when it comes to planning issues.

Ms PENNICUIK (Southern Metropolitan) — The minister finished as he started, which was basically swiping at me personally. That is his chosen level of defence. He defends his position in the media by swiping at the council. He comes in here full of bluster and says that I do not know about planning, that my revocation motion is bizarre and that I have decided to move the motion on a whim with no thought, but that is not true. I have thought long and hard about this motion, and it has the full support of the Stonnington Council.

The minister went on but did not say much at all about the subject of the motion, the planning scheme amendment C190, in which he has intervened and in doing so approved an application rejected by the City of Stonnington on 4 October and another one on 12 December regarding the site at 661 Chapel Street. That is intervening in the planning process. The council did not accept that application for a number of reasons, including that it was totally inconsistent with its planning policy, its structure plan for the Forrest Hill precinct and the design and development overlay for that site. I have already talked about that at length in my contribution, so I will not repeat that.

The minister then spent most of his time talking about the tower across the road, which is not in the Forrest Hill precinct and was not approved by the council. It was also rejected by the council. The minister is correct; it was approved by the former Minister for Planning, Mr Madden, and everyone regrets that decision. Everyone rues that decision, but one bad decision made by one planning minister does not mean another bad decision should be made by the next planning minister.

The minister spoke about this being a tower amongst towers in the Forrest Hill precinct, Chapel Street north, but that is incorrect because there is no bunch of towers in that location. The minister said that we want high buildings all the way through that area. If we look at the planning scheme and the design and development overlay for the Forrest Hill precinct, we can see that the greatest height is 76 metres, and that is alongside the railway line. People familiar with that area will know those buildings alongside the South Yarra station. The buildings that have been approved by the minister in his

planning scheme amendment are 69 metres — nearly 70 metres — and 93.35 metres, which is higher than anywhere in the Forrest Hill precinct.

In the actual precinct to which this particular amendment that the minister has signed off on relates, the preferred height is 38 metres, which the minister has more than doubled, and the setback is 3 metres, because the vision for that particular area, Chapel Street north — the minister talks about it as if no-one has been there, but I know the area very well because it is part of my electorate — is for it to be a boulevard-type area. The development application failed in that respect as well because it did not allow for the establishment and growth of significant trees in the Chapel Street north area.

The minister then went on to cite a list of examples of poor process undertaken by the former planning minister, but that is no excuse for this minister to engage in the same behaviour. Dragging the Minister for Education and the government architect into his defence is not good form, and it is not good enough. He made the decision to approve this 94-metre tower, which is one of two towers. The other tower accompanying it is 69 metres tall. It fails in a whole lot of other areas, such as not providing enough bicycle parking.

Mrs Coote interjected.

Ms PENNICUIK — It does not comply with a very important issue which is dear to the Greens — that is, the issue of open space. Even if one accepts that that area should have towers built in it, which I do not accept because the design and development overlay provides for a preferred height of 38 metres, when you are putting in towers you need more open space.

Mrs Coote interjected.

Ms PENNICUIK — Stonnington needs more open space. Mrs Coote is interjecting. She is also a member for Southern Metropolitan Region. I do not understand why she would be supporting the intervention by the minister in taking the open space from the people of Stonnington, which is part of her electorate.

The problem for the minister, despite all his bluster and dragging in everybody else and talking about other examples and hardly ever speaking about the actual amendment which is the subject of this motion, is that due process was followed by the council, which refused the application because it did not comply with its policies and objectives. The developer then admitted that he approached the minister's office, the department of planning and the government architect after the

application for the development was refused by the council. This is a developer who has given a donation to the Liberal Party. He approached the Minister for Education, who intervened in the process. We are not quite sure why, because he will not answer questions.

The Minister for Planning has intervened with no detailed explanation and he has more than doubled the height of the building that is the subject of the application and reduced the open space by 60 per cent. That is the problem the minister has. This development is going to be foisted upon the citizens of Stonnington. The minister is incorrect in saying that this will be a development in an area full of towers. That is not true, and he knows that. The area was never envisaged to be full of towers. While 38 metres is a fair height, 94 metres and 74 metres are way above the height limit set for that site.

The adjoining areas, south Chapel Street, Daly Street and Claremont Street, have 50-metre height limits, but along Toorak Road the height limit is even lower, at 27 metres. The minister has provided no explanation for his intervention and he has provided no justification for or defence of his decision. I commend my motion to the house.

House divided on motion:

Ayes, 18

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

Noes, 20

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

Pairs

Viney, Mr	Koch, Mr
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Motion negatived.

Business interrupted pursuant to sessional orders.

STATEMENTS ON REPORTS AND PAPERS

**Environment Protection Authority Victoria:
report 2012–13**

Mr RONALDS (Eastern Victoria) — I wish to talk on the annual report of the Environment Protection Authority Victoria. When reviewing this report it occurred to me that the vision of a healthy environment that supports a livable and prosperous Victoria is very relevant when we think about the environmental impact of cattle returning to the Wonnangatta Valley. Today in East Gippsland and in the high country, mountain cattlemen are rejoicing at the imminent return of cattle to Wonnangatta Valley — as are the cattle. This land, a former cattle station, is being used for four-wheel driving, trail riding and deer hunting. Today this once beautiful valley is more akin to a weed farm than one of the high country's most beautiful spots.

This autumn 60 head of cattle will return to 225 hectares and the number of cattle will increase to 300 head within three years. This may seem to be a small number, but it shows again this government's commitment to carefully managing this change. The president of the Mountain Cattlemen's Association of Victoria, Mr Charlie Lovick, is a man who is absolutely confident that the trial will conclusively show that cattle grazing reduces the fire risk in the alps. Mr Lovick says that the cattlemen have been accused of being motivated by self-interest. He is unapologetic in this regard, because the high country has been their home and his home for six generations and they have a rapport and a connection with the land. Families such as the Lovicks and the Stoneys still farm and live in the high country. Their land management practices are second to none.

Graziers have taken cattle into and across the mountains of Victoria as far back as the 1820s, but they have always faced opposition. From the very beginning, opinions on land management — —

Mr Barber — From whom?

Mr RONALDS — Opinions of people living and working on the land and those residing in urban environments have differed greatly, and they still do.

In the early 1900s cattlemen followed the practices of Aboriginal people and burnt parts of their leaseholdings each year. They burnt off vegetation that built up in sections. By the early 1920s this practice was banned by government. Then, on 13 January 1939, the Black Friday fires broke out, burning 2 million hectares of land, with 71 deaths, 1300 homes lost and many towns

destroyed. Cattlemen in the high country were able to find shelter in areas which had previously been burnt and grazed by them, defiant of the government bans. These sanctuaries were also shared by native animals and birds.

From European settlement until now, for almost 200 years, the one voice that has remained consistent in calling for fuel reduction burning in the midst of changing academic opinion has been that of the mountain cattlemen. The government has recognised this and supports the proven land management methods of these graziers. The recent decision of federal Minister for the Environment, Greg Hunt, to approve this trial is the result of a three-year campaign by the Victorian coalition government. In 2010 the coalition government promised to return cattle to the high country. This commitment was key to the election results in East Gippsland, where The Nationals member Tim Bull defeated the sitting Independent — a clear demonstration of the people's will.

The environmental policy of Labor and the Greens consists of a 'lock it up and leave it' approach, but the coalition at both a state and federal level is focused on active land management. What we have seen in recent years is the build-up of fuel loads in and around the valley. This has created a fire hazard that threatens visitors, neighbours, landscape, habitat and native fauna and flora.

The role of the mountain cattlemen in caring for the high country has largely been misunderstood. Mountain cattlemen have been blamed, victimised and politicised. But now, thanks to coalition governments at both a state and federal level, we have an opportunity to conclusively show that mountain cattlemen care for the high country. I look forward to the results of this trial, which I believe will prove that we can both care for and use our natural resources. It does not have to be one or the other.

**Auditor-General: *Managing Emergency
Services Volunteers***

Mr ELASMAR (Northern Metropolitan) — I rise to speak to the Auditor-General's report, tabled in this Parliament on 5 February, entitled *Managing Emergency Services Volunteers*. The report arrived in this Parliament on the fifth anniversary of the Black Saturday bushfires, and it is a reminder to us all of the tragic loss of life and property that Victorians endured during that terrible time.

The Victorian Auditor-General's Office report focuses on the logistics of today's volunteer firefighters and

emergency services personnel — their training, recruitment and personnel management. While it may be true that volunteers are the hardest workers to manage and supervise, essentially because they are not paid a salary and are not subject to the ordinary rules of personnel management, they are also likely to have a much more altruistic approach to unpaid work. What makes volunteer firefighters so incredibly special and extraordinary is their camaraderie and courage in banding together to fight their common enemy — Mother Nature.

Volunteer numbers fluctuate according to the demographics of an area at any given time, so, to be fair, it is not totally surprising that, as the report states, neither the Country Fire Authority (CFA) nor the State Emergency Service (SES):

... have a sound understanding of the total number of volunteers needed to fulfil their operational requirements.

According to the report:

CFA does not know how many volunteers it needs and SES's data on how many volunteers it has is unreliable. Both agencies' assessments of current workforce capacity overestimate their emergency response capabilities, meaning neither agency can be assured that it has the capacity to respond to incidents when they occur.

The recommendations contained in the report relate to the establishment of a skills register, coupled with an exit interview process that will highlight or make obvious the reasons people are leaving this volunteer workforce. I would hazard a guess that families that have been devastated by bushfires are likely to leave the area permanently. SES and CFA volunteers suffer additional stresses that the townspeople would never experience. It is extremely difficult to predict what state emergencies will occur, when they will occur and how many trained personnel are on hand to deal with these emergencies.

The recommendations contained in the report talk about management practices that are mainly applicable to a steady and fixed workforce, but the sensible suggestions are worthy of support and implementation. For instance, an up-to-date skills register is essential to be able to forward-plan training for the requirements of personnel. This will give those brave Victorian men and women, of whom there are more than 57 000, who continue to risk not only their property when they go out to fight fires but their lives as well, a chance of survival in every sense of the word.

Tourism Victoria: report 2012–13

Mrs MILLAR (Northern Victoria) — I am pleased to make a statement in relation to Tourism Victoria's annual report for 2012–13. As is noted in the report, tourism remains an important economic driver for Victoria worth more than \$19.1 billion or 5.8 per cent of the total Victorian economy. In 2011–12 tourism generated over 200 000 jobs or 7 per cent of employment in Victoria, with many of these jobs being located in small rural and regional communities.

Despite a strong Australian dollar over 2012–13 and other factors including a continued increase in the number of Australians travelling overseas, Tourism Victoria achieved another solid year of results, with Victoria collecting more than 22.4 per cent of the tourism market for 2012 — an increase of 5.7 per cent year on year, which is higher than the national average. Output performance exceeded targets for this period, with both domestic and international visitor numbers exceeding targets. The number of international visitors was 1.9 million, exceeding the target of 1.6 million, and for domestic visitors the result was 17.8 million, exceeding the target of 15.9 million. A number of key strategies and initiatives have contributed strongly to these results, including the success of the super trade missions, notably to China, the government's commitment to developing and promoting major events and the marketing of activities to promote regional Victoria.

Supporting tourism to regional Victoria remains a key priority, and it is not without its challenges. It is with a great deal of sadness that I sometimes reflect on the children in our state who are never given the opportunity to spend time in regional areas and what this means for their understanding of the nation that Australia is. I ask families who holiday almost exclusively overseas in destinations like Bali, Phuket or other South-East Asian beachside resorts to commit to investing in Victoria when they consider holiday destinations, just as we do when we make shopping purchases, as in the case of the support recently shown by buying SPC products.

While the common overseas image of an Australian is typically that of a jackaroo on horseback on a sun-drenched plain, the sad reality is that our nation is the most urbanised in the world, with many of our children never experiencing time on a farm, in the high country or anywhere in regional Victoria. Each one of us has the ability to change this, and I encourage everyone to think more critically about the power of our tourism investment dollar. Think tourism, think regional Victoria.

Tourism Victoria has delivered strongly over the past 12 months and can build further on this into the future. In making this statement, I pay tribute to the great work and commitment by the Minister for Tourism and Major Events, Louise Asher. I know the minister's commitment to deeply understanding the tourism industry and its drivers is regularly noted and greatly valued in my electorate. I acknowledge also the work done by chairman Dr Janine Kirk, by CEO Leigh Harry and by some very talented board members and professional staff at Tourism Victoria.

Ambulance Victoria: report 2012–13

Ms DARVENIZA (Northern Victoria) — I rise to make some comments on the Ambulance Victoria annual report for 2012–13. Firstly I commend the chair, Just Stoelwinder, the board and the staff of Ambulance Victoria for their commitment to providing high quality pre-hospital care and medical transport. Ambulance Victoria has a long and proud history of serving the community of Victoria. It faces many challenges with an increase in demand for services and the subsequent workload pressure on paramedics and in dealing with an ageing population. Ambulance Victoria's ability to respond in a timely manner to medical emergencies continues to be affected by blow-outs in hospital patient transfer times and by ambulances being ramped.

From this report we see that Ambulance Victoria achieved a number of significant highlights, for which I would like to congratulate it. It recruited 303 new paramedics, including 267 new university graduate paramedics; responded to 823 278 incidents — including 164 761 emergency road incidents in the five rural regions — an increase of 2.5 per cent; expanded its referral service from the metropolitan area to one of five rural regions; undertook a world-leading medical research program that has a number of research projects under way; introduced mobile intensive care ambulance single-responder units in four more rural centres; renovated and rebuilt a number of branches; and piloted an emergency medical response program with the Country Fire Authority.

As I mentioned, Ambulance Victoria has faced many challenges in the past 12 months. Of concern is the proposed enterprise bargaining agreement for paramedics, entering its second year with no resolution. Paramedics are extremely frustrated that if they were working interstate they would be anywhere from \$8000 to \$25 000 per annum better off. The Liberal-Nationals state government has wasted nearly half a million dollars on full-page advertisements that appeared in metropolitan and regional and rural newspapers earlier

this year trying to sway public opinion against our paramedics.

Victorian paramedics are the highest trained and the lowest paid in Australia, which means that communities throughout my electorate of Northern Victoria Region, and indeed throughout the state, will lose experienced paramedics if the state fails to boost wages and protect their conditions. Paramedics are now being worked longer and longer before they take breaks, and at times they do not get their breaks. Workloads have increased, requiring overtime, and response times are blowing out. Ambulances are increasingly being ramped at hospitals until beds become available, which takes them out of circulation sometimes for hours at a time.

Ambulance Employees Australia delegate for Shepparton-Mooroopna, Mr Paul Almond, informed me that the argument is simple: the goodwill of paramedics is what carries the organisation forward. Any continued excellence in operation is because of paramedics, who are the basis for the reputation of Ambulance Victoria. Paramedics are suffering from fatigue and extremely low morale. This government must immediately act to resolve this two-year stand-off and give Victorian paramedics the respect they deserve and the remuneration that is commensurate with that of their interstate colleagues.

Department of Human Services: report 2012–13

Mrs COOTE (Southern Metropolitan) — As members know, I have spoken many times on the Department of Human Services 2012–13 report, and I am very proud to do so again today because there is so much in it; it is a report that outlines a litany of successful stories about programs that have been achieved by the Department of Human Services. I refer to innovations that have been implemented by the coalition government, and programs that are dealing with some of our most vulnerable people.

The Department of Human Services deals with people at their most vulnerable and people who need a great deal of help and support, so it is imperative to get these programs right and to put in programs that are sustainable and ongoing. There is no point in giving hope to people that is only temporary; it is important that they are given ongoing help and assistance.

The aspect of the annual report I refer to today is the support given to clients who participate in training, education and the community. It is very important that we help people who perhaps have an intellectual disability or a chronic disease issue or live with mental

health issues — a whole range of people who are vulnerable to falling into homeless or other areas of distress — by giving them the skills to get out of those types of situations. I understand that it is not easy to do, but it is important to understand them and how they are implemented.

For example, I am certain that many members in this place do not know about the Good Money hubs. These hubs provide safe, affordable and responsible financial services for people on low incomes who are excluded from mainstream banking services. How important this is! Many of us in this chamber take for granted the access we have to a whole range of financial services; we are bombarded with information from banks all the time. But we forget about the people who do not have access. They do not know who to ask, they may not have a network and they do not know what to do.

There are three hubs: in Collingwood, Dandenong and Geelong. It is a joint initiative between the Victorian government, Good Shepherd Microfinance and the National Australia Bank. The Geelong hub has been operating since April 2012, and the Dandenong and Collingwood Good Money hubs opened in late 2012. Together the three hubs have assisted over 3600 people. If those 3600 people can learn to manage their money better, it is going to have a much better outcome at the end of the day, so I commend the government, Good Shepherd and the National Australia Bank for this program.

Grants of up to \$30 000 were made available in 2012–13 to refurbish or to modify existing men's sheds to better meet community needs and to deliver a range of programs. In January 2013, 36 successful projects were approved for funding totalling \$700 000, and in June 2013 there was a further \$1.5 million worth of funding. All of us will have men's sheds in our electorates and know how successful they have been. I remember when the very first ones were established. People were slightly sceptical and not terribly certain about what was going to happen. The men's shed program is now a flourishing program in which men do some extraordinary work together to make a difference to their communities, and in the process help each other and connect and network, which was never envisaged when men's sheds were first established.

During 2012–13 more than 370 neighbourhood houses continued to be supported through the neighbourhood house coordination program. The Association of Neighbourhood Houses and Learning Centres conducted a survey of neighbourhood houses across Victoria for the first time. The survey provided figures

about the operation and use of neighbourhood houses. Each week in Victoria there were nearly 154 000 visits to neighbourhood houses. I have had the pleasure of speaking at the association's annual conferences, and the variety, enthusiasm, local input and community involvement provided by these neighbourhood houses is quite extraordinary.

Another area the Minister for Housing has spoken about many times is the youth foyers initiative, into which the coalition government has put \$30.1 million. Each youth foyer provides accommodation for disadvantaged young people aged 16 to 25 years who are unable to live at home and who want to study. I could go on and on about the details of these programs. As I said, it is important that these programs are sustainable. They help people change their circumstances and provide opportunities for them into the future.

Public Transport Victoria: report 2012–13

Mr EIDEH (Western Metropolitan) — I rise to speak on the Public Transport Development Authority annual report 2012–13, and I acknowledge all those who contributed to this report. In particular I acknowledge members of the board; the chair and CEO, Ian Dobbs; Douglas Bartley, the deputy chair; and directors Michael Taylor, Virginia Hickey and Craig Opie. In addition to these individuals I also acknowledge Public Transport Victoria staff who have worked tirelessly throughout the year to achieve the year's highlights. In the area of metropolitan rail services, the highlights include a slight increase in service punctuality, with an increase of 3.1 per cent above target and a matched target for service reliability.

Tram services have seen an increase in customer satisfaction by 1.1 per cent, and metropolitan bus services reported reliability of a consistent 99.9 per cent. Whilst these figures indicate that Melbourne's public transport network is improving somewhat, statistics in Public Transport Victoria's report also show that there was a slight decrease in customer satisfaction with the Metro train network, and this slight decrease also occurred with the tram network and its service punctuality.

The year's highlights for the organisation also included myki becoming the only ticket used in Melbourne for public transport from 29 December. Although the rate of fare evasion had fluctuated during the previous financial year, the rate reached a low of 9.4 per cent in October 2012. Additional services were added to carry more than 5 million passengers to over 600 special

events, including the Spring Racing Carnival and the Royal Melbourne Show.

Despite these highlights, I am afraid there are still many problems within the Victorian public transport network that the Premier has failed to address, in particular for people living in the west and residing in the Caroline Springs-Kororoit community who are still waiting for the railway station which was promised to them in 2010. Some 59 484 people reside in Melton East, which according to the city of Melton includes Caroline Springs, Taylors Hill and Hillside. They need this service. The Sunbury line, which many of these residents are forced to use, is one of the most overcrowded metropolitan services. In addition to this, every day my constituents still confront dangers crossing through identified problem level crossings within the Sunbury and V/Line services.

Unlike the government, opposition members understand the need for people in Melbourne to have access to services to ensure that they get home safe, which is why the former government announced the Homesafe initiative. This will ensure that people will be able to arrive home safely on a Friday or Saturday night regardless of the time as services will run all weekend. Labor will offer Victorians a unique public transport network and greater options, unlike anything ever offered before. I wish Public Transport Victoria all the very best for this financial year. I commend this report to the house.

Independent Broad-based Anti-corruption Commission: report on conduct of Sir Ken Jones, QPM

Mr FINN (Western Metropolitan) — I rise to speak on the report entitled *Special Report Concerning Allegations About the Conduct of Sir Ken Jones, QPM, in Relation to His Dealings with Certain Confidential Victoria Police Information*. This report has been tabled pursuant to section 162 of the Independent Broad-based Anti-corruption Commission Act 2011. The report was written by the Honourable Mr Murray Kellam, AO, QC. This is a very important report, because it lays to rest what I believe is a grave injustice in the history of this state. I refer to the slander or libel — call it what you will — that was directed towards — —

Mrs Peulich — Trashing.

Mr FINN — Trashing indeed, Mrs Peulich, that was directed towards Sir Ken Jones, an outstanding police officer and a man who had come from England to serve the people of Victoria in his role as deputy

commissioner. I believe he was betrayed by the chief commissioner of the day, Simon Overland.

It is worth having a look at some sections of the conclusion of the report, because the accusation by Simon Overland at the time was that Sir Ken Jones had been leaking to the media.

This is what Mr Kellam has to say in his report:

I do not consider that the evidence is sufficient to conclude that this behaviour formed part of a scheme devised by him to ensure that those he spoke to would divulge what he said to the media. Nor, do I conclude, as the OPI report does, that information was 'disclosed ... in a partisan manner for personal ends'.

As made clear above the evidence establishes that Sir Ken had a number of concerns about the direction in which VicPol was heading. There is no reason to believe that those concerns were not held genuinely.

It is apparent that Sir Ken did not 'mince his words' and it is a reasonable conclusion on the evidence before me that, whatever other skills he may have had, diplomacy was not one of them. I consider the most probable scenario is that by reason of his frustration Sir Ken spoke unwisely to people he trusted about those frustrations, and the cause of them.

Here we had a man who was deeply concerned about the direction VicPol was taking. Under the chief commissioner of the day he had seen a deterioration in policing in this state, a deterioration that had begun under Simon Overland's predecessor as Chief Commissioner of Police, Christine Nixon, who I am sure the house will recall came to Victoria with the publicly stated view that Victoria Police was as corrupt as the police force in New South Wales from whence she had come, which was quite a ludicrous and outrageous proposition. Ms Nixon went on to destroy the culture of Victoria Police.

It is a very sad thing when political games — let us face it, that is what it was; it had nothing to do with policing, it was all about politics — of this nature can claim the scalp of somebody with the outstanding qualities of Sir Ken Jones. If Simon Overland had any decency about him, he would offer a public apology to Sir Ken based on the findings in this report. I think it is interesting that towards the end, on page 67, the report says:

... it is time for Victoria to leave behind what can only be described as a sorry chapter in the history of VicPol.

I think that is true because under Christine Nixon and Simon Overland Victoria Police was going to hell in a handcart. We had the Office of Police Integrity being used as their personal gestapo to go after those who were perceived as enemies or people who may have

taken a different view, and of course that is what happened with Sir Ken as well.

I am very grateful for this report from IBAC because I think it clears the air. It clears the name of Sir Ken Jones, and there remains only one injustice that needs to be overturned. I am very hopeful that at some stage in the not-too-distant future we might see justice in that particular case as well.

Department of Human Services: report 2012–13

Ms MIKAKOS (Northern Metropolitan) — I rise to speak on the 2012–13 annual report of the Department of Human Services. In my contribution this afternoon I will focus on the part of the report that relates to Victoria's child protection system. The number of reports received in 2012–13 increased by 15 per cent from the previous year, according to page 53 of the report. Of the total number of substantiated cases, 15 per cent involved children who had been part of previously substantiated cases that had been closed in the previous 12 months. This is also on page 53 of the report. There was a 21 per cent increase in the number of resubstantiations within 12 months from 2012 to 2013 — from 1253 in 2011–12 to 1586 in 2012–13. This is concerning because it seems to suggest that files are being closed prematurely and then reopened within a 12-month period.

I also note that on page 42 the report indicates that the government fell short of achieving its 97 per cent target for the percentage of child protection reports requiring a priority investigation within two days. The number of unallocated clients rose to 13.3 per cent from 12.8 per cent in 2011–12. This can be found at page 54 of the report. I also note that page 79 of the report shows there has been a 6 per cent reduction in the Department of Human Services (DHS) workforce since June 2011.

In summary, not only are more reports coming in and more cases being investigated but also more cases are being reopened within 12 months because they were closed prematurely. We are also seeing fewer staff within the department to deal with this increasing demand. Therefore, it is not surprising that our child protection system is collapsing under the pressure. We saw a demonstration of this on the front page of the *Herald Sun* today with the public disclosure of the appalling information that paedophiles are sexually exploiting children who are in residential care. These are vulnerable children who have been placed in the care of the state because they were being either abused or neglected by their parents or carers. For them to then

be abused or sexually exploited whilst they are meant to be in a protective environment is an absolute disgrace.

In question time in the Assembly today the Minister for Community Services indicated to the Parliament that she knows of 189 such cases since she first became aware of these issues 18 months ago. This is a very alarming number, and it is concerning that the minister's rhetoric during question time today failed to address the fundamental reason these issues are arising. That relates to the underresourcing of the child protection system. It relates to the fact that these agencies are typically resourced so that there is only one staff member working overnight when children typically abscond. Not all children but some children will abscond.

This is where contact is occurring with paedophiles. If a child were in a home environment, there may well have been a second responsible adult who was able to follow and retrieve the child, but when there is only one staff member on duty in a residential care unit they are required to stay put and look after the remaining children. The minister needs to address these issues in her response to this endemic abuse that is occurring under her watch. She is the legal guardian, and she needs to focus on this absolute betrayal of the young children in her care.

Outer Suburban/Interface Services and Development Committee: growing the suburbs

Mrs KRONBERG (Eastern Metropolitan) — I am delighted to make my contribution this evening on the Outer Suburban/Interface Services and Development Committee report entitled *Inquiry on Growing the Suburbs — Infrastructure and Business Development in Outer Suburban Melbourne*.

Mrs Coote interjected.

Mrs KRONBERG — It was an inquiry I was delighted to chair, and I thank Mrs Coote very much for her recognition of that fact.

I am absolutely intoxicated with excitement by the fact that the Victorian government is rolling out a fine program of infrastructure in this state to boost the economy and create jobs, which was one of the areas of focus of the committee. I will read some parts of the report because this is a heady time, with investment in the expansion of Webb Dock, with the regional rail link and with the critical importance of the east–west link to creating jobs in this state. It is all about the movement of freight. The report says:

The freight task in Victoria is expected to double by 2035. Growing at a rate faster than population and roughly in line with economic growth, how the freight task is planned and managed will impact both economic productivity and the livability of our communities.

I hope that those doubting Thomases and those who provoke restiveness at the end of the Eastern Freeway, where work is being undertaken with a view to starting construction on the east–west link, take note of some of these points, because there is no more important truth for sceptics, doubting Thomases and the economically illiterate to take heed of.

The report goes on to say:

The relative proximity of Melbourne's outer suburban businesses to high-quality freight infrastructure represents a significant locational advantage —

good old competitive advantage over competition in a global marketplace —

compared to Australia's other capital cities and to the rest of metropolitan Melbourne.

Importantly the urban growth boundary and the urban area are shown in a diagram.

The report continues:

Remarkably, the Victorian freight task is forecast to double by 2035, in line with forecasts for continued strong growth in Melbourne's population and significant expansion in trade for Melbourne and Victoria.

We can be assured of that under the coalition government, its vision and the priorities it has set in place. The report continues:

This will place significant pressures on Melbourne's existing freight and logistics network. In response to this challenge, the Victorian government is currently developing its Victorian freight and logistics plan —

in order to be ahead of the game. The report continues:

The planning decisions of previous decades have produced a legacy of manufacturing, logistics and warehousing industries located at key points within Melbourne's freight transport network, including at outer suburban locations to the north, west, east and south. However, there is no doubt that the rapid population growth experienced by Melbourne in recent years has led to strains on sections of Melbourne's freight network. Significant investment in Melbourne's infrastructure and logistics networks is therefore required to address these current strains ...

I turn to an element of the report that talks about the outer suburban intermodal terminals. I want to pick up on some of the information we gained in our rich harvest from activity in Canada, talking to transport authorities in the greater Toronto and Hamilton areas

that wrap around Lake Ontario. Mr Gary McNeil, the president of GO Transit, the interregional public transport system of trains and buses in southern Ontario, said:

... when it is necessary to choose between allowing the use of a particular corridor by passenger trains or by freight trains, the choice is essentially between either doing something good for business or for the public and that 'the bottom line' of the business must prevail.

Mr McNeil also informed the committee — —

The ACTING PRESIDENT (Mr Ondarchie) —
Order! Thank you, Mrs Kronberg.

Environment Protection Authority Victoria: report 2012–13

Mr LEANE (Eastern Metropolitan) — Today I will speak on the Environment Protection Authority Victoria (EPA) annual report of 2012–13. It is interesting to look at the start of the report and the vision and commitment the EPA puts on its front page. It is an important authority that regulates what sorts of pollution may go into our lungs, the air and the ground. It is an important regulator. The EPA answers to the Honourable Ryan Smith, MP, the Minister for Environment and Climate Change.

I find it strange that a government that includes the minister responsible for this authority has in recent days instructed the environmental sustainability commissioner, Kate Auty, not to mention 'climate change' but to mention 'climate variation'. There is to be no more mention of climate change; it has to be climate variation. I am miffed that there is still a Minister for Environment and Climate Change. I would have thought there would be consistency and the minister would have become the minister for environment and climate variation, but I am sure that will come in the reshuffle that will happen in coming days.

The EPA takes greenhouse gases quite seriously, and under this government it has taken climate change action quite seriously. The EPA has not done many things, but the report looks at one of the things it has done. It says:

EPA is committed to demonstrating environmental leadership and supporting initiatives that improve Victoria's environment. A clear example of EPA supporting innovation is the recent installation of green wall design features at EPA's head office ... The green walls are vertically planted, hydroponic systems consisting of a range of plant species.

This is direct action. This is what the federal government might be doing as part of its direct action plan.

The EPA is responsible for trying to mitigate pollution, and what it has done under this government is to plant some plants at the side of its head office. This is a form of direct action. Maybe this is a forecast of what we will see from Tony Abbott's green army. It will be planting plants in the cracks of the walls of government departments. That would be the climate action we have all been calling for.

We await more direct action in this area, and we applaud the minister for the environment and climate variation for this initiative: his department planting plants on the side wall of its head office. The report says that there were not just one or two but a number of varieties of plants densely planted on the wall of the authority that is responsible for taking some sort of action in this area. The EPA took climate variation seriously, because it planted a variety of plants.

We applaud the minister for this one initiative in his report, and we look forward to more direct action in the future.

Auditor-General: *Asset Management and Maintenance by Councils*

Mrs PEULICH (South Eastern Metropolitan) — I wish to make a few remarks on the Victorian Auditor-General's report entitled *Asset Management and Maintenance by Councils*, which was tabled in February 2014. The Auditor-General has been making some good audit reports, especially in the area of local government. I note first of all the comments made by the Auditor-General at the front of the report. He states that Victoria's 79 councils manage their substantial infrastructure assets, which include buildings, parks, gardens, roads, bridges, council land and drainage networks, and that all of these assets support the delivery of a wide range of important council services. Those council services may include home and community care, maternal and child health care, recreation and leisure facilities, waste and environment management, transport and economic development.

This is a topic of considerable importance to local government, given the value of the assets they manage and the increasing gap in the renewal of assets that has been identified in previous Auditor-General's reports. It is timely that the Auditor-General has done this follow-up.

Community organisations or individuals sometimes see a building they consider to be of some worth. It may be a dilapidated building for which there is no future, as is the case with one of the hotels in Frankston that is currently being used for all sorts of interesting purposes. Following this, there is a call from the general community for the council to invest ratepayers money for the purchase of buildings and assets that are unrelated to their core activities, merely as a salvation for these buildings. These types of practices are very bad for local governments, because they endanger councils' ability to effectively manage their assets and also for asset renewal. This ultimately impacts on the services that local governments can deliver for which they have a responsibility, which may be a statutory responsibility.

I try to get along to most of the Auditor-General's briefings on the Wednesdays of sitting weeks. The Auditor-General, Mr John Doyle, says on page vii of this report:

Councils need to ensure that there is a close match between the assets they have and their operational condition on the one hand, and the service uses to which those assets are put, on the other.

He goes on to say:

They also have legislative obligations to manage financial risks prudently and to ensure that their asset management decisions take into account economic circumstances and their financial effects on future generations.

As I mentioned, the Auditor-General tabled a report in 1998 warning that unless certain steps were taken to address councils' asset renewal gaps the amount of money or resources required would double by 2012. According to the Auditor-General, this has come to fruition. He looked at four councils across the state, including Kingston City Council, and went on to say in the report:

A number of previous reports from my office have identified persistent issues with council asset management practices and recommended that councils improve their asset management frameworks and their related policies, strategies and plans.

Importantly he also says:

This should in turn improve asset management investment decisions and planning for capital expenditure.

He does note that there have been some improvements, but he is urging much greater focus on this issue.

I intend to make further contributions in the future on this important area, because I believe there are councillors who do not understand their obligations under the Local Government Act 1989 in terms of

prudent financial management and their obligations for the effective management of assets. Local councils should not be seen as piggy banks that pick up failed developments, projects or heritage buildings that are unrelated to the services that councils should be delivering, whether by statutory requirement or otherwise.

CORRECTIONS AMENDMENT (FURTHER PAROLE REFORM) BILL 2014

Introduction and first reading

For Hon. E. J. O'DONOHUE (Minister for Corrections), Hon. M. J. Guy introduced a bill for an act to amend the Corrections Act 1986 to make special provisions in relation to the release of a prisoner on parole in respect of a sexual offence or a serious violent offence and to a prisoner whose parole has been previously cancelled, to clarify certain provisions relating to the procedure of meetings of the adult parole board and for other purposes.

Read first time.

ADJOURNMENT

Hon. M. J. GUY (Minister for Planning) — I move:

That the house do now adjourn.

Disability funding

Ms MIKAKOS (Northern Metropolitan) — My matter this evening is for the Minister for Community Services, and the matter I wish to raise relates to a woman I will call Alice. Her actual first name is an unusual name, so for privacy reasons I will not use her correct first name, and neither will I use her surname, but I will provide full contact details and the person's full name in a letter to the minister this evening.

Alice is 59 years old, legally blind and suffers from asthma, epilepsy and cerebral palsy. She lives alone with her small dog in a modified public housing property. She uses a four-pointed stick to navigate her way inside her home, but I am advised that she struggles to walk more than a few metres without assistance. I understand that Alice has been accepted onto the disability support register within the east division of the Department of Human Services (DHS) for an individual support package of 28 hours of carer support per week. She is listed as a high priority, but she is yet to receive that package.

I am advised that Alice previously received a funding package through UnitingCare Community Options that ended in April 2012. This left her without any carer support, and as a result she used her inheritance, which she has exhausted, to pay for her own carer. Once this money ran out she was again left without any support. From 14 January I understand that DHS provided six weeks of emergency assistance. When this ran out Alice was again left without any carer support, and I understand that for a period of 11 days she was unable to prepare her own meals, do any shopping, dress or shower herself. It is quite an appalling situation that someone could be left in those circumstances for two weeks.

I understand that last week Alice was offered 2.5 hours per week of temporary funding and was told to either accept this offer or opt to live in shared supported accommodation. I understand that she is now at the point where she is considering relinquishing herself to state care. This is a very difficult and stressful time for her. She was sexually assaulted in her own home in the past and is frightened to allow strangers into her home without a carer being present.

Alice is not the first and will not be the last to test the minister's new Services Connect structure, but she is a prime example of where the system has been tested and has failed. Whilst the Office of Housing has modified her home to suit her needs, DHS cannot find the funding she requires to remain living independently in the very house provided for her. I call on the minister to urgently investigate the circumstances surrounding Alice's application for an individual support package, and I will be providing further details to the minister directly.

Albert Park development

Mrs COOTE (Southern Metropolitan) — My adjournment matter this evening is for the Minister for Environment and Climate Change, Ryan Smith. It has to do with Albert Park and the Albert Park Reserve in my electorate. It is incumbent upon us as members of Parliament to make certain that we do not unnecessarily frighten our constituents. I would say that Martin Foley, the member for Albert Park in the Assembly, has been doing that on a regular basis, which is most unfortunate, because there has been a scare campaign fuelled by Mr Foley about inappropriate development in the Albert Park Lake precinct and area. I have had many constituents who have been particularly concerned about this.

Mr Foley said that there was going to be huge development in the Albert Park Reserve, and he was

asserting that he had met with Chinese potential investors and that it was going to be an overwhelming development. I wrote to all of the people in the electorate of Albert Park — the entire electorate. I gave them the truth. I explained that there would not be any inappropriate development in Albert Park. I explained that rumours about any such development were completely untrue, and I welcomed people's interest in Albert Park. I was very happy to discuss whatever their issues were.

As a consequence I have had many people write back to me and say how interested they are in Albert Park. They would be very keen to know more, so the action I ask of the minister is: would it be possible for him to arrange for representatives from his department to come to my office to speak to my constituents on these issues that are so important to them? I would relish an opportunity for departmental staff to be able to give facts to my constituents who are particularly interested in this area and want to know that Albert Park itself will be kept in the beautiful condition it is already in.

Country Fire Authority

Ms HARTLAND (Western Metropolitan) — My adjournment matter is for the Minister for Police and Emergency Services. I have received correspondence from Volunteer Fire Brigades Victoria regarding funding shortfalls for the Country Fire Authority (CFA) fleet of 2200 fire trucks. It indicates that, despite the essential services it provides, the CFA's current base funding does not provide for an annual allocation of funds to maintain its fleet of fire trucks. The CFA cannot guarantee that it has funds to replace fire trucks when they reach the end of their working life, despite the fact that every year it is inevitable that some trucks will need to be replaced.

Volunteer Fire Brigades Victoria indicates that the ongoing funding deficiency means that there is a growing backlog of expenditure as well as increased bushfire risk and increased funding required to meet the needs of an expanding population. It indicates that, applying a 20-year replacement cycle to fire trucks, the CFA must have an annual base budget allocation of approximately \$30 million to \$35 million. If this funding is not provided and maintained, there will be a cumulative deterioration of the firefighting fleet capacity, a growing financial liability, an inability to plan forward for truck building and an increased risk of fire trucks being taken out of service with no replacement.

An age limit of 15 to 20 years or less applies to most Australian emergency service vehicles. The

Metropolitan Fire Brigade (MFB) and Department of Environment and Primary Industries have 10 to 12-year limits, yet 24 per cent of the CFA's operational fleet is over 20 years old. The oldest truck is 28 years old, and the CFA has removed the age requirements on its vehicles due to lack of funding to adhere to such policies. There are 520 aged fire trucks that are in need of immediate replacement. Firefighters operating these vehicles are forced to deal with very old technology and features not up to current safety standards. All these aged fire trucks are operated by volunteers. Volunteer firefighters deserve the same health and safety protection as career firefighters, as they are fighting the same fires in the same communities and under the same dangerous conditions, yet they are forced to use trucks that are considered unsafe or inadequate for career firefighters.

The CFA's contribution to emergency services is valued at over \$1.2 billion per annum. The action I ask of the minister is: will the government restore and increase funding to the CFA and MFB, including for replacement of ageing fire trucks, to meet health and safety and reliability standards for our emergency services?

Yarram bushfire recovery

Mr RONALDS (Eastern Victoria) — The matter I raise today is for the attention of the Minister for Corrections, the Honourable Edward O'Donohue. I ask the minister if he will visit Yarram, particularly to see the fire recovery work being done by prisoners from the Fulham Correctional Centre.

As members would be aware, I have had significant opportunity to talk on fires in this house. One of the things that is very important to keep in mind is that, after the fires and much of the media coverage are finished, there is a recovery process, and this recovery process takes a lot of time. The fires in Yarram burnt about 4800 hectares, which is a small area compared to some of the big fires in far East Gippsland, but it covered an area that affected a lot of people. There were a lot of properties affected and a lot of fences damaged. The prisoners from Fulham are going out there and paying their dues, one could say, and adding real value to the community. This is an extremely worthy program. I ask that the minister come down and view the good work that is being done by the prisoners in this community.

Homelessness national partnership

Mr MELHEM (Western Metropolitan) — My adjournment matter is directed to the Minister for Housing, the Honourable Wendy Lovell. It is in regard

to funding for the National Partnership Agreement on Homelessness (NPAH), which is due to expire on 30 June this year. Funding is crucial to keeping the infrastructure required to support those in the community to reduce homelessness, to provide prevention and early intervention to stop people becoming homeless and to improve and expand the services response to homelessness.

According to Jacky Tucker, manager of family violence services at Women's Health West, the NPAH funding over the last three years, followed by the additional one-year transitional agreement, has enabled the implementation of major national homelessness programs like Safe at Home, the improvement of local services and the introduction of innovations such as enhanced after-hours services. As outlined in recent correspondence from the Western Integrated Family Violence Committee, Women's Health West statistics for the six months from July to December 2013 show a continuing upward trend in referrals. There were 2990 police referrals to Women's Health West compared with 2207 for the same period in the previous year. This constitutes a 35.5 per cent increase.

The NPAH funding is important as it allows for the continuous delivery of new services and increases the capacity of many specialist homelessness services. The increase in the number of cases and the upward trend in the number of referrals by police indicates a need for more funding to support the infrastructure and the community. In the last financial year alone Women's Health West used Safe at Home funds to improve the safety of 53 families through 108 security installations, upgrades and repairs; provide court support to 42 women to obtain intervention orders, of which 41 included a clause to exclude the perpetrator from the home; and support two families to find interim crisis accommodation to be safe while they waited for their intervention orders to be finalised. This meant that 57 families were diverted from entering the cycle of homelessness that regularly accompanies family violence.

The National Partnership Agreement on Homelessness funding allows Women's Health West, in partnership with McAuley Community Services for Women, to enhance its after-hours service by taking on weekend workers who can respond to referrals from Victoria Police. I call on the state and federal governments to continue and increase their funding support and other efforts to reduce homelessness under the National Partnership Agreement on Homelessness. I ask the minister to make this matter an urgent priority for the health and wellbeing of members of the community who are homeless or at risk of homelessness. I ask the

government not to cut the funding to the NPAH but to continue to support it beyond June 2014.

The ACTING PRESIDENT (Mr O'Brien) — Order! One singular action may need to be clarified. I think there were a number of requests there.

Mr MELHEM — I will repeat the last sentence. I ask the minister not to cut funding to the NPAH but to continue to support the funding beyond June 2014.

Point Cook bus services

Mr ELSBURY (Western Metropolitan) — I rise this evening to raise a matter for the attention of the Minister for Public Transport, the Honourable Terry Mulder. I will start by first of all congratulating the minister on some of the great initiatives that have been undertaken by the Napthine government in providing public transport infrastructure to the people of Point Cook. A new bus network has been established in that area with several bus routes, including the 446, 493, 494, 495, 496 and 497. I just about need supplementary numbers. Those bus routes now connect to the Williams Landing train station, a station that had to be rescued from the previous government's inadequate provision of disabled access. Labor was going to allow people to once again have to deal with the same issues that we have at the Laverton train station, such as lifts that break down and stairs that a billy goat would look at twice before even trying to navigate.

Instead, we have put ramps into that particular infrastructure. We have allowed for people of all abilities to gain access to that station whenever they want to gain the benefits of using the rail network, and they are doing it en masse. Over 2000 people are using the Williams Landing train station each day. Not only that, each weekday 3370 people are using the new bus network I have outlined to the house. That is an increase of almost 80 per cent on what the old network was providing. On weekends we have seen a 50 per cent increase in patronage in the area because of this new network. We have also seen areas of Point Cook being serviced by the bus network that have not been serviced before.

However, there is still one slight gap in the network. I ask the Minister for Public Transport in any future revision of the bus network in the Point Cook area to consider an east-west bus option — that is, coming from possibly the Sanctuary Lakes suburb all the way through to Werribee. That would connect the people of Point Cook with the Suzanne Cory High School, a select entry school. It would also provide access to the East Werribee employment precinct when it comes

online and to the MacKillop Catholic Regional College. All of these pieces of infrastructure are very important for the people of Point Cook, and I ask the minister to consider the provision of an east–west-bound bus route for the people of Point Cook.

Southland railway station

Mr TARLAMIS (South Eastern Metropolitan) — The matter I raise today is for the Minister for Public Transport, and it relates to the Southland train station. The action I seek is that the minister reveal the true cost of Southland station, given the statement in the local newspaper by the member for Bentleigh in the Assembly that the government is ‘currently on track for the construction of the station’.

The issue of funding for the Southland train station has been a longstanding and important one for the surrounding community. At the previous state election the Liberal Party promised to construct a modern, functional train station next to Southland shopping centre for a total of \$13 million. Its unequivocal promise to Victorians living in the South Eastern Metropolitan electorate was that Southland station would be built during the Baillieu government’s first term. In fact as part of its pre-election commitment the then Baillieu Liberal opposition promised the people of Bentleigh and surrounding areas a fully staffed train station with two covered platforms, disability access, toilets and an adjoining bus interchange.

However, since 2010 Victorians have received little information regarding the progress of the planning and construction of the Southland railway station. Despite many visits by government ministers and members of Parliament and promises that the Southland station is being planned, will be constructed, is about to be constructed, will be fully funded and will be finished, there remains a lot of local community uncertainty and a lack of details. I am constantly being asked by constituents about the costings, planning details and construction time lines, which remain unknown. Without this substantive information residents in the south-east are concerned about whether the station will actually be built, and if it is, what amenities will be available and at what cost.

In an article that appeared in the *Moorabbin Glen Eira Leader* in February the member for Bentleigh in the other place, Elizabeth Miller, was quoted as having said that full funding had been allocated for the Southland train station in the 2013 budget. That was news to a lot of people, including me, as no dollar amount was allocated to the construction of the station in the budget last year. In fact alongside the reference to Southland

station in the budget papers was ‘TBC’, which I and others do not believe constitutes a fully funded project.

Only last week the Premier announced \$2 billion of investment in public transport to cater for growth in the south-eastern suburbs. It was expressed to me by callers to my office that residents are again concerned that not a word was mentioned about Southland station despite it being one of the government’s rock solid guarantees for its first term commitments. Local residents simply want to know what is going on. They want to know on what basis the member for Bentleigh asserts that we are ‘on track for the construction of the station’. Local residents and those in the south-east deserve an answer. They deserve more than statements like, ‘Release of this funding is subject to satisfactory commercial negotiations’.

The action I seek is for the minister to clarify how much funding has been allocated for the Southland train station and to indicate the time line for construction based on the member for Bentleigh’s assertion that we are on track for the construction of the station.

Edenhope and District Memorial Hospital aged-care facilities

Ms TIERNEY (Western Victoria) — My adjournment matter is for the attention of the Minister for Health, and it is in relation to Edenhope and District Memorial Hospital. The hospital is currently seeking a budget allocation of \$10 million to enable the redevelopment of its aged-care infrastructure. This project forms stage 1A of the Edenhope and District Memorial Hospital master plan, which has been approved and was recently reviewed by the Department of Health. The project involves refurbishing the hospital and an extension to incorporate 18 aged-care beds. At present the hospital’s aged-care facility has 3 four-bed rooms, 2 two-bed rooms and 2 one-bed rooms. In the multi-bed rooms only curtains separates the residents, which makes it extremely difficult to contain contagious illnesses such as gastroenteritis. In addition, none of the rooms in the facility have doors, making it particularly difficult for staff to control residents who may behave aggressively as a result of dementia.

Under the proposed building design there will be 38 beds in single rooms, meaning greater privacy for residents and a greater ability to control contagious diseases, and the installation of overhead tracking systems to assist staff with lifting. These aspects of this project will address concerns regarding the current infrastructure, including minimising infection control risks, reducing exposure to occupational health and safety-related issues for staff and residents, and

increasing the privacy and dignity of residents. The project will also include the development of a dementia-specific area at the current gold standard of dementia management.

The project has ongoing financial aspects to it which will affect the viability of the aged-care facility into the future. At present Edenhope and District Memorial Hospital would only be eligible to access a maximum allowable accommodation supplement of \$28.63 per day. However, if the project goes ahead, the maximum allowable accommodation supplement would almost double to \$52.84 per day. This difference will have a significant impact on the future financial viability of the hospital. With these issues and aspects in mind, I urge the minister to strongly consider funding stage 1A of the Edenhope and District Memorial Hospital master plan, which is a shovel-ready project with enormous benefits for the Edenhope community. I hope to see that funding as a significant line item in the forthcoming state budget.

Sunbury Police and Citizens Youth Club

Ms BROAD (Northern Victoria) — The adjournment matter I raise is for the attention of the Minister for Youth Affairs. It concerns the Sunbury Police and Citizens Youth Club (PCYC), which I regret is due to close on Friday of this week due to an inability to secure sufficient ongoing funding for the club. Although it is very late in the day, I urge the minister to examine sources of government funding to match the extraordinary contribution the community has made to the Sunbury PCYC. In 2013 the federal member for McEwen, Rob Mitchell, announced a \$40 000 grant from the National Crime Prevention Fund. However, I understand that as a result of the change of government this grant did not proceed.

Since opening some nine years ago the Sunbury PCYC has serviced around 25 000 youth visitors every year and has received unwavering support from local police and the community, including the Sunbury masonic lodge, the Sunbury Community Health Centre, the Broadmeadows Magistrates Court, St Mary's Anglican Church, Sunbury Heights Primary School, the Sunbury Bowling Club and the Sunbury soccer club, and the list goes on. The PCYC fosters healthy, friendly relationships between Sunbury's youth and local police. It has placed emphasis and importance on working with at-risk and disengaged youth, helping them to successfully participate in their community.

I believe the PCYC has contributed to a drop in youth crime. This is attributable to the honest relationships developed between PCYC staff and participants, and

the strong sense of community, self-worth, accountability and personal responsibility instilled in PCYC members. The PCYC has been a fabulous place for community members of all capabilities and backgrounds to volunteer, and that has included taking work experience students from schools, including the Macedon Ranges Specialist School and Distinctive Options.

This circumstance is well known to a number of members in this chamber who over a long period of time have all been supportive of the Sunbury PCYC, and we are all trying our best to see if it is possible to find some funding to help the club to continue doing its magnificent work. I record my thanks to Stuart Ritchie and the team at Sunbury PCYC on behalf of the local community for the fabulous work they do.

Southern Golf Club

Mr TEE (Eastern Metropolitan) — My adjournment matter is for the Minister for Planning, and I am very pleased he is in the chamber this evening. It relates to the Southern Golf Club in Keysborough. I met with members of the club a week or so ago at their wonderful location. They have been there since 1971, and the club has been in existence since 1949. The club has an annual turnover of \$4 million to \$5 million. It employs some 40 to 50 people and has about 75 000 visitors each year. The members raised with me their concerns about a development proposal for land next to the club — land that is part of the green wedge. Their concern is that the application might be supported by the minister or by the Kingston City Council and then by the minister. The concern of club members is that any development on the green wedge land will threaten their ongoing viability.

They are concerned about the risk of having houses near the golf course and the impact that may have on people playing golf, with golf balls flying about. They wonder whether that would require them to change their course direction and whether, as has occurred before, that would force them to close down. The club also has a large function centre which on occasion holds reasonably large and loud functions. Club members are worried whether the function centre would be able to continue with residential development on the boundary.

I suppose their concern is that over the last three years they have witnessed the government overseeing a continual encroachment and development on green wedge land. They have seen a number of applications in this area where development has increasingly occurred. They have seen processes like the anomalies

and the logical inclusions processes. They have seen changes in minimum lot sizes and increased development on green wedge land, as well as the erosion of green wedge land under the government. They are very concerned that their club will be next and that other venues that rely on the green wedge to create jobs could be next.

They are asking the minister for a statement that indicates he understands their model and the jobs they create and that he will stop the erosion of the green wedge, which is really undermining their business model and the model of other golf courses and other venues that rely on the green wedge to create jobs.

Responses

Hon. M. J. GUY (Minister for Planning) — I will go from last to first. Given that Mr Tee has made some comments, I will clarify that matter for him. In relation to Southern Golf Club in Keysborough, I am not aware of any application for any rezoning next to that golf club. I have not been asked to support any housing development or to rezone land next to or near that golf club. I am constantly correcting Mr Tee on his factual inaccuracies. There have been no changes to lot sizes in the green wedge. I do not know why he would raise that. There have been no developments in this area which encroach into green wedge land near this golf club, so I do not know why he would raise that. As I said, there are no applications that I am aware of. I do not know whether Mr Tee has gone down there just to scare the living daylights out of them for no particular reason — —

Mr Tee — They know it's coming and they are trying to head it off.

Hon. M. J. GUY — They know what is coming, Mr Tee?

Mr Tee interjected.

Hon. M. J. GUY — You are just a complete fool, Mr Tee!

Mr Tee interjected.

The ACTING PRESIDENT (Mr Finn) — Order! Can we get a little bit of decorum back in the chamber for a moment. I ask the minister and Mr Tee to cease the conversation they are currently engaged in across the chamber.

Hon. M. J. GUY — Let me get this on the record — —

Mr Tee interjected.

The ACTING PRESIDENT (Mr Finn) — Order! Did you hear me, Mr Tee? Quiet!

Hon. M. J. GUY — Let me get this on the record in reply.

Mr Tee interjected.

The ACTING PRESIDENT (Mr Finn) — Order! Did you hear what I am saying to you, Mr Tee?

Mr Tee interjected.

The ACTING PRESIDENT (Mr Finn) — Order! Mr Tee, I have asked you on three occasions to cease the conversation across the chamber. Would you like me to put it in writing?

Hon. M. J. GUY — This is the second time in 2 hours Mr Tee has walked into this chamber and just made things up. He has just completely made it up. He has come into this chamber and talked about changes to lot sizes in the green wedge, which have never occurred. He talked about development in this area encroaching on green wedge land. I have never approved any development near this golf club that has encroached on green wedge land, and I do not know why anyone would go down to that golf club and scare them into believing otherwise. This whole idea of chipping away at the green wedge — —

Mr Tee interjected.

Hon. M. J. GUY — That is quite right. Mr Tee did not chip away at the green wedge when he was in government. His government approved 100 000 hectares of land into the green wedge, 100 000 hectares of green wedge land chipped away — —

Mr Tee interjected.

Hon. M. J. GUY — Mr Tee is a quite bizarre individual. I do not know how much more of a guarantee I can give to this golf club that I have no intention of changing the urban growth boundary near this club or of approving anything. Mr Tee might, if his party gets into government, given that he was part of a government that approved 100 000 hectares into the green wedge, and I have approved less than 6500 hectares of new land into the green wedge. I am not sure what grounds Mr Tee has to stand on. How about taking that adjournment matter back to the club?

Ms Broad raised an issue for the Minister for Youth Affairs, Ryan Smith, in relation to the Sunbury Police

and Citizens Youth Club. It is a very important adjournment matter, and I will have that passed on to the minister as quickly as I can for a reply to Ms Broad.

Ms Tierney raised a very important issue in relation to the Edenhope and District Memorial Hospital. I will have that passed on to the Minister for Health, David Davis, to get a proper response to her.

Lee Tarlamis and Andrew Elsbury both raised adjournment matters for the Minister for Public Transport and Minister for Roads, Terry Mulder. Mr Tarlamis raised a matter in relation to the Southland railway station, for which I will seek a written reply to him. Mr Elsbury raised a very important issue in relation to east-west bus arterial connections for Point Cook hopefully going into the brand-new East Werribee employment precinct, a product of this government, for which I will seek a written response to him.

Mr Melhem asked a question of the Minister for Housing, Wendy Lovell, in relation to the national partnership agreement on homelessness. Again I will have a written response prepared for him.

Mr Ronalds asked a question of the Minister for Corrections, Edward O'Donohue: will he come to visit Yarram? What a lovely place Yarram is. Let me vouch for it; I have been there many times; I think it is a wonderful part of South Gippsland. I will pass on the request for Mr O'Donohue to visit Mr Ronalds's area to have a look at some of the fire recovery work that is being done in Yarram.

Ms Hartland raised an issue for the Minister for Police and Emergency Services, Kim Wells, in relation to Country Fire Authority funding. I will have her responded to in writing.

Mrs Coote raised a matter for the Minister for Environment and Climate Change, Ryan Smith, in relation to the Albert Park Reserve. She made quite a good point in relation to the member for Albert Park in the Assembly, Martin Foley, scaring people. Martin Foley is a despicable individual, pardon me, Acting President, particularly in relation to his bullying of a high school student. I am not surprised he is scaring residents in relation to these kinds of matters. I will have Ryan Smith set the record straight about Martin Foley and his disgraceful behaviour, which is the way he behaves as a member of Parliament.

Ms Mikakos raised a matter for the Minister for Community Services, Mary Wooldridge, in relation to the circumstances of a support package for an individual. It is a very sensitive matter, I know. The

member raised it in a tactful and sensible way and I will have a proper response prepared for her.

I have written responses to adjournment matters raised by four individuals: Ms Pulford on 19 September 2013, Mr Barber on 15 October 2013, Mr Eideh on 13 November 2013 and Mr Somyurek on 4 February 2014. They are the matters we have dealt with.

The ACTING PRESIDENT (Mr Finn) — Order!
The house now stands adjourned.

House adjourned 6.58 p.m.