

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Wednesday, 26 March 2014

(Extract from book 4)

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By authority of the Victorian Government Printer

The Governor

The Honourable ALEX CHERNOV, AC, QC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

(from 17 March 2014)

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

Legislative Council committees

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

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

Legislative Council standing committees

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

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

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

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

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

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

Participating member

Joint committees

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

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

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

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

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

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

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

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

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

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

Public Accounts and Estimates Committee — (*Council*): Mr D. R. J. O'Brien and Mr Ondarchie. (*Assembly*): Mr Angus, Ms Garrett, Mr Morris, Mr Pakula and Mr Scott.

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

Rural and Regional Committee — (*Council*): Mr D. R. J. O'Brien. (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller.

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

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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

President: The Hon. B. N. ATKINSON

Deputy President: Mr M. VINEY

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

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The Hon. D. M. DAVIS

Deputy Leader of the Government:

The Hon. W. A. LOVELL

Leader of the Opposition:

Mr J. LENDERS

Deputy Leader of the Opposition:

Mr G. JENNINGS

Leader of The Nationals:

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

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

Deputy Leader of The Nationals:

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

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

Member	Region	Party	Member	Region	Party
Atkinson, Hon. Bruce Norman	Eastern Metropolitan	LP	Lovell, Hon. Wendy Ann	Northern Victoria	LP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Melhem, Mr Cesar ²	Western Metropolitan	LP
Broad, Ms Candy Celeste	Northern Victoria	ALP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Coote, Mrs Andrea	Southern Metropolitan	LP	Millar, Mrs Amanda Louise ⁴	Northern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	O'Brien, Mr Daniel David ⁸	Eastern Victoria	Nats
Dalla-Riva, Hon. Richard Alex Gordon	Eastern Metropolitan	LP	O'Brien, Mr David Roland Joseph	Western Victoria	Nats
Darveniza, Ms Kaye Mary	Northern Victoria	ALP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Davis, Hon. David McLean	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Davis, Mr Philip Rivers ⁵	Eastern Victoria	LP	Pakula, Hon. Martin Philip ¹	Western Metropolitan	ALP
Drum, Mr Damian Kevin	Northern Victoria	Nats	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Petrovich, Mrs Donna-Lee ³	Northern Victoria	LP
Elasmr, Mr Nazih	Northern Metropolitan	ALP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Elsbury, Mr Andrew Warren	Western Metropolitan	LP	Pulford, Ms Jaala Lee	Western Victoria	ALP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Ramsay, Mr Simon	Western Victoria	LP
Guy, Hon. Matthew Jason	Northern Metropolitan	LP	Rich-Phillips, Hon. Gordon Kenneth	South Eastern Metropolitan	LP
Hall, Hon. Peter Ronald ⁷	Eastern Victoria	Nats	Ronalds, Mr Andrew Mark ⁶	Eastern Victoria	LP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Scheffer, Mr Johan Emiel	Eastern Victoria	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Koch, Mr David Frank	Western Victoria	LP	Tarlamis, Mr Lee Reginald	South Eastern Metropolitan	ALP
Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Tee, Mr Brian Lennox	Eastern Metropolitan	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leanders, Mr John	Southern Metropolitan	ALP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP

¹ Resigned 26 March 2013

² Appointed 8 May 2013

³ Resigned 1 July 2013

⁴ Appointed 21 August 2013

⁵ Resigned 3 February 2014

⁶ Appointed 5 February 2014

⁷ Resigned 17 March 2014

⁸ Appointed 26 March 2014

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Wednesday, 26 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 I have been advised that the Economy and Infrastructure Legislation Committee will be meeting this day following the conclusion of the sitting of the Council.

**INDEPENDENT BROAD-BASED
ANTI-CORRUPTION COMMISSION
COMMITTEE**

Membership

The PRESIDENT — Order! I have received a letter from Jill Hennessy, the member for Altona in the other place. It states:

I write to formally tender my resignation as a member of the Independent Broad-Based Anti-Corruption Commission Committee.

BUSINESS OF THE HOUSE

Late sittings

The PRESIDENT — I would like to reflect on last night. Quite a number of members came to me last night and asked if I could postpone the commencement of today's sitting until at least midday. I did not believe that I was in a position to do that because we had agreed to an explicit motion about today's business. I did not think I had an effective mechanism to postpone commencement until midday.

However, I share the concerns of members about the late night sitting extending to such an hour. I would urge the leaders of the parties to work to establish a framework in which business can be transacted within a more conventional sitting pattern. I reflect that it would have perhaps been possible to continue sitting this evening, with the agreement of party leaders and the house, or indeed to extend our sitting time tomorrow to transact the business of the week.

I understand that legislation is important and has to get through, but in my position I am also concerned about the occupational health and safety aspects of late sittings, both for members — particularly those who travel home after sittings — and very clearly the staff.

RETIREMENT OF CLERK

The PRESIDENT — Order! I take this opportunity to read a letter I have received, which will be of interest to members and is a rather sad letter in some respects. Perhaps it is best to put up-front that it is from Mr Tunnecliffe. It says:

This letter is to formally give you notice of my intention to retire from the parliamentary service.

I propose to finish work on Friday, 25 July 2014 ...

There is an arrangement involving some accrued long service leave, which is neither here nor there as far as my reading it into the record. It continues:

When I first walked through the door of Parliament House in early 1967 as a 17-year-old junior clerk in the Legislative Assembly I had no idea where the journey ahead would take me. It is nice to reflect on the past 47 years and say that I have not regretted a moment since. My time with the Parliament has been exceptionally happy. It has been an enormous privilege to have worked for the Parliament of Victoria and to have spent most of that time at the Legislative Council. It has also been a rare honour to have served as Clerk of the Legislative Council for just over 14 years. There have only been 15 of us in 157 years.

I wish to thank all members of the Council, both past and present, for making my job often challenging, even occasionally frustrating but at all times interesting and above all rewarding, especially during my time as Clerk. I wish all members, both those who are contesting the election in November and those who are retiring from Parliament, the very best in the future.

Honourable members applauded.

Hon. M. J. Guy — Does the Clerk excuse the disorderly conduct?

The PRESIDENT — He would have me in a wig if he could!

Mrs Coote — That is a challenge for his last sitting day.

The PRESIDENT — Order! I did once remember to record one of the historical milestones. Mr Tunnecliffe is an outstanding servant of the Parliament, as I am sure we all agree, and we will have an opportunity to reflect on Wayne's career and to transition him into his retirement.

I indicate that this letter of resignation puts in train a process where I am required to find a replacement for Mr Tunnecliffe and proceed to the appointment of a new Clerk. Pursuant to section 9 of the Parliamentary Administration Act 2005, the Clerk is appointed by the Governor in Council on the recommendation of the President. The position therefore will shortly be

advertised extensively in the print media, including the *Australian*, and on the internet. A notice will also be sent to all other parliaments in Australia inviting applications from appropriately qualified parliamentary officers. It is expected that an appointment will be made by the end of May.

The organisation development unit will manage the applications process and arrange interviews. A selection panel comprising of at least me and an upper house clerk from another jurisdiction will interview prospective applicants. I intend to have a panel of three. Prior to making any recommendation to the Governor in Council it would be the usual practice, and certainly my intention, to advise and discuss my proposed recommendation with party leaders.

PETITIONS

Following petitions presented to house:

Boral Western Landfill

To the Legislative Council of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the proposal by Boral to expand the capacity of the western landfill site at Christies Road, Ravenhall — which will have a long-term detrimental impact on surrounding communities.

The petitioners therefore request that the Minister for Planning, Hon. Matthew Guy, intervene to reject the proposal to expand the site and ensure any decision by the Melton City Council that approves expansion is overturned.

By Mr FINN (Western Metropolitan)
(526 signatures).

Laid on table.

Mental health legislation

To the Legislative Council of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council:

The new Victorian mental health bill lodged in Parliament on 20 February 2014 will harm children and erode parental rights. Children will be able to agree to electroshock and psychosurgery without parental consent.

Psychosurgery is currently and correctly banned in NSW and the NT for all age groups. It can cause memory loss, irreversible brain damage, bleeding in the brain and post-operative death. The new bill keeps psychosurgery legal for all ages. It also allows for children to consent to psychosurgery without parental approval.

ECT is the brutal application of hundreds of volts of electricity to the head, potentially causing brain damage, memory loss and sometimes death. It will be able to be given

to children of any age in this new bill. Children considered to have the ‘capacity to consent’ will be able to do so without the need for any parental consent.

The petitioners therefore request of the Legislative Council that the proposed Victorian mental health bill is amended as follows:

ECT must be banned for use on children, pregnant women and the elderly and must never be given without the full informed consent of involuntary patients;

psychosurgery must be banned completely;

criminal fines and penalties are needed for performance of ECT and psychosurgery outside the law.

By Mr LENDERS (Southern Metropolitan)
(101 signatures).

Laid on table.

OFFICE OF THE PUBLIC ADVOCATE

Community visitors report 2012–13

Hon. W. A. LOVELL (Minister for Housing), by leave, presented government response.

Laid on table.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Review of performance measurement and reporting system

Mr D. R. J. O’BRIEN (Western Victoria) presented report, including appendices.

Laid on table.

Ordered to be printed.

Mr D. R. J. O’BRIEN (Western Victoria) — I move:

That the Council take note of the report.

This is another important report from the Public Accounts and Estimates Committee, a very important committee of this Parliament. The committee is important because it provides checks and balances on our budgetary system both in the forward estimates and in budgets themselves. It also provides accounting as to how those budgets have been delivered upon.

This report specifically relates to performance measures which are contained in several of the budget papers. The committee has reviewed the system of performance reporting, which, as noted by the committee, has

undergone many changes over many years. That in itself is one problem of performance reporting. It is often best used to track longitudinal data in a way that is readily acceptable to the community, but of course that is only able to be done by objective or subjective measures and there are difficulties in defining measures and clarifying how performance can be measured.

The committee has devoted a significant chapter of the report to the importance of clarity and quality in performance measures. That is a very constructive chapter, which goes through some of the issues that arise not just in this jurisdiction but in others in relation to defining performance measures, including the need for clarity in relation to the language used to define a performance measure — whether it is clear and unambiguous — whether the measure shows what it is intended to show and why that is important, and whether the measures themselves are readily interpretable by the Parliament and the community. The chapter then goes through a number of studies and recommendations in relation to specific performance measures and provides detailed findings and recommendations on that.

The report also delves into considerable detail in relation to each department's objectives and departmental indicators. Again it would be selective of me to go to individual comments there, but I would urge all members of the community and the Parliament who are interested in seeing how particular departments have performed and how those performance measures are defined to have a look at these sections and the committee's comments and note its urging of improvements where appropriate as well as clarity and substantiation of the measures.

I take this opportunity to again thank the members of the committee. On this occasion in particular I pay tribute to a departing member from the other side, Ms Jill Hennessy, the member for Altona in the Assembly. Picking up the words of Peter Hall, the former Minister for Higher Education and Skills, who said we should reach across the divide where possible, I commend her for her contribution to this important committee — despite our sometimes vocal differences in the most public manifestation of this committee, being the estimates hearings.

I also welcome Ms Jane Garrett, the member for Brunswick in the Assembly, to the committee and otherwise commend the other members, particularly the chair, Mr David Morris, the member for Mornington in the Assembly, who has again steered another important bipartisan report; the deputy chair and member for Lyndhurst in the Assembly, Martin Pakula; Mr Neil

Angus, the member for Forest Hill in the Assembly, who is a person of high note and someone who on any performance measure in relation to contributions made to this committee performs very well, as does the no-longer-new kid in town, the second-most recent member of the committee, Mr Craig Ondarchie, my friend and colleague in this place; as well as Mr Robin Scott, the member for Preston in the Assembly.

I also commend the members of the secretariat for their assistance in preparing this report and their persistence in communicating with departments and reviewing the various steps the committee requested during the course of the preparation of the report. The secretariat members include executive officer Valerie Cheong; senior research officer Christopher Gribbin; research officers Alejandro Navarrete, Bill Stent and Richard Jennings; business support officer Melanie Hondros; and desktop publisher Justin Ong.

With the time I have left I beg indulgence to remark on the news and commend Mr Tunnecliffe, the Clerk, on his service to the Parliament and thank him for his assistance to me as a junior MP over my three and a half years here.

Mr ONDARCHIE (Northern Metropolitan) — As a member of the Public Accounts and Estimates Committee I am pleased to make a contribution on this motion to take note of the report on the review of the performance measurement and reporting system which we tabled today. Victoria's performance measurement system has undergone many changes in recent years, with more changes planned into the future.

The committee welcomes the improved transparency that has resulted from the government's reforms to the performance measurement system during this 57th Parliament. Major changes have been made that include the incorporation of departmental objectives and objective indicators, enhancement of explanation requirements in the budget papers and annual reports, the review of performance measures proposed for discontinuance and ensuring that historical data is more readily available, the key objective being to ensure that we have optimal and prudent use of taxpayers funds.

I join with my colleague Mr David O'Brien in thanking the staff — importantly, in the right order: Valerie Cheong, Christopher Gribbin, Alejandro Navarrete, Bill Stent, Richard Jennings, Melanie Hondros and Justin Ong. Without their help this committee could not have produced the content and the quality of the report we see here today. I thank also my colleagues, chair David Morris, the member for Mornington in the Assembly; deputy chair and member for Lyndhurst in the

Assembly, Martin Pakula; Neil Angus, the member for Forest Hill in the Assembly; former committee member Jill Hennessy, the member for Altona in the Assembly; my colleague David O'Brien; Robin Scott, the member for Preston in the Assembly; and my friend Jane Garrett, the member for Brunswick in the Assembly, who joined the committee in February and has already made a significant contribution.

The objective of this report, as I said at the outset, is to ensure that we get appropriate use of taxpayers funds. This report builds on the committee's earlier recommendations following a review of progress by departments in implementing our recommendations. I commend this report to the house.

Motion agreed to.

PAPERS

Laid on table by Clerk:

Auditor-General's Report on Residential Care Services for Children, March 2014.

Ombudsman's Reports on —

Investigation into deaths and harm in custody, March 2014.

Investigation into Latrobe City Council's failure to reinstate Summerfield Track following a landslip in June 2012, March 2014.

Professional Standards Act 2003 — CPA Australia LTD Professional Standards Scheme, 21 February 2014.

FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE

Reporting date

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

That the resolution of the Council of 26 November 2013 requiring the Family and Community Development Committee to inquire into and report by 6 August 2014 on social inclusion and Victorians with a disability be amended so as to now require the committee to present its report by 3 September 2014.

Motion agreed to.

MEMBERS STATEMENTS

Duck season

Ms PENNICUIK (Southern Metropolitan) — On 15 March I attended the opening of the duck shooting season at Lake Elizabeth near Kerang in northern

Victoria. While few ducks were shot at Lake Elizabeth, the Department of Environment and Primary Industries officers were very focused on enforcing new fines and banning orders on duck rescuers. Sadly, over the course of the morning we received reports of another massacre of native water birds, including protected freckled ducks at Lake Lonsdale, near Stawell, where very few Department of Environment and Primary Industries officers appeared to be present.

At the end of the first week of duck shooting the following have been recovered from the wetlands: 100 threatened freckled ducks, which are unique to Australia and are one of the 10 rarest waterbirds in the world; 26 Eurasian coots; 3 raven species; 1 great crested grebe; and 1 swan. Discarded dead or wounded game species include 2 hardhead, 7 wood, 72 grey teal, 6 Pacific black, 61 pink-eared, 14 blue-winged shoveler and 3 chestnut teal ducks. That is 296 birds in total left on the wetlands. If it were not for the volunteer rescuers from Coalition Against Duck Shooting, the public would not know about this.

Prior to the opening of this season and following last year's Box Flat massacre, the Minister for Agriculture and Food Security, Peter Walsh, was reported in the media as saying that he is more than confident that shooters will do the right thing this duck hunting season. But we have seen yet another massacre of protected species, and the only way to prevent this is to ban duck shooting once and for all.

Bendigo Art Gallery

Hon. W. A. LOVELL (Minister for Housing) — It was wonderful to recently join the Premier for the official opening of the Bendigo Art Gallery's \$8.5 million expansion. The coalition government contributed \$3.8 million towards the project. This is a project that was funded and delivered under the coalition government. This expansion means Bendigo can host bigger exhibitions that will attract more visitors to this vibrant regional city. In 2011–12 the gallery attracted more than 315 000 visitors. Past exhibitions have included the popular *The White Wedding Dress* and *Grace Kelly — Style Icon* exhibitions. The revitalised venue will now host the upcoming *Body Beautiful in Ancient Greece* exhibition, to be staged from August to November. The developments at the Bendigo Art Gallery will strengthen regional identity and enrich the cultural experiences of both locals and the many thousands of visitors. This is just another example of how the Napthine government is building a better Victoria.

Shepparton Youth Foyer

Hon. W. A. LOVELL — I was thrilled to recently announce that the Shepparton Youth Foyer has been granted planning approval by the City of Greater Shepparton. Construction of this innovative facility will start in August. The new Shepparton Youth Foyer is part of a statewide program made up of three foyers. The first is already operating at Holmesglen TAFE in Glen Waverley, while the Broadmeadows Youth Foyer will soon open at Kangan Institute. The youth foyer model provides 24-hour support, 7 days a week for young people at risk of homelessness.

Public transport

Mr MELHEM (Western Metropolitan) — I welcome the Napthine government's announcement this morning to give public transport users access to fairer fares. With the background that fares for public transport have risen by 20 per cent over the last three years, this is the least the government can do for public transport users. It is a good improvement for travellers in zone 2 and also for those who will be able to access free trams in the CBD. Labor obviously supports that idea and, should it get elected in November, it will implement the proposal. However, Labor will deliver a better transport system by removing 50 railway crossings versus the Napthine government's removal of only 4. We will build the Metro railway network and will also build more car parks for public transport users so they can find a parking space, because at the moment they cannot. Labor will continue to work on improving the public transport system so we can get more people on more trains more often.

Koo Wee Rup

Hon. E. J. O'DONOHUE (Minister for Liquor and Gaming Regulation) — This morning I would like to defend the beautiful township of Koo Wee Rup. Koo Wee Rup is a fantastic town — one of the most productive farming areas in the south-east of Melbourne.

An honourable member — For asparagus!

Hon. E. J. O'DONOHUE — It is the asparagus capital of Australia — more asparagus is grown there than in any other part of Australia — but it is also a very productive region for dairy, beef and a range of other produce. The people of Koo Wee Rup are very community minded, and there are some fantastic community organisations in Koo Wee Rup. The Koo Wee Rup township committee has been a fierce advocate for the interests of Koo Wee Rup. I am

pleased that this government is delivering the Koo Wee Rup bypass and a capital upgrade for the Koo Wee Rup Secondary College.

With my colleagues from the other place the Deputy Premier and the member for Bass I was pleased to be at the Koo Wee Rup town hall on 28 February to hear the announcement that the Koo Wee Rup is getting natural gas connected. However, it seems that not everybody likes Koo Wee Rup. In an article in yesterday's *Herald Sun* Professor Gillian Triggs, the president of the Australian Human Rights Commission, was quoted as having said:

We don't want to be in a village hall in Koo Wee Rup just because we haven't got a lot of money.

I would invite Professor Triggs to apologise to the people of Koo Wee Rup. I would invite her to come to Koo Wee Rup to see for herself what a great place it is and to visit the village hall she referred to, which is where the Deputy Premier made the great announcement about bringing natural gas to Koo Wee Rup.

Racial discrimination legislation

Ms MIKAKOS (Northern Metropolitan) — I was extremely disgusted to hear the comments made by the federal Attorney-General, George Brandis, in defence of the Abbott federal government's intention to repeal section 18C of the commonwealth Racial Discrimination Act 1975 on the grounds that 'people have the right to be bigots'. Section 18C makes it unlawful to do an act that is 'reasonably likely, in all circumstances, to offend, insult, humiliate or intimidate another person or a group of people' on racial or ethnic grounds. It is followed by section 18D which seeks to balance the objectives of 18C with the need to protect freedom of speech and expression.

As a democratic and free nation — a diverse and educated nation — we all like to think that incidents of racial vilification in Australia, indeed of any type of vilification, will decrease over time. Senator Brandis's comments do nothing to advance that cause. It is important that our nation's leaders take a strong stand on such issues. Ultimately the protection of the rights of people from diverse communities contributes to the solid social and political foundations of our state. Everyone deserves to live in a nation without fear of vilification, and I am extremely proud to have served in the Labor government that enacted the Racial and Religious Tolerance Act 2001 and the Charter of Human Rights and Responsibilities Act 2006 — legislation which gives all Victorians the right to live without fear of vilification.

We are also extremely lucky that we have bipartisan political support for a multicultural Victoria, but the Premier's refusal to condemn Senator Brandis's comments is appalling, as is his failure to call on his federal coalition colleagues to not proceed with this legislative change. Despite our best efforts, the Abbott government is intent on giving the green light to bigotry and all but destroying Australia's moral compass in the process.

Eureka rebellion anniversary

Mr RAMSAY (Western Victoria) — This year Australia, and particularly Ballarat, celebrates the 160th anniversary of the Eureka rebellion. On the 150th anniversary of the event the Liberal, Labor and Nationals parties agreed that there would be a significant marking of the events at the Eureka Stockade every 10 years. This year's 160th anniversary is an opportunity to emphasise and enhance the importance of Eureka, the history of the gold rush era and the importance of the Eureka Stockade to Ballarat and regional Victoria. The Victorian government provided funding for the 150th Eureka anniversary and, with the federal government, supported the City of Ballarat in building the Museum of Australian Democracy at Eureka, known as M.A.D.E, which now plays host to tourists and schoolchildren alike.

As part of Cultural Diversity Week I opened Harmony Fest in Ballarat last Sunday on behalf of the Minister for Multicultural Affairs and Citizenship, Matthew Guy. The Chinese society was the host community, and the 42 000 Chinese immigrants who arrived in Australia during the gold rush of the 1850s played a significant role in the fascinating and legendary history of the Eureka Stockade. Many would argue that Australian democracy was born at Eureka and that Australian identity as we know it was formed there. It was in a stockade at Bakery Hill on 30 November 1854 that 500 diggers, led by Peter Lalor, took an oath on the Southern Cross flag in defiance of the requirement to hold miners licences. On 3 December authorities launched an attack on the stockade in which 22 diggers and 5 troopers were killed.

I do not intend to verbalise this fascinating chapter in Australia's history, but it is interesting to note that in 1855 Peter Lalor became the first member of the Legislative Council for the seat of Ballarat. It is pleasing to see Jane Smith, the director of M.A.D.E, the Art Gallery of Ballarat, Ballarat Regional Tourism and the City of Ballarat all committed to making the 160th anniversary of the Eureka Stockade a significant event.

Ambulance services

Ms TIERNEY (Western Victoria) — At 1.00 p.m. on Saturday, 9 March, an elderly woman in Colac had a fall, and an ambulance was called. At around the same time the ambulance service in Colac received a call for paramedics to attend a person who had collapsed and was not alert. This call was attended by an off-duty crew from Colac. Colac paramedics were transferring a patient from Colac to Geelong, which left the Camperdown crew to take the job involving the elderly woman in Colac. Initially the elderly woman was conscious and breathing, and her only known injury was a bruised hand. However, a short time later the case was upgraded to what is termed 'lights and sirens' as information came from the scene that the situation was much more serious.

With Camperdown being around 45 kilometres away and because the ambulance service was initially working on the basis that the incident was not life threatening, the ambulance did not arrive at the elderly woman's house until an hour after being called. Tragically the hour-long wait meant that upon arrival attempts by ambulance personnel to revive the woman were unsuccessful. This has caused enormous grief, pain and suffering to the family involved, and I pass on my deepest sympathy.

I raise this issue today because ambulance services in our state have declined dramatically under the Napthine government due to severe cuts in health funding over the last three years. Victoria deserves better, Colac certainly deserves better and Western Victoria Region deserves better.

National disability insurance scheme

Mrs COOTE (Southern Metropolitan) — Last Friday afternoon I went to Creswick to speak at the South West Disability Network Conference discussion on the national disability insurance scheme (NDIS). This was an extremely good conference run by the Warrnambool City Council and the Moyne Shire Council. I would like to put on the record my praise for the work of Paul Loughheed and Neil Ballard, who ran a fantastic conference. The conference went for two days, but the opportunity for me was to talk about the state government's involvement with the national disability insurance scheme. This scheme has been a huge success. The launch site is in the Barwon region, and I commend everyone from the National Disability Insurance Agency. They are working exceedingly hard to process many people. There are fabulous stories.

One of the best stories that came out of the conference is that we as a government have put in \$400 000 to help people with a disability who have been through the system to share their stories and be advocates for the system. This is being run by the Committee for Geelong. Ainslee Hooper was a participant at the conference on Friday. She spoke about her experience and how she became involved with the NDIS and how it worked for her. Her experience has been fantastic, but as she also said, she is now doing public speaking that she would never have had the opportunity to do in the past. The NDIS is working exceedingly well, and I congratulate everyone involved.

Make Shepparton Greater

Ms DARVENIZA (Northern Victoria) — Greater Shepparton City Council recently launched a new campaign called Make Shepparton Greater. Ahead of this year's election the campaign will lobby the state government on five priority infrastructure projects for the city. These projects include the Shepparton highway bypass, the Shepparton courthouse development, the redevelopment of Goulburn Valley Health, the revitalisation of the Shepparton central business district and improved passenger rail services. Shepparton mayor Jenny Houlihan said the idea for the campaign came from an analysis of Victorian government budget allocations. Mayor Houlihan said that at budget time Shepparton does not get anywhere near an equitable share of the budget allocations and that when it comes to the really big infrastructure projects the city keeps missing out.

An Essential Economics analysis of state government capital spending revealed that the City of Greater Shepparton received \$42.5 million in the last two years. In the same time period the City of Greater Bendigo received \$1270 million and Ballarat just under \$336 million. Mayor Houlihan said she believes the reason Shepparton has received a reduced allocation of funding is because it is a safe seat. It is high time the Liberal-Nationals state government started to look after Shepparton and the Goulburn Valley.

Public transport

Mr ELSBURY (Western Metropolitan) — It is pleasing to be able to stand here and welcome the announcement today from the Napthine government about changes to our public transport zones. It will be of great benefit to the people of my electorate of Western Metropolitan Region.

Mr Finn — And mine too.

Mr ELSBURY — And Mr Finn's as well, strangely enough!

Mr Ondarchie interjected.

Mr ELSBURY — And also Mr Ondarchie's. Being able to get from the outer suburbs into the city at a cheaper rate will be of great benefit to the people of the western suburbs.

Essendon Fields

Mr ELSBURY — I would also like to talk about another fantastic project that the Napthine government is supporting and that is a redevelopment of Airport West and Essendon Fields. This fantastic project, which has been put together by the Metropolitan Planning Authority, Moonee Valley City Council, Essendon Fields and the Victorian state government, will generate 25 000 jobs in the Essendon region. Currently the area is home to 639 businesses and a workforce of more than 9000, and this project will be a major job boost for the people of the western suburbs.

Castlemaine Secondary College

Ms BROAD (Northern Victoria) — Last week Labor leader and member for Mulgrave in the other place, Daniel Andrews, and the Labor member for Bendigo West in the Assembly, Maree Edwards — —

An honourable member — A good member.

Ms BROAD — Indeed. They announced that Victorian Labor will fund the \$8 million stage 2 upgrade of Castlemaine Secondary College. That commitment, to be delivered by a future Labor government, has been made on behalf of the parents, teachers and students — that is, the whole school community, which has lobbied for this commitment. That lobbying with the current government has fallen on deaf ears, but Victorian Labor has listened to the students, parents and staff. We agree that Castlemaine students deserve world-class facilities and we understand that students and teachers cannot do their best in a half-built school. This is one of a number of schools that were abandoned by first the Baillieu government and then the Napthine government halfway through rebuilding. These schools, including Merbein P-10 College, simply do not have the funds to finish the job. Victorian Labor is committed to finishing its vital school projects.

Melbourne Heart Football Club

Mr ONDARCHIE (Northern Metropolitan) — This house has often heard me express my affection for the

Melbourne Heart Football Club and speak about the great work that members of the club do not only to promote the world game but in the community. This year they have been doing a lot of work in the community with girls in terms of their participation in the world game. I commend Sue Crow, the general manager of community development at Melbourne Heart, for the work she has done for a program called Girls with Heart. Last week the girls played a number of tournaments at AAMI Park before the main game got under way.

In particular I commend Pascoe Vale Girls High School, Our Lady of Mercy College in Heidelberg, Marymede Catholic College, Charles La Trobe College, John Fawcner College, St Monica's College, St Helena Secondary College, Plenty Valley Christian College, Rosehill Secondary College and Emmaus College. The soccer clubs involved were Bundoora United, Meadow Park, Skye United, Ringwood City, Dandenong City and Trafalgar Victory, which I know Mr Ronalds is a great supporter of.

The Balwyn High School choir performed before the main game on Harmony Day. There was a great sense of activity by girls in sport, particularly playing our world game. The Whittlesea United, Ashburton, Keilor Park and Drysdale soccer clubs were involved in the half-time activities. Melbourne Heart also helped to activate the Viva Victoria promotion at Federation Square on Sunday. Melbourne Heart is not just a great football team for the world game but is doing great work in our community.

McKinnon Secondary College

Mr LENDERS (Southern Metropolitan) — McKinnon Secondary College is a very popular secondary school in my electorate. In fact it is so popular that it is zoned for enrolments; it is a great school and parents actually move into the area to try to get their children into it. Some of its buildings, though, are a bit old and tired. They were built in 1954, before most of us in this chamber were even born. The buildings were opened during the time Sir Henry Bolte was the Premier and Sir John Bloomfield was the education minister but, like the concept of the title of Sir, they are tired.

Today I am delighted to say that Daniel Andrews, the Labor leader and member for Mulgrave in the Assembly, James Merlino, the deputy Labor leader and member for Monbulk in the Assembly, and Nick Staikos, the Labor candidate for the Assembly seat of Bentleigh, have pledged that a future Labor government will spend \$9 million on getting new classrooms,

libraries, specialist teaching spaces and a canteen for McKinnon Secondary College. This is particularly significant because the change of government in 2010 saw a 60 per cent slashing of the capital works budget for schools from \$500 million to \$200 million, which meant that schools like McKinnon had their capital works delayed. This is a great announcement for students, parents and teachers in the McKinnon area and also great news for local jobs. Tradies will get jobs in a construction program designed to improve education.

Child protection

Ms CROZIER (Southern Metropolitan) — Last November I tabled in this chamber the report entitled *Betrayal of Trust* on the inquiry undertaken by the Family and Community Development Committee. Looking on at the time was the Premier. He, like many Victorians, was horrified at the extent of what the inquiry found and the report that I tabled on that day. The Premier spoke on the day after I tabled the report. He came out and said he would act immediately to protect the children of Victoria.

Within a month of my tabling the report, laws were introduced into this Parliament about grooming. Yesterday there was an announcement by the Attorney-General and the Premier in relation to further strengthening our criminal law with the introduction of new laws to further protect children from sexual abuse. They involve a new child endangerment offence and compulsory reporting to police. Both of these crimes will carry jail sentences, and I want to commend the Attorney-General for the work he has undertaken in getting these reforms into the Parliament so swiftly. They come in light of the federal royal commission that is looking into the issue of child sexual abuse. Noting that ours is state-based legislation, the Attorney-General has worked extremely hard to put these laws into place. The government has six months to act and report on the inquiry's report, and I commend the swift action of the Attorney-General on these very important measures to protect Victoria's children.

Hamilton Airport

Mr KOCH (Western Victoria) — Last week the Minister responsible for the Aviation Industry, the Honourable Gordon Rich-Phillips, flew into Hamilton to announce an additional \$1.4 million under the Regional Aviation Fund to redevelop the Hamilton Airport, the original home of Ansett Australia National Airlines. This funding means the airport, which generates \$3 million to the region each year, can be revitalised to ensure the region's ongoing economic

development, creating jobs and opportunities for families and businesses.

Improvements to the airport include a 300-metre extension to the main runway, a new turnaround and a lighting upgrade and associated cabling around the apron and taxiways. These improvements will make the runway safer and allow it to accommodate larger aircraft, including airfreight and essential emergency services aircraft. Sharp Airlines, based at the airport, conducts a very successful training school. Trainee pilots will also benefit from the redeveloped airport, and there is the potential for an ongoing significant export growth industry as more Chinese and Indian nationals undertake pilot training in Victoria.

The Shire of Southern Grampians also contributed \$1.4 million for the upgrade, making a total investment of \$2.8 million. Aviation is a major contributor to the state's economy and underpins our tourism and inbound investment industries. It is also particularly significant for regional Victoria, connecting towns and regions with services and enabling quicker, more convenient travel. I extend my congratulations to the coalition government and the minister on delivering the funding needed to ensure that this regional airport remains a vital link for the western Victorian community.

DOG REGULATION

Mr LENDERS (Southern Metropolitan) — I gave notice on 28 November last year of this motion, and in an address to this house on the second reading of the Domestic Animals Amendment Bill 2013 on 12 December last year I spoke fairly extensively about that particular bill and this motion. The context of this motion I will speak to really needs to be read in those terms. I move:

That, pursuant to section 33 of the Parliamentary Committees Act 2003, the Environment and Natural Resources Committee is required to inquire into, consider and report no later than 30 September 2014 on breed-specific legislation for dogs, and in particular —

- (1) investigate the success of breed-specific legislation in preventing and reducing dog attacks;
- (2) consider whether there are more cost-effective means of preventing and reducing dog attacks; and
- (3) draw on and incorporate relevant materials from other Australian parliamentary investigations in the interests of a concise report by the due date.

To some this would appear to be a very trivial motion; to others it would appear to be a momentous one, involving a lot of emotion not only from the perspective

of how we best protect children and adults but also from the perspective of the owners of pets as to whether the law is actually working. The motion fundamentally seeks an open and transparent parliamentary inquiry, where debate can be had away from the entirely appropriate and understandable emotion that has clustered around this issue for a number of years.

I will give some context to this. We have had a lot of legislation before us in response to tragic attacks on children by dogs. In the three years of this Parliament I have spoken on bills amending the domestic animals legislation on 30 August 2011, 25 October 2011, 6 December 2011 and 12 December 2013. Just in this Parliament alone there have been four series of amendments to the domestic animals legislation because we as a legislature and a community are trying to come to terms with the hideous problem of people being attacked by dogs.

The position we have traditionally taken in Victoria over the last few years is to have formed a view, one that Labor has supported at every step. I wish to make it clear that this is not a criticism of the current government because all four pieces of legislation were supported by the Labor Party. On four occasions in this Parliament we have amended the Domestic Animals Act 1994 to find a better way to protect the vulnerable members of our community. These particular amendments arose after a horrid attack in the west of Melbourne on a young child, Ayen Chol. I will not go into the details of that attack; in my second-reading speech of 12 December last year I went through them in detail, in particular the coroner's forensic recommendations on what we as a legislature should do.

I spoke on a number of aspects during that second-reading debate. I read the coroner's report with great interest; it was a morbid report to read. The coroner looked at options and a range of things that could be done, but in the end she explicitly recommended three things to the government, two of which the Minister for Agriculture and Food Security dutifully delivered through legislation presented to the Parliament and which we as a Parliament adopted, and the third via administrative action.

I flagged back then that the big community debate is not over making our community safer but whether the breed-specific legislation is the most effective way of doing it. This motion seeks to hold an inquiry away from the coroner's recommendations and the absolutely appropriate response of government to respond to community anxiety and try to fix the problem in order to have a fresh look at the issues to see if there is a

better way. It does not presuppose there is a better way, but it does say there should be a discussion and inquiry based on the facts.

I met with Bill Brown — as I think many other people did — the chief municipal officer in the Canadian city of Calgary. That city has a series of measures in place which it believes address this issue equally or better than our system does. I have not formed a view as to whether Calgary's measures have or have not done so. I found Mr Brown to be an articulate man, but I was not personally convinced that this is necessarily the best way for Victoria. There are a whole series of assumptions as to what the costs might be on our citizens to implement this model; there are a whole series of assumptions that come with the Calgary model.

There are parts of this model in Alberta, Canada, which are already working in Victoria. Is it a model that puts costs onto councils? Is it a model that puts costs onto pet owners? I do not know the answers to those questions. However, I do know that Bill Brown advocates a model that a large number of my constituents have been saying to me for a considerable period of time is one that Victoria should forensically look at to see whether it offers an alternative. That is just one example in the debate we are having over whether there are better ways to deal with this issue.

I will not go through the statistics on dog attacks; they are horrid. As I said, the Labor Party and I are not advocating a change to the law. In moving this motion today I am advocating that we set up an inquiry that can properly evaluate whether this is the most effective way of protecting our community. Many members of the community share the view that the current system is inexact and clunky, unfairly impacts on the owners of some breeds of dogs and inadequately deals with the danger posed by others and that it might be better if we had a regime in place which involved greater owner responsibility and community awareness.

I will not speak much more on this motion. Anyone who is interested to read in more detail the arguments on this issue, the rationale for this motion being put up, what the coroner said in the Ayen Chol case or, for that matter, what I have said on behalf of the Labor Party on the four separate amending bills to the Domestic Animals Act over the life of this Parliament can find it all on the record. I do not have anything new to add to the debate today. This is a proposition to the Parliament that it set up an inquiry to look into this upsetting and emotional issue in a dispassionate way. I have seen people in tears in this chamber and in the community.

As I said in my opening remarks, this is not a reflection on the government. The Labor Party has supported the Minister for Agriculture and Food Security, Peter Walsh, in a bipartisan fashion on all four pieces of legislation. We are not seeking to make this a partisan issue. What I note in reference to that — and the timing of this could be said to be in some ways unfortunate, but I do not think it is — is the concluding remarks Mr Hall made in his contribution to the second-reading debate on the bill that made up the fourth iteration of this legislation. Mr Hall did not commit that the government would support it, and I am not trying to put words in his mouth. However, I thought the response indicated an open-mindedness on behalf of the government to look at an inquiry. I would urge government members to support the inquiry on those terms.

This motion is being moved on 26 March, not on 28 November 2013 when I introduced it into this place, specifically to give the government, the Greens and others a chance to reflect on it, rather than just having it put in their faces and seen as some sort of political stunt. I have put out no media and nor do I intend to put out any media on this whatever the outcome. This is an effort to try to have that considered review. A parliamentary committee would mean that hearings would be held and those citizens of ours who feel very strongly could make submissions. Whether they feel that breed-specific legislation is the most appropriate way and that it should go further, that a Calgary model or something else is more appropriate, or they have a completely different view, they can submit. Witnesses are protected by parliamentary privilege and can be compelled. There is a series of issues here that makes this one of the most effective ways.

What I say to the house as to why this sort of approach is a good one is the science on this is not settled. Respected bodies like the Royal Society for the Prevention of Cruelty to Animals five or six years ago were strongly advocating for breed-specific legislation as a way of protecting vulnerable citizens from dog attacks. The Royal Society for the Prevention of Cruelty to Animals has changed its view based on the science. We are not seeking here to say that science is right or wrong. This is not a coded way to say the law should be changed. This is an effort to have an inquiry which can try to come to an informed view away from the understandable and appropriate emotion of dealing with a wrong when it happened. If we do not have these reviews at some stage to dispassionately try to assess analytically what is before us and look to practices in other places and form that view, then I would venture we are not doing our job as legislators correctly.

There is nothing to fear from adopting this motion. It would mean five members of Parliament, of which a majority would be government members, would conduct a review on which they would report back at the end of September this year. The government would then have six months to respond, so it is not some cunning election trap. The review would come out as this Parliament winds down, and whoever the government is in the next term would have some months to respond to the review. It is not a trap. It is a way to get information, and whoever is in government in 2015 can respond to that review. The government of the day can choose to accept it, reject it, partially accept or partially reject it; it would be in the government's hands.

This is a motion seeking information on a time line that is not political and which hopefully will allow our citizens who feel wronged by the current process to make a case one way or the other. Hopefully it will get everything in front of the government and a parliamentary committee in a form that is analytical and lets us make a rational decision on an issue which is difficult, emotional and problematic and on which if there were a simple answer, someone would have grabbed it a long time ago. I commend the motion to the house.

Mr RAMSAY (Western Victoria) — I rise to speak to Mr Lenders's motion 705, and in doing so I indicate that the government will be opposing the motion. Mr Lenders's motion is no surprise because Mr Helper, the member for Ripon in the other place, flagged in his contribution to debate on legislation in this area back in December that he was seeking to refer that piece of legislation to a parliamentary committee. All Mr Lenders is doing is reiterating the request made by Mr Joe Helper last year to refer the matter to a committee. Mr Lenders has given me an opportunity to revisit my contribution to the debate on the Domestic Animals Amendment Bill 2013 in *Hansard* on Thursday, 12 December 2013. I read my *Hansard* report, and my position has not changed from that time.

We know the history around this bill and why it was brought to the house; it was brought to the house on the basis that the coroner made certain recommendations upon the death of a four-year-old child who had been mauled by a pit bull terrier. I congratulate Mr Walsh, the Minister for Agriculture and Food Security, for the speed with which he drafted the legislation with his support staff and brought it to the Assembly to respond to what I believe is a growing crisis in the animal kingdom in relation to dogs that are purposely bred to kill and maim. An otherwise understanding society has seen fit to use these dogs in domestic situations for

domestic enjoyment. In my mind this simply puts the most vulnerable — our children — at significant risk.

I have no compunction about standing by the legislation. I do not support any move to water down the legislation or to interfere in the process or progress of the legislation by referring it to a parliamentary committee. Mr Lenders referred to the Calgary experience, which is somewhat different to the Victorian experience. The conditions under which Calgary's municipalities work and the way that the city controls domestic animals are significantly different to what we do here in Victoria. I know this legislation has had strong support from councils, the veterinary association and even breeder societies. All the legislation does is reclassify those dogs that are dangerous to the community and provide a means by which to remove that danger from the community.

This legislation has been in place for only three months, and the opposition is already calling for an investigation and a review. The legislation has hardly had time to hit the ground, far less warrant a review by a parliamentary committee. That is not to disrespect to the process of granting our parliamentary committees the opportunity to analyse the worth of a piece of legislation and its impact. It is on that basis that I strongly oppose any suggestion of this bill requiring a review and the motion of Mr Lenders that breed-specific legislation for dogs be referred to a parliamentary committee.

Quite a lot of work has been done to review breed-specific legislation for dogs. In April 2012 in Victoria there was an independent review of dangerous dog controls. That review looked at the proposed legislation in depth. A parliamentary steering committee oversaw that review. David Southwick and Joe Helper, the members for Caulfield and Ripon in the Assembly, were members of that committee. In 2011 the Department of Environment and Primary Industries (DEPI) funded a project with Monash University that investigated paediatric dog bite injury in the domestic setting. The report concluded that the findings indicate the need for the Bureau of Animal Welfare to extend the reach of current education and awareness-raising initiatives that inform parents and grandparents of the need for planning, increased vigilance and close and ongoing supervision when children are being introduced into a household with an established pet.

Those are important guidelines, and that is important information for dog owners who are introducing dogs into a family setting. DEPI has run a number of other programs, including Living Safely with Pets, Pets in the Community and We Are Family, and it has provided councils with a raft of tools and resources to assist them

in the implementation and understanding of the legislation.

In my contribution to the debate on the Domestic Animals Amendment Bill I said that the Department of Environment and Primary Industries had funded a study with Monash University to look at the very things that Mr Lenders has indicated he wants to refer to a parliamentary committee. The in-depth study interviewed the parents and guardians of 51 children aged between zero and nine who had been bitten in a domestic setting. The aim of the study was to describe in more detail the circumstances of bite incidents. In one-third of the incidents reviewed by the study, children were bitten by the family pet in their own home, and in 14 per cent of incidents children were bitten by a grandparent's pet when both parents and the child were living temporarily or for a longer term in the home of one of the child's grandparents. Most of the children who were bitten by a dog that lived in the same household were aged less than three and the dog was established in the household before the arrival of the child.

As I indicated earlier, DEPI has run three successful programs for children and families. These were all free of charge and were presented in schools, kindergartens, antenatal hospitals and maternal and child health centres.

I want to indicate that I am not against dogs. I have lived with dogs all my life, both working dogs and domestic dogs. They are man's best friend, and they certainly have been among my best friends. The situation in relation to dangerous dogs is quite different. As I mentioned in another contribution, I have had personal firsthand experience of what I believe was a dangerous dog — it certainly looked like it; it was a pit bull cross that was living in a very small suburban house with a very small living space. The dog was not properly contained on the premises of that house, and it got out. After roaming the streets it attacked a lady as I was walking past. For me to be able to provide assistance to this woman I had to get myself between her and the dog. The woman was of considerable age. The dog then tried to grab my leg. It was only because I was carrying something that I was able to hit the dog and get it away from me. The dog was very aggressive, and given its breeding it seemed that it was purposely trying to injure or maim me and also the woman it initially attacked. I had concerns not only in relation to the breeding of the dog but also because of the fact that the dog had been contained in an area totally unsatisfactory for a large dog.

This is one of the problems we have in Australia. We have reasonably lenient laws in relation the housing of domestic animals, but we see many circumstances where the size of the animal's living space does not suit the size of the animal. While this issue is not contained in the legislation, dog owners have a moral and social responsibility to make sure that the dogs they keep in the family environment are suited to the space they are housed in. Too often dogs are housed in confined areas, and this creates a situation where dogs search for greater freedom. That is one of the issues we face with dogs generally, but certainly with dangerous dogs there is more of an issue with public safety.

That is all the original bill intended to achieve. It was based on the recommendations of the coroner, and the coroner made those recommendations following the death of a four-year-old child, sadly. There was a community expectation that the government would put in place legislation to reclassify dangerous dogs based on scientific evidence and data in relation to their breed purpose and also that, with the support of councils, the government would provide a program whereby dangerous dogs were acknowledged and councils were notified about them and they were duly dealt with. There are also provisions to bring a matter to the Victorian Civil and Administrative Tribunal if an owner wants to challenge a classification, and I appreciate that the time for that was brought down from 28 days to 14 days.

All that aside, at the end of the day the legislation is good legislation. It provides for public safety and community benefit and tries to curb what we found was an increasing incidence of dogs being purpose bred for fighting, which invariably results in maiming or killing. The sad fact in our community is that there will always be a group of citizens who, for whatever reason, continue to want to knowingly purchase illegal breeds of dogs known to be more likely to be dangerous. They know that these dogs will be aggressive. They do not respect the need to train them or to behave responsibly, and even under the Calgary model, which Mr Lenders went to some length to refer to, the only action is to put these dogs down and take action against the owners.

No matter how many times the issue is reviewed, we come back to the need for the current laws to remain as they stand. They provide a good balance between education and community awareness and a tough stance on those who do not want to be responsible for the behaviour of their dogs. Those aspects of the Calgary model that Mr Lenders kept referring to are the woodwork in the Victorian environment and have already been implemented, so there is no need for a

parliamentary committee to investigate, at a cost to the taxpayer, a model in Canada that we have already taken the best bits from and implemented in Victorian legislation. It would be a waste of time both for parliamentarians to sit on the committee and for staff to use resources to run that inquiry given that Victoria has already picked out the best pieces of the Calgary model.

In summary, we will not support Mr Lenders's motion. We proudly supported the Domestic Animals Amendment Bill 2013, which was debated in this house on 12 December 2013. The legislation might well need some tweaking; it has been in force for barely three months. Councils, veterinary associations, dog breeder societies and owners and the Department of Environment and Primary Industries are working to make sure that the implementation of the legislation goes smoothly. Certainly any watering down of it, as suggested by Mr Lenders, through a parliamentary committee would be at a significant cost to the public safety of the Victorian community.

Ms PENNICUIK (Southern Metropolitan) — The Greens will support the motion put forward by Mr Lenders. It is timely that the whole regime to deal with preventing dog attacks and dealing with so-called dangerous dogs, menacing dogs, threatening dogs or specific breeds in legislation et cetera as a whole be looked at. The laws that are in place under the Domestic Animals Act 1994 have been in place for quite a while. Amendments to that act have been put in place by the previous government and by this government, and just recently, in December, there were some more amendments made as a result of the coronial inquiry into the death of Ayen Chol.

However, the law is largely implemented by local government, which is not well resourced to do so. It is an example of cost shifting. It causes a lot of angst for council officers and for pet owners and can result in unsatisfactory outcomes. Over the last 12 months I have received a lot of email correspondence, as I am sure other members of Parliament have, with regard to the implementation of these laws at the council level. As a result of that I put some questions on notice to the minister regarding the implementation of the laws.

One of the questions I asked was whether there was a review being undertaken of the Domestic Animals Act, being a state piece of legislation. The minister advised me that local councils are the enforcement agency for the Domestic Animals Act and that councils are responsible for adequately reviewing their implementation of the act as part of their domestic animal management plans, are required to prepare domestic animal management plans every four years in

consultation with the secretary and must set out methods of evaluating whether the control services provided are adequate.

I take issue with that because I feel that the evaluation of the implementation of state law should be undertaken at a state level by a parliamentary inquiry, not pushed down to local councils. There are different circumstances in local councils, and the implementation of a regime and the review of that should be undertaken at a state level, appropriately by a parliamentary committee.

I asked how many restricted breed dogs had been registered with Victorian local councils since 2010, and the answer was 165 restricted breed dogs had been registered with local councils between 30 September 2010 and 17 June 2013. That is not a large number, and I presume most of those would be American pit bull terriers, because as I mentioned in my contribution to the debate on the recent amendments to the Domestic Animals Act 1994, other restricted breed dogs are not known to be present in Australia.

I also asked how many owners had appealed council decisions regarding restricted breed dogs and how many had been successful. I was informed that 29 appeals had been made to Victorian Civil and Administrative Tribunal (VCAT) and that 13 of those decisions had been set aside — so around half of them had been set aside. I also asked what were the total costs to Victorian councils with regard to legal challenges. The minister said the costs of legal challenges were not known, because there was no requirement for councils to report these costs. However, we have seen them reported in the press — that, for example, in June 2013 the City of Monash had spent \$120 000 defending appeals and the City of Moonee Valley had spent \$50 000 defending appeals, although no dogs had been destroyed. There is therefore certainly a cost impost on councils.

As I mentioned, it can also create a lot of angst for council officers and for pet owners with respect particularly to the application of the standard for identifying American pit bull terriers. That was described by VCAT vice-president Judge Michael Macnamara. In July 2013 it was reported that he had overturned a council's finding with regard to the breed of a particular dog. The article reported that Judge Macnamara had said:

... the idea of a standard able to be interpreted consistently by people with reasonable experience was 'a noble aspiration', but that 'it is far from clear that the objective has been achieved'.

...

'When the standard requires the application of various adjectives such as "large", "proportionate" and "powerful", these can only make sense relative to some comparison ... Whether the comparison is with some sort of average dog, a perfect exemplar of the breed American pit bull terrier or ... some "platonic" dog, is not entirely obvious'.

There we have concrete examples of problems and issues being identified even at VCAT with the implementation of the Domestic Animals Act and the standard for identifying restricted breeds.

I would not want to suggest that Mr Lenders' motion be amended, because I feel it largely covers the appropriate areas, which are to look into or investigate the success of the legislation in preventing and reducing dog attacks, to consider whether there are more cost-effective methods of preventing and reducing dog attacks and to draw on and incorporate relevant materials from other parliamentary investigations in Australia in the interests of a concise report. Before this debate we received an email from someone calling themselves May Endbsl who suggested some amendments or additional areas of inquiry, such as the quality and availability of existing data on dog bite incidents and systems for recording and reporting dog bite incidents. Certainly those differ amongst the states, and it could be said that Victoria is not a leader in the collection, dissemination or analysis of that data; the international experience of the effectiveness of breed-specific legislation (BSL) and world best practice on approaches; and consultation with appropriate, qualified and experienced experts.

The email also cited evidence from the Monash University Accident Research Centre highlighting that the highest risk group for hospitalisation as a result of dog injury bites is the zero to four years age group, followed by the five to nine years age group; that two-year-olds are at the highest risk of dog bite injury; and that children are most commonly bitten on the head, face and neck. All of those things seem self-evident, because children are obviously small in stature, meaning that the faces of those aged between zero and four — especially toddlers — are going to be at the same level as the faces of many dogs. That is why we ended up with the terrible events surrounding the death of Ayen Chol.

In my contribution to the debate on the bill amending the Domestic Animals Act last December I mentioned some of the statements of Coroner Parkinson, who conducted the investigation into the death of Ayen Chol. I mentioned some things said by the coroner, but there was also the evidence of Dr Jane Dunnett, a veterinary surgeon at the University of Melbourne, who

examined the dog. In paragraph 31 of the coroner's finding Dr Dunnett was quoted as saying:

Traditionally pit bulls were bred to be aggressive; they were bred to be intimidating; they were used as status symbols for want of a better term; they were used extensively and they still are for dog fighting, so the characteristics that those people would like are large, powerful dogs, strong jaws and a tendency to become aggressive very quickly and to become consistently aggressive and not back down.

In commenting at paragraph 33 on Dr Dunnett's evidence the coroner wrote:

... whilst she was wary of all dogs she treated, she was particularly wary of pit bull terriers because the dogs are exceptionally powerful.

She commented at paragraph 38 that the breed:

... had a propensity to attack and that there were no specific indicators of the likely onset of an attack.

In paragraph 39 the coroner wrote:

The dog, a restricted breed, attacked a number of people without warning and with such force that two people, an adult and a child, were hospitalised and one person, a four-year-old child, was killed. The possibility of this type of unexpected attack is the reason for the restricted breed regulation.

That is from the coroner's report following the inquiry into the death of Ayen Chol.

An area that needs to be looked at is whether the breed-specific legislation is effective in identifying the number of restricted breed dogs in the community. I mentioned before that the minister, in his answer to my question, said there were 165 restricted breed dogs registered, but paragraph 42 of the coroner's report reads:

According to Dr Beattie's records —

Dr Beattie was a veterinarian involved with the particular dogs —

the majority of the 99 restricted breed dogs owned by his clients have not been microchipped or neutered. Dr Beattie's evidence was that he was unaware whether the dogs were registered as he did not collect that information. The records were for the period 1999 to 2011. Dr Beattie treated dogs identified as American pit bull terriers which were not neutered and not microchipped as recently as January 2012. Having regard to the evidence before me in relation to the ending of the registration amnesty, it is reasonable to conclude that the majority of the 99 dogs on his records are unregistered and thus their existence is unknown to the authorities.

The City of Brimbank was not aware of the existence of the dog involved in the death of Ayen Chol. Whether or not one supports BSL, that raises the question of whether it is effective. It seems, according to the

coroner's report, that many restricted breed dogs are not registered, are not confined to their dwellings, do not live in dwellings from which they cannot escape and are not being kept in accordance with all the regulations that are in place to deal with restricted breed dogs.

The coroner went on to say:

I am satisfied that the failure to update the council records on the part of the 'owners' of the dog, was a deliberate and successful attempt to conceal the dog from the authorities and to avoid the scrutiny, supervision and limitations associated with owning a restricted breed dog.

The coroner has raised those issues about evidence in the report and at paragraph 82 says:

The evidence in this case established that there are owners of restricted breed dogs in the community who do not comply with the legal requirements ... This is despite the extensive publicity and education campaigns and enforcement attempts made by local government bodies and the Department of Primary Industries over many years.

In addition to the recommendations from the coroner which were taken up in the amendments to the legislation in December, there are those issues of whether the regulations around the keeping of restricted breed dogs are being complied with.

Mr Lenders mentioned the Royal Society for the Prevention of Cruelty to Animals which I can remember many years ago was very strong in its support of breed-specific legislation, particularly with regard to American pit bull terriers. It has, however, changed its opinion. That is worthy of consideration and could be looked into by a parliamentary inquiry. The Australian Veterinary Association, which I have met with and discussed this issue with at some length, put out an extensive paper in August 2012 entitled *Dangerous Dogs — A Sensible Solution*, which includes a model policy legislative framework. The association also says it does not support breed-specific legislation.

There are a wide number of views in the community. It is interesting to note that Mr Ramsay said the Australian Veterinary Association supports breed-specific legislation. Given my meeting with the association, it seems to me that it does not. Mr Ramsay also talked about referring the legislation to a committee, but I do not think that is what Mr Lenders's motion is about. It is about the whole issue being looked at by a parliamentary committee.

It is not just about the legislation; it is about the whole issue of the best way to prevent dog attacks. It is not even about just breed-specific legislation. It could go to whether the whole regime we have in place is able to

prevent the large number of dog attacks that we see. There are some 1500 hospital admissions and nearly 5000 presentations for dog injury in Victoria every year. It is true to say that the majority of those involve children and known family pets.

I agree with Mr Ramsay that there is a need for much more education, particularly on the proximity of children to dogs. I have said many times in this place that I do not think enough is being done about that. We would like to see no children being attacked by dogs, and that requires more education. I agree with Mr Ramsay that education is required when one is determining which dogs are appropriate in different living arrangements. Sometimes there can be quite a mismatch there. I think all of these things could be looked at by a parliamentary inquiry. It could make recommendations that are not necessarily legislative — they could be, but may not be, legislative in nature — about education and other means by which we can make sure that appropriate pets are kept in the appropriate circumstances and that children in particular are protected from the threat of injury by dog attack. There is a lot more we can do in this regard.

I will finish by raising the ongoing issue of the existence of puppy farms or puppy factories, which is still a blight on our community. The legislation introduced by this government has still not resulted in the closure of many of those establishments, where dogs are kept in atrocious circumstances just for the purpose of breeding puppies which are sold through pet shops. It is my belief and Greens policy that there should be no sale of animals through pet shops. Pet shops should be restricted to selling pet paraphernalia — that is, kennels, dog blankets, dog toys, dog food, cat food and that type of thing — but not animals, to prevent people from buying puppies and kittens et cetera on a whim, which often leads to those dogs and cats being abandoned or maltreated. That is another issue that is not unrelated to the issue we are talking about today.

It is timely that these issues are examined by a wide-reaching parliamentary inquiry that holds public hearings, receives submissions and can advise as to where the legislation is working, where it could perhaps work better and what other education programs et cetera could be put in place to make sure that the arrangements in this area are as good as they can be. The Greens will support the motion.

Mr D. R. J. O'BRIEN (Western Victoria) — I rise to make a contribution on the motion. In doing so, I say that I have listened to the contributions made by Mr Lenders, Mr Ramsay and most recently

Ms Pennicuik. I note that Mr Lenders made reference to the now departed from this chamber Mr Peter Hall.

Mr Lenders — But he is still alive!

Mr D. R. J. O'BRIEN — And his presence, thankfully, is still echoing through the chamber. In the spirit of former Minister Hall, if I could be so bold as to try to adopt some of that, I will endeavour to commence my contribution by focusing on what is agreed between the various parties and contributors to this debate rather than what divides us, and in that sense reaching out in the manner that Mr Hall urged us to do in his final speech to this chamber — that is, to endeavour to work constructively.

Ms Pennicuik interjected.

Mr D. R. J. O'BRIEN — I thank Ms Pennicuik; I thank Mr Hall, actually. The first point that is probably worthwhile picking up, a point made by Mr Ramsay but probably endorsed by other members, is that the relationship between humans and dogs is a very close one and in a sense raises particular challenges. Dogs themselves are very good companions — working dogs in the case of sheep and cattle dogs, companions and aids for the blind and protectors for security. There have been very long associations existing between humankind and canines.

Going back in time there are theories and evidence to suggest that the simultaneous development of the human species is intricately linked to our partnership with dogs. From our hunter-gatherer days, dogs have essentially evolved with humans and entered into our increasingly domesticated and socialised settings and agricultural settings, providing what they provide — alertness, companionship and emotional support — and at times employing their canine ancestry to useful effect to protect humans. It is in that regard that the element of a dog that would make it a dangerous dog, which in a sense is any dog, means that it can call upon its canine ancestry to turn on not only strangers and innocent children but also family members and those who have attempted to care for the dog.

Obviously it is well known that the manner in which a dog is treated and raised is a critical factor in determining whether any particular breed of dog can have the tendency to become a dangerous dog. On the subject matter of restricted breed legislation and the dangerous dog bills that have preceded this government's term in office, and which have been amended and significantly enhanced and improved by this government, we make no apologies for the approach that has been adopted. The government has

adopted a legislative approach, in consultation and in conjunction with other initiatives, of seeking to enforce and tighten and improve the restricted breed legislation. I commend the minister and his department for that. There have obviously been interactions with the Victorian Civil and Administrative Tribunal, and the latest bill is a response to the matters that have been raised.

One of my first contributions as a member of Parliament was on the very first of these pieces of legislation relating to dangerous dogs provisions in the Crimes and Domestic Animals Acts Amendment (Offences and Penalties) Bill 2011. Like Mr Ramsay, I have had cause to review my remarks. I particularly recall the emotional debates that not only occurred during that contribution but during other contributions. My friend and colleague Mr Elsbury has made significant and impassioned contributions on the need for this legislation and the difficult issues that have affected him and his community — and indeed all Victorians — as a result of the tragic death of Ayen Chol in her St Albans home in August of that year. Following that attack, this government did what it could.

Picking up on former minister Peter Hall's imprimatur and the contribution that was made by Mr Lenders to this debate, I note that the Labor Party has supported all the relevant legislation that has been put through this chamber. In his contribution to debate on this motion Mr Lenders was at pains to point out that opposition support continues. I wish to place those matters on record before turning to the substance of Mr Lenders's contribution.

It is important to bear in mind that the most recent breed-specific legislation and other relevant legislation have been guided by independent recommendations on this difficult subject matter. Those recommendations have sought to balance the rights, privileges or desires of individuals to keep certain species of dogs against the evidence that, notwithstanding what I said earlier, those breeds have a greater propensity to become dangerous because of their history or their genetic make-up and have attacked Victorians and taken lives such as that of Ayen Chol. These pieces of legislation have been as carefully balanced as we can make them. We have had to make improvements to the way the legislative regime operates, but the parliamentary intention behind this legislation, as has been confirmed by the opposition, has been clear and has endeavoured at all times to support that important balance.

It was the legislative approach that was recommended and endorsed by the Victorian Coroner and which this

government makes no apologies for seeking to implement. It is perhaps in contrast to the suggestions made by Ms Pennicuk on the need for other approaches.

In responding to the suggestion in Mr Lenders's motion that these important matters should be referred to the Environment and Natural Resources Committee (ENRC), Mr Ramsay detailed the extent of parliamentary considerations that have been applied to the legislation and referred to the parliamentary steering committee which conducted a review of dangerous dog controls in Victoria in April 2012. I note that Mr Southwick and Mr Helper, respectively the members for Caulfield and Ripon in the Assembly, were members of that committee. Mr Ramsay also noted a department-funded project with Monash University in 2011 involving an investigation of paediatric dog bite injury in the domestic setting.

The report concluded that the findings of the inquiry indicated the need for the Bureau of Animal Welfare to extend the reach of current education and awareness-raising initiatives that inform parents and grandparents of the need for planning, increased vigilance and close and ongoing supervision when children are being introduced into a household with an established pet. Mr Ramsay also referred to three successful programs for children and families. Participation is voluntary, and the programs are free of charge for schools, kindergartens, antenatal hospitals and child and maternal health centres.

I have young children, including a two-year-old, and our family's decision not to have dogs until my children reach a certain age has been informed by the events that have occurred. I have taken that view, but families make individual choices as to when and how they work with dogs of whatever breed — and certainly with restricted breeds. It is a matter on which there is wide community debate, and people need to know that education programs exist. The government, Monash University and members such as Mr Elsbury have led and will continue to lead this important debate and discussion. The Living Safely with Pets program, makes 2100 visits to kindergartens per year; the Pets in the Community program makes 900 visits to schools per year; and the We the Family program is established as part of more than 80 antenatal programs and 800 maternal and child health centres.

Further, the government has listened to the responses from local government and calls for further resources and has provided a raft of tools and resources to assist councils in implementing and understanding the legislation. These have included no-cost training days,

models for training, a secure internet site with tools, templates, fact sheets, matrix and flowcharts as well as an on-call council liaison officer to provide guidance on any matter in the Domestic Animals Act 1994.

I reiterate that the recent amendments to the Domestic Animals Act were in line with recommendations made as a result of the coroner's independent inquiry. Mr Lenders has acknowledged from a legislative point of view the Labor Party's support for the government's work in this area. I also turn to an additional reason for not supporting Mr Lenders's suggestion in his motion that under section 33 of the Parliamentary Committees Act 2003 this issue be referred to the Environment and Natural Resources Committee to inquire into the matters he has identified. Although not the best reason, an important reason is that the committee is a joint committee of the Parliament. Mr Koch has chaired that committee throughout my time in the Parliament. I note that he has given notice of his intention to resign from the committee this week.

With the house's indulgence, I will also commend Mr Koch. Although he has not served the Parliament for 47 years like Mr Tunnecliffe, in his time here Mr Koch has made a significant contribution to the Parliament, including in his role as whip — a job I share with him — as a member for Western Victoria Region and, relevant to this motion, as the chair of ENRC he has delivered important parliamentary recommendations and committee reports, including a report into the issues concerning registered Aboriginal parties and other matters. Most importantly, and also relevant to the motion, he is currently chairing an important inquiry into ecotourism and other heritage matters which, so far as I am aware, has been extended and is now required to report by August of this year. Mr Lenders's motion seeks the same committee to report on this inquiry by the end of September.

In my time in this Parliament I have served on a number of committees, and there are occasions where parliamentary committees may get joint references. Before I was appointed to the Family and Community Development Committee, then chaired by Ms Crozier, a reference requiring it to inquire into the handling of child abuse by religious and other organisations was given to it whilst it was concluding another inquiry. The committee did manage that, but I know it required a significant effort. Conducting the institutional child abuse inquiry required significant additional resources. In the end the committee's recommendations were accepted by all members of Parliament, and commentators consider that parliamentary committee's inquiry to be worthwhile. A good response to

Mr Lenders's motion is to point to the important work ENRC is currently inquiring into.

As I understand it, over 90 submissions have been made to the current ENRC inquiry into heritage tourism and ecotourism in Victoria, and I note that 2 of those submissions are from very important bodies in my electorate — Geelong Otway Tourism and the Grampians Regional Tourism Board. They have pointed out the economic importance of the matters they wish to see canvassed in that inquiry, including that tourists spend \$175 million in the Grampians region, with an economic impact of \$224 million. The inquiry into the matters that Mr Lenders seeks to agitate might not be compared fairly to the economic matters the committee is presently considering, but given that the ecotourism and heritage matters being considered in this important reference are not insignificant in an economic sense, it is important that the committee be allowed to continue its present work without being diverted to what would be an additional and simultaneous inquiry. It would also be a matter that would require the attention of Parliament.

If it were not for the other matters the government has already initiated, and the reasons Mr Ramsay, I, the Department of Environment and Primary Industries and the minister have articulated, Mr Lenders may have amended his motion in order to find another committee or another means to conduct another inquiry. That is a matter for Mr Lenders, but in any event the essential point is that this legislation is important. It is a matter the government has acted on decisively, with timely responses to the tragedies that have occurred, and recommendations have also been made by the coroner. The matter has been appropriately investigated not only by the coroner but by the existing parliamentary committee, in a Monash University study and by the department in its continual liaison role. It has also been supported by the resources and programs the government has outlined to demonstrate the importance of involving the community in educating and protecting not only our children but all Victorians.

For those reasons and with those words, I thank Mr Lenders for putting this motion on the notice paper. It has given us an opportunity to explain our reasons and reach out in a parliamentary sense. No doubt Mr Lenders will now sum up this debate, but I have explained why the government and I will not support the motion.

Mr LENDERS (Southern Metropolitan) — I will be brief in my response because, as I said in my introductory remarks, we have had general debates on this matter four times when domestic animals

amendment bills have been debated, and now we are having it for a fifth time on this reference motion.

The debate has been had in a very civil manner. That is good and I am impressed by that, but after listening to the debate one would almost half believe, particularly after Mr Ramsay's contribution, that all the reasons for not voting for the motion are reasons we should pass the motion. He said these questions are being looked at, the legislation has only been enacted for a little bit of time and we should give it a chance to be reviewed. In a sense all of this keeps coming back to the central proposition that this is a work in progress. A great way of doing that work in progress would be to have it reviewed by a committee. If we listened to the contributions of Mr Ramsay in particular and to a lesser extent of Mr O'Brien, we would think they were speeches in favour of a committee reviewing the situation.

I will briefly comment on two other things. The argument of Mr Ramsay that it would be expensive to conduct this review is a little bit rich the night after we extended the sitting of the house for 4 hours at \$5000 an hour to debate a bit of legislation because the Leader of the Government wanted to wear members down in the dead of night so they could not consider it. We are getting lectured here. By gosh, we cannot have a debate into this stuff that so many of our citizens feel passionately about. We cannot talk about it because it might cost some money, when last night at \$5000 an hour this house sat until 2 or 3 in the morning — whenever it was — debating legislation. It is just a little bit rich to have an argument that it might cost money to actually do our job as a Parliament. If we have to find the time to do it, I suggest — and Ms Pennicuik is nodding as well — that we could probably suggest some very good efficiencies. We could have some parliamentary time to debate something our constituents probably would want us to put some time into, particularly by a parliamentary committee.

In the same vein Mr O'Brien courteously suggested that it was a bit rich for a committee to do two references at once, but again, as Lyndon Johnson said, 'Gerald Ford might not be able to walk and chew gum at the same time', but I can assure Mr O'Brien, who is now in the chair, that the parliamentary committee could master that act of walking and chewing gum and considering two references at the same time.

The final point I touch on is a matter on which Ms Pennicuik commented — that is, that the wording of the motion could be improved. For the public record, obviously the wording of the motion could be improved, but part of the reason I was reluctant to suggest changes to the motion which has been on the

notice paper since late November was that I have certainly advocated in this house that opposition members wanted the government to be able to consider the motion. A number of people have in good faith suggested that we vary the wording of the motion, but if we were to do so, it would make it more difficult for the government to support it. In the end, as government processes are sometimes a bit long and tedious, if the rules changed halfway through it might not have got there.

I urge the house to support the motion. As I said in my introductory speech, the motion is not about predetermining anything. It is simply about getting this right — and we need the time to do it. The fact that in the past four years we have had four amendments to the act indicates that there are frequent iterations of this. Opposition members are not reflecting on the iterations. What I am reflecting on and urging the house to do is take a proper look at this subject. I hope that even at this last minute members of the government would not be afraid to refer something for consideration by a committee that they control and to have the debate.

As I said in my earlier remarks, there is no political trap in this motion. It seeks a report of the committee at the end of September. The government does not need to respond until after the election, so it is not a trap for the government. It is really an effort to get information on the record. I urge the house to support the motion.

House divided on motion:

Ayes, 17

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

Noes, 19

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

Pairs

Viney, Mr	Kronberg, Mrs
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Motion negatived.

PRODUCTION OF DOCUMENTS

Mr TEE (Eastern Metropolitan) — I welcome the opportunity to move:

That this house —

- (1) notes that the business case for the proposed east–west link, ordered by the resolution of the Council on 11 December 2013 to be tabled in the Council by 19 February 2014, has not been received by the Council;
- (2) notes the letter of 19 February 2014 from the Minister for Roads in response to the Council's resolution did not include the business case or any commitment to release the business case;
- (3) affirms the privileges, immunities and powers conferred on the Council pursuant to section 19 of the Constitution Act 1975;
- (4) affirms the need to protect the high standing of Parliament and to ensure that the Council may properly discharge its duties and responsibilities; and
- (5) requires the Leader of the Government to table by 6 May 2014 a copy of the business case for the proposed east–west link.

This motion is a follow-up of the resolution of the Council on 11 December last year when the Council — I think without any dissent — agreed that the government would table by 19 February 2014 the business case for the proposed east–west link. That was in December last year, some four months ago. There was a unanimous resolution of this Council that the business case be tabled. Instead of that occurring, what we had on 19 February was the tabling of a letter from the Minister for Roads, the Honourable Terry Mulder. In that letter the minister provided a response which did not include the business case or indeed any commitment to release the business case.

We on this side of the chamber think that after four months that response is insufficient, and this motion seeks to affirm the right of this Council to obtain the business case. It provides that the Leader of the Government table by 6 May 2014 a copy of the business case for the east–west link. That is the motion we are debating now.

As I said, I think that the four-month delay in getting a response, let alone getting the business case, is not good enough. It is not good enough when you consider what is at stake; it is not good enough when you consider the flawed process the government has engaged in in relation to the east–west link; it is not good enough when you consider the long-term consequences this project will have on Melbourne — indeed the

short-term and the long-term effects of this project; and it is not good enough when you consider the complete paucity of information that is available for Victorians to use to make any sort of informed decision about the merits of what is being proposed with the east-west tunnel.

On this side of the chamber we think it is very important that the business case be released, and that it be released urgently, so Victorians can have some basis on which to assess the merits of this proposal. If you look at what is being proposed by the government through the east-west tunnel, it really is an attack on Melbourne's livability. It is an attack on our status as the most livable city; it is something that will transform Melbourne in a way that will make it ugly, in the true sense of the word, but also in a way that does not benefit Victorians.

Mr Barber interjected.

Mr TEE — Mr Barber, I think this money would better be spent on other projects, and we have identified some in our policy proposals already, around the 50 level crossings, around the Metro rail project. We think this \$8 billion ought be spent on public transport, on health, on education. Indeed that is the measure of this project, and that is the cost: the lost opportunities to deliver a better Victoria and to ensure that Victorians have better lives.

I think the other consequence that we on this side of the chamber are concerned about is revealed in the documentation that has been made available: a stark future for Melbourne around the tunnel. What we know is that if this tunnel proceeds, we will have Melbourne turned into a construction zone for the next five years. We know Victorians will be living with four to five trucks per minute taking materials to and from the tunnel.

We know there will be some 3000 to 4000 cubic metres of contaminated soil. We know that some of that soil will need to be sorted onsite in Melbourne. We know that some of that soil will be sorted into very large acoustic sheds. We know that a lot of that soil — a lot of that very contaminated soil — will need to be moved some 30 kilometres away to be processed. That soil will need to be moved in large trucks that will traverse Melbourne's suburbs and streets. We know the contamination in that soil is deadly. We know that will have an impact on the workers. We know that will have an impact on Victorian families who live along the truck routes or who live in the vicinity of the construction.

We know the health consequences of this project will in themselves be long lasting and far reaching, but so will the end product, because what we will have is a tunnel that will include ramps that will require a lot of the city to be divided by an 8-metre high wall. We know that for generations to come Melbourne will be divided by walls that will define the city, walls that will divide the city in much the same way as we saw in Europe with the Berlin Wall — this ugly, unnecessary structure.

We know that for generations the tunnel will attract traffic, including trucks, and that those trucks will come through Melbourne's suburbs to get to the tunnel so we will see increased numbers of trucks and increased pollution. We know that there will be at least two smoke stacks, although interestingly we do not know where they will be, and I will come back to that.

We know the impact of this has alarmed many in the medical profession who have put in submissions on the comprehensive impact statement (CIS) process to the assessment committee. They are concerned about the impact this will have on hospitals in the area and on children living in the area. We know that as well as the 8-metre-high walls we are going to have these two massive smoke stacks that will dominate Melbourne and be a blight on the landscape. In terms of both the immediate and long-term consequences we are very concerned about the impact this project will have on Melbourne.

We know that for a city that is growing, open space is incredibly valuable, yet this project will remove public open space forever. It will be an attack on Royal Park; it will chew up important open space. It would be different if we were faced with a proposition that stacked up economically or indeed socially, but all the data we have seen so far shows that the figures being used to peddle and promote this tunnel are dubious and rubbery. They do not stack up; they have not been used before. The project does not make sense from either a social or an economic perspective — —

Mr Barber — I am convinced.

Mr TEE — I am pleased that Mr Barber is convinced. What is obviously missing in terms of the data and the figures is the business case, which brings us here today. It is also worth reflecting on some of the data and information which is out there and which has been made available in order to see some of the inconsistencies with which the public is required to grapple. Infrastructure Australia does not rate this project at all. It says that this project is a bit like the pokies; for every dollar you put in, you get less than 80 cents back. Yet somehow the government has come

up with a return of \$1.40, or 1.4, through its magic pudding formula. There is no explanation for this inconsistency, and without a business case there is no way the public can reconcile the differing figures.

However, what we increasingly know, as bits and pieces leak out, is that the assumptions the government has used to come up with its 1.4 return are dubious, far-fetched and simply do not stack up. We know that in order to get to this outrageous return of 1.4 the government has had to stretch the benefit time period to 30 or 40 years. It has had to include absurd assumptions and say outrageous things, such as that car parking will get cheaper as will the cost of running cars. In order to come up with a return of 1.4 the government has had to engage in an enormous stretching of logic and common sense. We do not think there is sufficient evidence out there for those figures to have any credibility. It is our view that a business case will give people a better assessment of the likely return to Victorians. As I said, a return on a taxpayer investment of \$8 billion will mean a debt for Victorians that lasts a generation.

The other issue that really concerns those of us on this side of the chamber is the very flawed process in which the government has engaged to evaluate this project. As we speak, there are hearings being held through an assessment committee which have been trumpeted by the government as giving Victorians an opportunity to be heard. Nothing could be further from the truth. The assessment committee's powers and its terms of reference are so constrained that most of the more than 1000 submissions fall outside the terms of reference. This is not an opportunity for Victorians to have their say; this is an opportunity for the government to have its way through a process that has been so confined that there is really only one outcome available.

There are a couple of examples that demonstrate this. If you have a submission that says we should have alternative funding and that the \$8 billion should go to public transport, that is outside the terms of reference and is not something that the assessment committee can consider. If you believe the tunnel should not go ahead, that is not something that the assessment committee can consider. If you believe there is a better route and that you can achieve the same with a different tunnel, that is not something the assessment committee can have a view about or consider. If you have any concerns at all about the project, the validity of such concerns cannot be considered by the assessment committee.

There are also things that are completely outside the scope of the assessment committee's process — for example, the location of smoke stacks that will dominate the landscape and pour pollution on nearby

schools and kids for decades to come is not something the Victorian public is allowed to have any say on throughout this process. When you add together the impact on Melbourne's landscape, the impact on Melbourne's economy, the fact that this project will reach capacity within 15 years so the benefits, such as they are, are miniscule — even on the government's own figures they will have concluded within 15 years — and the impact on those families who will lose their homes, or the long-term consequences, we think there is a compelling argument that Victorians be better informed. We think that should occur now because the government is rushing the process.

We know that much of the CIS process is occurring at the same time as, but separate to, the government's tender process. Even if you are able to squeeze through the very narrow jurisdiction the assessment committee has and effectively be part of that process, in a sense it does not matter because by the time the assessment committee process is completed and Victorians have had their say, the tender process will all but be completed. The tender documents will have been put in place, so you will have this absurd situation where tenderers are operating without any idea as to what conditions ought be imposed as part of the CIS process — —

Mr Barber — The exact same way you ran desal!

Mr TEE — I say to Mr Barber that experience in the past has shown that it is better if you complete the CIS process before the tender process. There are compelling reasons why there ought to be a more effective and open debate now, not after the election, which is what the government is proposing here. Let us have that discussion now so that in the lead-up to the election people can make up their own minds, informed by the business case.

We think it is incredibly important to move on this issue now so we can have a better debate. It is important to move on this issue now so the assessment committee, which is doing its best to operate within the very limited scope it has, is better informed as to the consequences in terms of the business case for this project. It is outrageous that an assessment committee doing its work in good faith is not being provided with the information it needs to properly perform its functions. We are concerned about the lack of information out there. We are concerned about what has been revealed in terms of the information that has come out, which has been sort of leaked out rather than being front-footed by the government. All of this creates an impression that the government is trying to ram through this project, and we think that is a terrible

outcome in terms of credibility and the integrity of both the comprehensive impact statement process and the government.

The government could go some way to remedying that by making available the business case, and we think that four months after the Council resolved that the business case should be revealed the letter from the Minister for Roads is not an adequate response. That is why we have moved this motion today.

Hon. R. A. DALLA-RIVA (Eastern Metropolitan) — I am pleased to speak on this motion. I made a contribution to that initial motion moved in the Council on 11 December 2013. I note that the minister has responded to the Council. A letter from the Minister for Roads in response to the Council's resolution was received on 19 February. The motion Mr Tee has moved says that letter did not include a business case or any commitment to release a business case. In fact that letter dated 19 February says:

The government is in the process of responding to this resolution. As part of this process, the government is liaising with affected third parties, including the Linking Melbourne Authority. This process has not yet been finalised.

Regrettably, the government is not able to respond to the Council's resolution within the time period requested by the Council. The government will respond as soon as possible.

Paragraph (2) of Mr Tee's motion, which says the minister did not respond to the Council's resolution, is factually incorrect, because the letter, of which I have a copy and which is in the tables office, demonstrates a response was provided to the Clerk of the Legislative Council.

Mr Tee — I said that.

Hon. R. A. DALLA-RIVA — Mr Tee may have said it, but his motion does not say that. Mr Tee's motion actually says:

(2) notes the letter of 19 February 2014 —

which I am holding in my hand here —

from the Minister for Roads in response to the Council's resolution did not include the business case or any commitment to release the business case ...

In fact the minister said the government was not able to respond, gave the reasons for that and added that the government would respond as soon as possible.

Mr Tee — I did not see the attachment.

Hon. R. A. DALLA-RIVA — Mr Tee is trying to put words in people's mouths, as I know he has done

with the Minister for Planning, Mr Guy, who keeps getting up and saying that the facts the member presents to this chamber are consistently incorrect. I am just correcting the record. I am correcting the motion before the chamber so that people reading this in *Hansard* later on will understand that the motion does not correspond with the communications that were provided by the minister on 19 February.

There is a further request on Mr Tee's motion. It says the house:

(5) requires the Leader of the Government to table by 6 May 2014 a copy of the business case for the proposed east-west link.

It is important to put on the record some of the background as to where we are at in response to the resolution. As members will know, as part of its 2013-14 budget the government has made a commitment of \$294 million allocated to progress formal planning and procurement. We know that on 16 July last year the government released the east-west link stage 1 reference design and, subject to completion of the planning process, construction is expected to commence in late 2014.

The project will be delivered as a public-private partnership with financing sourced from the Victorian government, the commonwealth government and the private sector. In the context of the motion before the chamber, it is important to understand why further letters were provided in response to the initial request by Council on 11 December, by the Minister for Roads on 14 March 2014. I am conscious that we are probably going to run out of time before question time.

When you undertake a business case it is important to put it into a record of some context. In an ABC radio interview on 25 November 2013 Jon Faine asked Linking Melbourne Authority CEO Ken Mathers about the decision not to release the east-west link business case. Mr Mathers speculated that the east-west link business case could be released at a future stage. However, it would not be appropriate to release it at the current time. This is due to commercial considerations while the project is in the procurement phase.

It is important to understand that the procurement phase is an important part of the contractual arrangements the government will undertake given that it has been well established that the cost of the east-west link project is somewhere between \$6 billion and \$8 billion. I note that in Mr Tee's contribution he went to the higher end, saying that it was \$8 billion. In fact that is a matter still to be decided through those commercial considerations while the project is in the procurement phase. The state

government supports the comments made by the Linking Melbourne Authority CEO that it would be inappropriate to release the business case at this time. This also supports previous comments made by the Treasurer, as this is standard practice and is consistent with other projects. I note that other business projects and cases have included EastLink, Peninsula Link, the desalination plant, myki and the north-south pipeline. I will have more to say after question time.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Wallan ambulance station

Mr JENNINGS (South Eastern Metropolitan) — I have a question for the Minister for Health. In the chamber on 18 February I reminded the minister of a commitment of the current government to build an ambulance station at Wallan — a commitment the government made in 2010 and a commitment it funded in the 2011–12 budget that has not been fulfilled. On 18 February the minister indicated to me that the project was well in hand and would commence shortly. Could the minister update the house as to whether that project has commenced in the ensuing period?

Hon. D. M. DAVIS (Minister for Health) — As the member indicated, we are very interested in seeing an ambulance station at Wallan. It was an election commitment of this government, and funding has been committed. That is unlike the previous government, which did not commit to funding an ambulance station at Wallan, which has still not committed to funding an ambulance station at Wallan and which is yet to apologise to the people of Wallan for the fact that it did not build it. I can assure members opposite that we intend to build it. Processes are under way. We are very keen to build that ambulance station, and I stand by our enthusiasm and commitment to build it.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — I am glad the minister has maintained his enthusiasm for and commitment to building the station, even though he has not been entirely accurate. The Labor Party committed to building the station at the same election the government committed to building it.

Hon. D. M. Davis — No, you didn't.

Mr JENNINGS — Regardless of whether the minister disputes the fact that I have asserted, let us stick to the minister's words of 18 February. On 18 February, in his answer to my question, the minister

turned to the President and said he could be very assured that that ambulance station would be built and would be built before the next election. Does the minister stand by that commitment?

Hon. D. M. DAVIS (Minister for Health) — I am determined to see an ambulance station at Wallan, and I am determined to see it as soon as possible.

Ambulance services

Mr D. R. J. O'BRIEN (Western Victoria) — My question is also to the Minister for Health, the Honourable David Davis, and it also relates to ambulances. I ask the minister if he could inform the house of recent announcements to support country ambulance services.

An honourable member — Dorothy O'Brien!

Hon. D. M. DAVIS (Minister for Health) — There is about to be another D. O'Brien in the chamber. I thank the member for his question and for his strong commitment to ambulance services. He has been a fierce advocate for additional resources in the Geelong region, the Barwon-south western region and the Grampians region.

I can tell the chamber that the government is determined to expand its capacity to service country Victoria. For many years now the RefCom service, the referral service, has been operational in metropolitan Melbourne, but in recent times the government has expanded the reach of RefCom into the Barwon-south western region, which is a region represented very ably by Mr O'Brien and Mr Koch, who are very focused members. There is also Mr Ramsay, who is a strong supporter of ambulance services, particularly in the Grampians region. He is working very hard to see those patient transport officers in Ballarat. There are nearly 40 additional officers in the Grampians region, and Mr Ramsay is working hard to see the Beaufort ambulance station go forward. I know Mr Ramsay has regularly been in touch with me about key ambulance services in the region.

The RefCom service is important because it seeks to match the needs of patients with the appropriate service. Many people who call the ambulance service have genuine, dire and urgent need, and the ambulances are dispatched and provide a very good service with strong support from the government and Ambulance Victoria. However, there are some people who call the ambulance service who do not need the dispatch of an urgent ambulance but need some other service. They may need to discuss a matter that relates to their health,

they may need GP services or they may need in-reach into certain home care or aged-care services, and all of those services can be sorted, provided and forwarded to people by the RefCom service. It is a very important service. It means that the demand for ambulance services is better managed and the precise needs of people are better targeted. It frees up our ambulances to serve the true and dire needs that arise.

Last year we rolled out the RefCom service in the Barwon-south western region, and that has been very successful. That trial has worked very well. It is a matter of making the links with primary care and other services in the region and delivering those services in a way that provides the best outcome for the community. The government has now committed to successively rolling out RefCom in the other four country regions of Victoria over the next period. It will roll out additional capacity and ability to provide those targeted services and to make sure that our paramedics are able to focus on those most urgent cases and get the very best results.

I pay tribute to the work undertaken by our paramedics, but RefCom is a service that supports the provision of ambulance services by ensuring that those cases that can be managed by alternative providers safely and in a sensible manner are made available. The government will ensure that those links with primary care are available in the other four regions, and it will roll out this service to additional areas of country Victoria in the forthcoming period.

I want to pay tribute to the work of the RefCom service. I visited its offices on Saturday, and I saw again firsthand the very good work the people at RefCom do. I can indicate that the government and Ambulance Victoria strongly support this service.

Ambulance services

Mr JENNINGS (South Eastern Metropolitan) — My question is to the Minister for Health. Following on from the minister's answer, I share his concern, if not alarm, about the level of ambulance support in the Grampians region, where in the last fortnight a 65-year-old man had a heart attack in Stawell and died prior to an ambulance arriving from Ararat because no ambulance was available to the Stawell community at that time. Clearly this is a sign of the lack of resources that have been available to ambulances across Victoria.

My question focuses on the lack of ambulance stretchers that were available to metropolitan Melbourne in real time on Monday morning. At 9.30 a.m. in the western region, there was one stretcher ambulance available, and in the outer east there were

two available at 10.30 a.m. What advice has the minister taken to remedy this appalling state of affairs and to address that crisis in ambulance services in metropolitan Melbourne?

Hon. D. M. DAVIS (Minister for Health) — It is important to place on the record that our ambulance service by and large does a very good job. Our paramedics do a very good job, and the government is providing the additional resources, the additional vehicles, the additional paramedics and the additional new stations to enable them to do their job. As the member pointed out, the RefCom service is part of that matrix of services as well. We are rolling out the RefCom service across country Victoria.

I can indicate to the member that I do not believe his description is accurate. As we know, we are in the middle of tough enterprise bargaining agreement (EBA) negotiations with a very tough union, a hard-left union that has paid Labor more than \$1 million in the last 10 years. That union has Labor by the bits — tight, tight, tight; it grabs really hard. The hard-left union has the Labor Party very much under control. I know the questions that come in this chamber — —

The PRESIDENT — Order! The minister is being colourful, but — —

Honourable members interjecting.

The PRESIDENT — Order! I could have sworn I was on my feet. The minister is clearly debating the question.

Hon. D. M. DAVIS — I accept your guidance on this matter, President, but I indicate that Labor members ask questions in this chamber, and they are clearly influenced by their organisational structure and influenced by the donations that are made to them by major unions that sit on their preselection panels and that control them — —

Mr Lenders — On a point of order, President, when a former member, Mr Pakula, raised in this house questions regarding the Free Enterprise Foundation and the 500 Club paying Mr David Davis's legal fees, you ruled that the financial affairs of political parties were not pertinent to public administration. I therefore ask that you rule Mr Davis out of order or that you reconsider that ruling. We are in a new position now where Mr Davis is bringing the finances of political parties into the answering of questions, and I would certainly welcome the opportunity to re-ask those questions about the 500 Club.

The PRESIDENT — Order! I stand by the previous ruling, and I will be very consistent today. I indicated to Mr Davis that I believed he was debating the question. The question put by Mr Jennings had nothing to do with the internal workings of the Labor Party. Mr Jennings did not seek Mr Davis's guidance on the workings or the finances of the Labor Party or his commentary on its preselections. Mr Jennings in fact put a question to Mr Davis about ambulance services. Whilst I understand Mr Davis might wish to reflect on the current enterprise bargaining agreement process, which is of a rather protracted nature, nonetheless Mr Davis owes the courtesy to the house of a response to Mr Jennings's question without debating it.

Hon. D. M. DAVIS — Again, President, I accept your good guidance on this matter. It is very clear that we are in the middle of an EBA, and the EBA leads to the union putting material into the public domain. The previous Minister for Health, Daniel Andrews, who is the member for Mulgrave and now the Leader of the Opposition in the Assembly, made the point repeatedly in the 2008 EBA process that up to half of what was put into the public domain by the union was not true. Many of the stories put into the public domain by the union fall very much into this category. Some are true, some are not true, some are partially true, some have a small grain of truth and some are outright false.

Mr Jennings — What has that got to do with answering my question?

Hon. D. M. DAVIS — I say to Mr Jennings that in metropolitan Melbourne it is a fact that there is much more in the way of ambulance services. Mr Jennings mentioned the metro west area, and I think it is important to put on record the number of additional paramedics that have been put in place over the last three years by this government — part of 465 statewide. There are 53 additional paramedics now employed — these are effective full-time numbers — in the western region of the city, providing additional paramedics and additional services. That does not mean that the demand for services does not go up and down in the normal way or that it is sometimes challenging for our paramedics and the ambulance service to keep up with significant demand.

It is true that by providing additional resources, new vehicles, new stations and additional paramedics the government is in a much stronger position. For any given day that Mr Jennings might like to point to in Melbourne metro west, imagine what it would be like without the additional 53 paramedics put in place by this government. Imagine what it would have been like under Daniel Andrews. Imagine the pressure on our

paramedics without the extra 53 and without the additional 465 statewide. We are putting the resources in to enable our paramedics to do the job to the best of their ability. We support them in that role, and as we just talked about a moment ago, we are rolling out RefCom in those other country regions of the state. This is about delivering better services, more effective services and making sure that our paramedics have the capacity to respond as required.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — I was quite prepared for the minister to humiliate himself in his response to my question. I think he insults the people of Victoria by being so flippant and dismissive of the concerns of the community about the availability of ambulance services. The minister asserts that some of the information in the public domain is inaccurate. Does the minister receive real-time advice from Ambulance Victoria that disproves that there was one stretcher ambulance available in the western metropolitan region at 9.45 a.m. on Monday and only two at 10.30 a.m. in the eastern region? Has the minister got any facts or any advice that has been furnished by Ambulance Victoria that disproves that information being shared in the community?

Hon. D. M. DAVIS (Minister for Health) — I do not have real-time advice in the way the member has described. What I can say is that from time to time matters are raised and need to be investigated by Ambulance Victoria, and later general advice is provided. That is the normal process through which such things occur. The previous Minister for Health made the point very clearly and in my view very accurately — after 2008 and 2009, in relation to the preparation of the last EBA — when he said that up to 50 per cent of the claims of the ambulance union were false. That is what he said, and I think he is on the money. A lot of the claims are just not accurate. A lot of them are overblown. There are cases where the ambulance service struggles and does not deliver the service that we would all want. They are investigated, and additional support is put in place. In metro east, which the member has referred to, 140 additional paramedics are in place now compared to three years ago.

The PRESIDENT — Time!

Multiculturalism

Hon. R. A. DALLA-RIVA (Eastern Metropolitan) — My question without notice is to the Minister for Multicultural Affairs and Citizenship, the

Honourable Matthew Guy. As a first question to Mr Guy in his new capacity as that minister, I ask: can the minister inform the house what action the government has taken to take greater steps to showcase Victoria's migrant multicultural communities?

Hon. M. J. GUY (Minister for Multicultural Affairs and Citizenship) — What a wonderful question from Mr Dalla-Riva. I thank him very much for that first question to me in my capacity as Minister for Multicultural Affairs and Citizenship.

Mr Somyurek interjected.

Hon. M. J. GUY — I think more than anything else the wonders of this portfolio will now mean — and Mr Somyurek is quite right — that I will have the legitimate ability to rant in the chamber in Ukrainian, and no-one will have the ability to interject or pick me up on it. If I said *Ліберали і Націоналі люблять поїзда!*, which means 'Liberals and Nationals love trains', that would be very fitting today. It is a bipartisan portfolio and one that should remain so. This portfolio, as I said, is one that has had a lot of bipartisan support through many decades across this state. That support should continue because this state is heavily committed to multiculturalism and always has been.

For those who think otherwise, I want to put on record that multiculturalism is not about part of the community, new arrivals or post-war arrivals; it is about all of us. It is about everyone in this country, be they Indigenous, be they a new arrival, be they an Irish immigrant from the 1800s or indeed someone with half-Ukrainian routes from post-World War II. That is what makes Victoria in particular such a wonderful place. Forty-seven per cent of our population has a parent who was born overseas. Twenty-six per cent of our population was born overseas. It was an absolute honour to become the new minister.

Ms Mikakos — Will you condemn George Brandis's comments?

Hon. M. J. GUY — I advise Ms Mikakos that this is my first question. She should allow me at least to put on record some of the wonderful benefits of the multicultural state that we live in today.

As I was saying, it was an absolute honour to be sworn in midway through Cultural Diversity Week. This week showcases what this state and its many communities and cultures have to offer. The Premier's gala dinner took place on Saturday night and was attended by the Leader of the Opposition and the Premier. I pay tribute to the wonderful work of the outgoing minister, the member for Bulleen in the Assembly, Nicholas

Kotsiras. His work in terms of leading this state and building on its multicultural foundations for three years was highlighted at the presentation on Saturday night.

I inform the chamber that Cultural Diversity Week peaked at the Viva Victoria festival on Saturday at Federation Square — and what a wonderful festival it was. We had bands from all around the world, with many communities playing and showcasing their talents — cultural, linguistic and, of course, culinary — to many people at Federation Square. There were awards for students as part of Cultural Diversity Week, and I gave those out with a very enthusiastic five-year-old preppy, my own son, standing by me. Awards were given to many students who participated throughout the state, from Manor Lakes primary, which is in Mr Elsbury's electorate, to schools in the eastern suburbs. It is about how this state is growing and growing together as one.

I am very proud to have been given this portfolio and to inform this chamber of the fantastic events that took place throughout Cultural Diversity Week, and to see that many people, including those from all sides of this chamber, took part in some of those events that are not just about building a better Victoria but also about building a better future for every Victorian, wherever they are from.

Ambulance Victoria

Mr JENNINGS (South Eastern Metropolitan) — My question is for the Minister for Health. At last year's Public Accounts and Estimates Committee hearings, which he attended, the minister gave a commitment that the statement of priorities for Ambulance Victoria for the year would be released during the course of this year. The minister would be aware that up until this point in time that commitment has not been met and that there has not been a statement of priorities published under his leadership as Minister for Health. Can the minister provide a reassurance that the statement of priorities has been agreed to between himself and Ambulance Victoria? If the minister cannot provide us with that assurance, has he directed and instructed Ambulance Victoria on what his statement of priorities is for this financial year?

Hon. D. M. DAVIS (Minister for Health) — As the chamber will recall and understand, when we came to government in 2010 the ambulance service was a basket case. A botched and mismanaged merger had occurred. We are slowly and steadily working with Ambulance Victoria to reinvigorate it, to get the matter of the ambulance service structures right and to ensure that the data and the capacity of Ambulance Victoria is

much stronger. We are doing that work, and we will continue to do that work.

Ambulance Victoria plays a critical role, as the community knows, but the clean-up from the botched merger under former health minister Daniel Andrews, who is now the Leader of the Opposition and the member for Mulgrave in the Assembly, and the shocking state that the ambulance service was left in has taken a lot of work — and the Auditor-General looked very closely at this in the report he tabled in October 2010. More resources have been going in than ever before, including the \$151 million package and the promise of 340, now 465 and more on the way, additional paramedics to deal with the big black holes in support and service that were there under the previous government. There is also the rebuild of key ambulance stations, the putting in place of patient transport officers and working through the financial system.

The reality is that when we came to government there was a \$56 million black hole in the budget of Ambulance Victoria. That is the stewardship of the previous government. It is what we inherited from the previous government. The underlying deficit there was extraordinary — —

Mr Jennings — That's the first time in three years we've heard that.

Hon. D. M. DAVIS — No, it is not. I have used the figure in the chamber on a number of occasions previously.

An honourable member interjected.

Hon. D. M. DAVIS — Who was the health minister? I can say it was Daniel Andrews. We are working very hard to reinvigorate the ambulance service. I have explained in the chamber today that 140 additional paramedics have gone into the eastern region. Previous data was unavailable and hidden. Transfer time data, hospital early warning system (HEWS) data — all of that was kept secret by the previous government. The refusal to release that data was a key problem.

Recently in this chamber I talked about the Stripp report and the influence that report has had. It has had a huge influence. There are much better transfer times in this state now, and that is a significant improvement.

Mr Jennings — How do you prove that?

Hon. D. M. DAVIS — Mr Jennings will see as the data comes forward these clearly have improved the times — —

Mr Jennings — You are asserting this; where is the data?

Hon. D. M. DAVIS — The data is released in the normal way, and you will see the data come forward as it is collated into its normal — —

Mr Jennings interjected.

The PRESIDENT — Order! It is question time and the dynamics of that are that a member asks a question and the minister answers. The dynamics do not involve a conversation across the chamber inviting the minister to have a chat. In terms of interjections, can we recognise that they are disorderly and allow the minister to respond to the question.

Hon. D. M. DAVIS — There are a number of matters that obviously Ambulance Victoria is still facing challenges with. We still have a live enterprise bargaining agreement and a hardline, left-wing union that is still seeking on many occasions to undermine the work of Ambulance Victoria. We still have the need to have key services, like the RefCom service that we have just talked about, in place, and we are rolling out that additional capacity and additional support across the system.

What I would say to the member is we will continue to work with Ambulance Victoria. We will continue to put more information and more data into the public domain than has ever been the case in the past and certainly was the case under the previous health minister, who routinely hid the HEWS data, the transfer time data — all of that key information.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — Thank you, President, for your direction and for allowing the minister to have enough rope from my perspective, because when the minister was asked the question whether he was going to comply with an undertaking he made at the Public Accounts and Estimates Committee to provide the statement of priorities within this financial year, he did not even address that matter. The minister would be aware that section 22F(5) of the Ambulance Services Act 1986 requires him to release statements of priorities if they are called for within the community. Is that the device that I would need to use in question time for the minister to release that information publicly, or does the statement of priorities not exist for this financial year?

Hon. D. M. DAVIS (Minister for Health) — I think the member needs to understand clearly the basket case that we inherited. We have been steadily working with Ambulance Victoria, improving its management structures, improving its financial control, improving its capacity to deliver services, whether it be the rollout of RefCom, whether it be the additional ambulance stations, whether it be the additional 465 paramedics that are being put in place.

As we go forward we are putting more and more information into the public domain, whether it be the performance on HEWS, the performance on transfer times or key documents about the performance of Ambulance Victoria. Ambulance Victoria, as members know, reports annually to the Parliament, and I give significant information at public accounts hearings, too.

All of those are key steps. Obviously there is the need to deal with the challenge of the transfer of patients — and the Stripp report has made a huge difference to that — and all of that will come forward as time goes by.

Early childhood facilities

Mr FINN (Western Metropolitan) — My question is addressed to the Minister for Children and Early Childhood Development, and I ask: can the minister tell the house which Victorian communities have welcomed new early childhood facilities in recent weeks through the children's facilities capital program?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — I thank Mr Finn for his question and for his ongoing interest in early childhood development. I know that as a father of young children he understands that investment in early childhood education can pay great benefits later on in life. I am pleased to say that since I last reported to the house on the children's facility capital program, just in the last sitting week, a further six centres have been opened or begun construction. The first of those was on Friday, 14 March, when Mr Delahunty, the member for Lowan in the Assembly, opened the newly refurbished Natimuk Preschool Centre, the refurbishment of which was made possible through a grant of \$195 000 from the Victorian government.

On Tuesday, 18 March, together with Mr Elsbury, and in his and Mr Finn's electorate, I opened the Avondale Heights Childcare and Early Learning Centre. This is a fantastic centre. Just \$200 000 from government leveraged a \$2.1 million investment from the local council. That community should be proud that it has a local council that is investing in the future of their

children. It is a fantastic community facility. As soon as you walk into it you feel that your children will be cared for and that it is a fantastic environment.

On Wednesday, 19 March, there were two openings. The member for Forest Hill in the Assembly, Neil Angus, opened a facility at Springvale South, the Darren Reserve Kindergarten renovation. This was made possible through \$300 000 from the Victorian government and a further \$391 000 from the local council. Also on 19 March the member for Gembrook in the Assembly, Mr Brad Battin, opened the Dandenong North East Kindergarten redevelopment. There was \$190 000 from the state government and \$400 000 from the local council.

On Friday, 21 March, the Minister for Environment and Climate Change, Ryan Smith, turned the sod for the construction of the Norwood Family and Children's Centre, another fantastic children's hub that will be built in the Ringwood community. There is \$880 000 from the Victorian government but an investment of \$2.9 million by the local council. They are fantastic results for that local community.

Also on Friday, 21 March, the member for Mildura in the Assembly, Mr Peter Crisp, opened the Mildura South Kindergarten refurbishment. This has been funded by \$300 000 from the Victorian government, \$161 000 from the local council and, importantly, \$27 000 from the kindergarten itself through its fundraising. We all know how difficult fundraising is, and for the kindergarten committee to contribute \$27 000 towards that refurbishment was a fantastic achievement.

The children's facilities capital program is really paying dividends in this state. It is not only investing in facilities but it is increasing kindergarten places, it is providing consulting rooms for allied health professionals and maternal and child health nurses, and it is providing new kindergarten rooms and increased access for children with a disability. This government is investing in early childhood development because it knows that this is a long-term investment in the future of Victoria's children. We are very proud of the \$106 million we have invested in children's capital.

Ann Nichol House

Ms MIKAKOS (Northern Metropolitan) — My question is to the Minister for Ageing. The Bellarine Community Health aged-care facility, Ann Nichol House, sits on Crown land and is listed on the Department of Health asset register. It is about to be sold by Bellarine Community Health to a private

provider against the local community's wishes. Will the minister intervene to stop the transfer of the lease of Crown land and committee of management arrangements to a private provider and ensure that Ann Nichol House remains a community asset?

Hon. D. M. DAVIS (Minister for Ageing) — I have only recently become aware that Bellarine Community Health wishes to sell its ownership of that site. It is obviously an independent community health centre that services the community on the Bellarine Peninsula. It operates largely within the commonwealth sphere with respect to aged care, and the funding is provided by the commonwealth in large measure to Bellarine Community Health. I note that they seem to indicate that there are some significant challenges confronting the broader aged-care system in Australia. Certainly in the material that I have seen in recent days they have made the point that some of those challenges, under the new national arrangement put in place by the Labor government, are significant challenges.

I have taken an interest and will receive additional information regarding Bellarine Community Health's interest in this, but I do make the point that Bellarine Community Health is largely operating within the commonwealth sphere in terms of funding; it is commonwealth regulated and accredited by the commonwealth government under an aged-care funding system put in place by the Gillard federal government.

Supplementary question

Ms MIKAKOS (Northern Metropolitan) — Last night during the adjournment debate in the Legislative Assembly the Minister for Environment and Climate Change told the member for Bellarine that the land was on the asset register for the Department of Health and that 'it will be up to the Minister for Health to determine the future of that land'. Will the minister in his role as Minister for Health and Minister for Aged Care follow the wishes of the community, the City of Greater Geelong and the Borough of Queenscliffe and agree not to approve the transfer of this land to a private provider?

Hon. D. M. DAVIS (Minister for Ageing) — The point I would make here is that the system of aged care in this state is commonwealth funded and commonwealth regulated. Whilst the land may be public land, the funding of the service and the control of the service is a matter for the community on the one hand, but the funding is a matter for the commonwealth under a system put in place by the former Gillard government in the recent period. It is a key matter for

the commonwealth government to look at what is required. Communities make certain decisions, and this is a registered community health service. The government does not control registered community health services. They are independent, as the member well knows. That community health service will make its own decisions, but we will discuss what is appropriate in the circumstances — —

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

Responsible gambling initiatives

Mr ELSBURY (Western Metropolitan) — My question is to my friend and colleague the Honourable Edward O'Donohue, Minister for Liquor and Gaming Regulation. Can the minister inform the house about any recent initiatives of the Victorian Responsible Gambling Foundation to assist in reducing gambling-related harm?

Hon. E. J. O'DONOHUE (Minister for Liquor and Gaming Regulation) — I thank my friend Mr Elsbury for his question and acknowledge his ongoing interest in matters associated with liquor and gambling regulation and in particular around responsible gambling. This government came to office with a very clear agenda in this space. We allocated \$150 million to establish the Victorian Responsible Gambling Foundation, which was the largest ever investment of its kind in Australia, representing a 41 per cent increase compared to what those opposite provided when they were in power. Those additional resources are enabling the independent Victorian Responsible Gambling Foundation to do some fantastic and innovative work. I am pleased to report to the house on some of the important initiatives that are under way.

The foundation has recently launched three grant rounds aimed at reducing gambling-related harm: prevention grants, grants to culturally and linguistically diverse (CALD) communities and research grants. The prevention grants encourage innovative, locally relevant prevention projects which have a focus on the determinants and risk factors associated with gambling-related harm. The funding pool for these projects has increased fourfold to \$2.4 million. The CALD grants of up to \$150 000 are available for organisations working with the Vietnamese, Chinese or Arabic speaking communities to address their health and wellbeing needs. The foundation has identified these groups as priority groups based on recent statistics from the Australian Bureau of Statistics and Gambler's Help. The research grants encourage researchers from a variety of disciplines to undertake independent,

investigator-initiated research into gambling and problem gambling.

So far more than \$2.5 million has been granted to fund 26 independent research projects. This government is committed to tackling problem gambling, and I welcome these grants that encourage innovative ideas to reduce gambling-related harm in our community.

Hazelwood mine fire

Ms HARTLAND (Western Metropolitan) — My question is to the Minister for Housing, Ms Lovell. It relates to the major disaster in Morwell resulting from the month-long fire in the Hazelwood mine. Aside from the important concerns about the health impacts on residents, there are also important concerns regarding the material impact of the fly-ash that has blanketed many areas of Morwell. It is in people's homes, cars and properties. In some cases it has caused damage to homes, and the clean-up costs may be beyond what many can afford, particularly those living in public housing. As there are several hundred Department of Human Services houses in Morwell, what programs are in place to decontaminate and clean these houses?

Hon. W. A. LOVELL (Minister for Housing) — There are 82 public housing properties in the South Morwell area, 77 of which are older persons units. At the height of the fire we contacted our tenants. We dealt with their health needs, their mobility issues and other support requirements. We contacted 98 per cent of tenants, and 74 per cent of them advised that they had already relocated or were in the process of relocation and did not require any assistance, with 26 per cent preferring to stay in their public housing properties. Housing officers will continue to monitor the situation to ensure that support and assistance is provided to those tenants as it is needed. Obviously the issues following the fire will be a broader concern for the entire community, but believe me, public housing tenants will not be forgotten.

Supplementary question

Ms HARTLAND (Western Metropolitan) — Can I take it from the minister's answer that there is in fact no program in place to clean up or decontaminate these houses that are now full of fly-ash? That was my question. What I need to know is: does the government have any programs in place to clean these properties?

Hon. W. A. LOVELL (Minister for Housing) — The clean-up in Morwell will be a broader issue for the entire community, not just for public housing tenants, but public housing tenants will not be forgotten.

Premier's Active April

Mr ONDARCHIE (Northern Metropolitan) — My question this afternoon is to the Minister for Sport and Recreation, the Honourable Damian Drum. As the minister can tell from my svelte, tight figure I am clearly an elite athlete. As a result of that, I am wondering if the minister can inform the house of what Premier's Active April is all about.

Hon. D. K. DRUM (Minister for Sport and Recreation) — I thank the member for his question even though I have, somehow or other, missed out on being a good friend and colleague. However, I promise not to take offence. Mr Ondarchie also gave a very loose definition of the word 'elite'.

Premier's Active April is a program that is going to be launched in April, and I am alerting members of Parliament to this fantastic program so that they are able to get out and work with their own publications and networks to encourage as many Victorians as we possibly can to get involved in the Premier's Active April. The science is obviously in on mild physical activity of up to 30 minutes a day leading to a whole range of lifestyle, health and social benefits. We are therefore putting the challenge out to all Victorians to do 30 minutes of exercise each day throughout April.

Mr D. R. J. O'Brien — More people more active more often.

Hon. D. K. DRUM — It is a great saying from my predecessor, Mr Delahunty, the member for Lowan in the Assembly, who was always spreading the word about getting more people more active more often.

The Premier is going to set this challenge, but I have registered to also take up the challenge, and I encourage all members in the chamber to register. It will be an opportunity to follow what the Premier is doing and what I am doing. They can also have their own supporters in their community follow the activity they are undertaking throughout the program. It does not matter what the activity is, whether it is just a recreational activity such as walking or cycling on one's own in an unorganised manner or taking that extra step, which might lead to getting involved in organised sport and team activities such as tennis, basketball, netball and the like.

We are so committed to this program that we engaged the support of Melbourne Vixen captain, Bianca Chatfield, who was at Parliament House last night, and also former Victorian and Essendon Football Club champion Tim Watson. These two outstanding

Victorians are going to be our ambassadors for the Premier's Active April. We are hoping they too will encourage more Victorians to check it out by going online and registering at the website www.activeapril.vic.gov.au. Let us try to encourage as many people as we can to get involved in this program in the real hope it will not only lead to more people getting active but they will also progressively get involved in organised sport, giving more Victorians the benefits that come with a better and more active lifestyle.

QUESTIONS ON NOTICE

Answers

Hon. D. M. DAVIS (Minister for Health) — I have answers to the following questions on notice: 8152, 9585, 9836, 9949–10 027.

PARLIAMENT BUILDINGS

The PRESIDENT — Order! Before we return to general business I would like to make a short statement. Following expressions of concern about possible health risks associated with Parliament House, the Speaker of the Legislative Assembly, the Honourable Christine Fyffe, and I have established an independent expert panel to immediately examine those concerns and provide advice on appropriate measures to address them. The independent expert panel, established in consultation with Cancer Council Victoria, will be chaired by Professor John McNeil, head of the department of epidemiology and preventive medicine and head of the school of public health and preventive medicine at Monash University. The panel will include Professor Graham Giles from the cancer council and representation from the chief medical officer and expert medical oncologists.

The panel will determine whether there is an excess risk of breast or other cancers among parliamentarians and employees of the Parliament, based on the background incidence of cancer among the Victorian population, and will undertake an environmental survey of the site for carcinogenic exposures. The panel will provide advice to the Speaker and me. It will propose measures to address the current concerns and will inform priorities to address any relevant occupational health and safety risks associated with the occupancy of the 160-year-old building and any temporary structures on the grounds.

I also note that the Premier has expressed an interest in ensuring that this building is a suitable workplace for members of Parliament and staff and also for visitors.

We are always conscious of our occupational health and safety responsibilities. Given that there have been some concerns raised, and without having any direct links that suggest there is a link between the building and certain health issues, we nonetheless believe that those matters need to be explored promptly so that members and staff can be assured of safety of the environment in which they work.

PRODUCTION OF DOCUMENTS

Debate resumed.

Hon. R. A. DALLA-RIVA (Eastern Metropolitan) — Before question time I was in the process of going through some of the issues around the motion Mr Tee has put before the chamber. In terms of the business case ordered by the resolution of the Council on 11 December last year, I outlined that on 19 February a letter addressed to Mr Tunnecliffe was provided to the chamber advising that the government was seeking additional time to respond to the resolution. I was also in the process of indicating to the chamber that there was some communication, which is important in the context of the current motion before the house, as to why the government is proposing the outcome it is in response to Mr Tee's motion.

I will reiterate that communication. On 25 November 2013 on 774 ABC Melbourne John Faine asked Linking Melbourne Authority CEO Ken Mathers about the decision not to release the east–west link business case. The CEO speculated that the east–west link business case could be released at each stage; however — and this is important — it would not be appropriate to release it at the current time. This was due to commercial considerations while the project is in the procurement phase.

The state government supports Mr Mather's comments that it would be inappropriate to release the business case at this time. Previous comments made by the Treasurer support this as standard practice consistent with other projects. Other projects that did not have business cases released include EastLink, Peninsula Link, the desalination plant, myki and the north–south pipeline. I think it is important to note that Mr Tee is asking for the business case when under his watch, while he was sitting on this side of the chamber, we had the desalination plant, we had myki, we had the north–south pipeline and we had EastLink.

The government is currently involving the private sector in the delivery of the project, and the business

case contains sensitive commercial information which if released would severely inhibit the government's ability to get the best value for money for the project. As I indicated, the estimated cost of the project that has been specified in the public domain is between \$6 billion and \$8 billion. It is important to note that as part of ensuring that we have value for money and that there is a fair bidding process the government's view is that further release of the business case for the proposed east–west link is not appropriate in the circumstances and at this particular point in time.

Just to finish on Mr Tee's motion, I note also that after the advice to the Clerk on 19 February another document was provided in which it was said that the government was in the process of responding to the resolution and the Minister for Roads indicated that he would respond as soon as possible. On 19 February the Minister for Roads provided an answer, as requested. Subsequently a follow-up letter, dated 14 March, was tabled in Parliament. In terms of the motion, I think it is important that I read it again. It is not a long letter, so I will read it into *Hansard*.

As I said, the letter is dated 14 March. It is addressed to Mr Tunnecliffe as the Clerk of the Legislative Council. It is headed 'Order for documents — business case for the proposed east–west link'. The Minister for Roads says:

I refer to the Legislative Council's order of 11 December 2013 seeking the production of:

'the business case for the proposed east–west link.'

I also refer to my letter to you dated 19 February 2014 advising that the government required additional time to respond to the resolution.

The release of the business case would be prejudicial to the public interest. This is because release of the business case would reveal the deliberations of cabinet, reveal high-level deliberations of the government, reveal information obtained on the basis that it would be kept confidential and because release will likely result in prejudice to the state's commercial or financial interests with respect to the ongoing tender process.

I respectfully request that the Council not insist on the production of the business case.

In order to assist public debate, I have attached the *East–West Link Stage One — Executive Summary — Short Form Business Case*.

On the motion, in the context of the government's response through the minister's letter of 14 March as received by the Clerk of the Legislative Council, which I have just read, the other notations, notably from the Linking Melbourne Authority, that I have made in my contribution and the government's view that the further

release of information, including the business case, would be inappropriate at this time, the government is not in the position to support Mr Tee's motion.

Mr BARBER (Northern Metropolitan) — When Mr Tee finished talking about how bad the proposed east–west toll road will be I was even more convinced than I was before hearing him that this is a bad project for Victoria. What I am not sure about is why, if he can articulate so clearly how this project will not stack up environmentally, socially or economically, he would want to build it. The position of members of the Labor Party is quite clear: they are really, really, really opposed to the east–west toll road, unless the now Premier signs off on the contracts, in which case they will build it. I am not the only member of the community scratching their head about how someone can adopt such a position. That position would see Mr Tee, and no doubt many other Labor members from around the state but most importantly from the inner city, turning up in 2018 for the ribbon cutting on a project that Mr Tee just described as ugly and destructive and overall the complete opposite of the type of project we want to see here in Victoria.

Mr Tee even made the point that the money could be better spent on other public transport options. What we know is that if the Premier moves in a timely way and signs off on the contracts for this project — I certainly hope that he does not, but if he does — then Mr Tee and others in a future government of which he is a member are committed to completing the project. It would be nice — they might even invite a few Liberals to the grand opening of the east–west toll road — just to recognise that it was a joint Labor-Liberal project. I am more hopeful than that.

Mr Finn interjected.

Mr BARBER — Mr Finn should not worry. I will be protesting even in 2018 at the opening if we get that far, but I am hopeful that we will not. The community has seen sense and is getting active. We have a public transport campaign here in Melbourne that is bigger than I have ever seen before. Even without the business case people have worked out that this is just not the type of direction, let alone individual project, they want for their city. They certainly do not want to blow \$15 billion on it when that could pretty much deliver most communities' dream projects for public transport and make an immediate difference to people's lives across all of Melbourne and maybe even regional Victoria.

The motion before us notes that the business case has not been received, with which I agree. The motion

notes also that the letter the Council received from the Minister for Roads did not provide any commitment to release the business case, and I agree with that.

Paragraph (3) says that this house:

affirms the privileges, immunities and powers conferred on the Council pursuant to section 19 of the Constitution Act 1975.

They are the privileges, immunities and powers of the House of Commons that this house was given in 1855 to demand that any document, person or thing be made available. I agree with that part of the motion.

Paragraph (4) says that this house:

affirms the need to protect the high standing of Parliament and to ensure that the Council may properly discharge its duties and responsibilities.

I do not know of any Parliament around the world that has voluntarily given up power. In fact I do not know of one that has given up power at all. Why would we want to start that today on this very issue? So I agree with paragraph (4).

Paragraph (5) says that this house:

requires the Leader of the Government to table ... a copy of the business case ...

What I was really hoping to see was a paragraph (6) in which Labor Party members committed that should they be elected they will do two things. The first is that they will amend the Audit Act 1994 to give the Auditor-General a crack at this type of material, and the second is that they commit that all business cases considered by government and even cabinet will be made available to the public at some stage.

We have already had in Parliament an inquiry into the Audit Act. Both the last Auditor-General and the current one have made it very clear that their view is that the more that services are tendered out — the more public money that goes out in the form of private-public partnerships — the less scrutiny there is of where those public dollars are going. With his current powers under the Audit Act the Auditor-General cannot follow the public dollar all the way to ensure that it is being well spent.

There are now billions and billions and billions — and that is no exaggeration — tens of billions of dollars of public cash that will go out in the form of public-private partnerships, and the Auditor-General is not in a position to go and audit them. They are included in the annual accounts of the state of Victoria, but they are included as cash flows only — the net present value of those cash flows, in fact. Only if money is transferred

from us to a private provider or from the private provider to us in the form of a concession do we have any idea what is going on. Even then, all we really know is that that cash, over a future span of years, will fly back and forth to the public.

It is very simple, and I thought we had the consensus of all parties in this Parliament through that Public Accounts and Estimates Committee inquiry — and that was to amend the Audit Act 1994 so that the definition of public body goes a bit wider and allows the Auditor-General not to become the auditor for CityLink, EastLink or the exhibition centre but to be able to follow the public dollar and in the process follow the public interest in those very large and in some cases quite strategically significant projects.

Sitting suspended 1.01 p.m. until 2.02 p.m.

Mr BARBER — The Royal Children's Hospital and a number of public-private partnership public schools are out of the reach of the Auditor-General except from the point of view that he could audit the state's contract management. He cannot audit the state of these entities. I would have thought it would be the easiest thing in the world for the Leader of the Opposition and member for Mulgrave in the Assembly, Daniel Andrews, to have already committed to making the necessary changes to the Audit Act 1994 as requested by the Auditor-General and as agreed to by the Public Accounts and Estimates Committee in its inquiry. It is that kind of transparency that starts to rebuild trust in government.

Having listened intently to Mr Tee's speech, I would have thought that his party would have already committed to removing some of the exemptions from the Freedom of Information Act 1982 so that documents other than those that expose the deliberations of cabinet — that is, material generated by departments that is routinely shown to groups of ministers but which has no great cloak of secrecy attached to it — could be routinely released through the Freedom of Information Act, or, if Labor prefers, to have simply committed that business cases in a certain format over a certain size in relation to highly expensive and sensitive projects will be released. But there is none of that from the Labor Party. We have already heard the Liberal government's response. It is simply following in the tracks of the government that came before it, which itself simply followed in the tracks of the government that came before it, with the result being that secrecy has grown the entire time.

Secrecy is a big issue. If you constrain and close down debate, the energy of citizens wanting to have a say in

the democracy gets directed in other ways, whether that be through marching in the streets, market boycotts, social media or sometimes even non-violent direct action against unjust laws and unpopular government policies. Push citizens out of the formal space and inevitably that is what you get.

Whether it is the business case in relation to this project or all business cases for all future major infrastructure projects, public or private or those occurring within state-owned enterprises, Mr Tee well understands — he has articulated it very well with this motion — that it is absolutely essential for the health of our democracy that this type of information come out. If it had chosen to do so, the government could have used the comprehensive impact statement to bring some of this material to light. After all, an environmental impact statement or a comprehensive impact statement is simply trying to bring out the various social, economic and environmental benefits and disbenefits and weigh them up. But if one whole part of that — the actual business case, let alone the economic case — is hidden, then it is impossible to even begin that balancing act.

The government says that there would be a bad competitive outcome if we released the business case. That is codswallop. All the relevant information about this project that is needed to make a tender bid has been provided to both the shortlisted consortia. They know all about the traffic projections; they know what they are based on. They know all about the various problems likely to be encountered in construction. Everything the government has done to prepare the project for tender has been about reducing those risks and therefore that information has of course been provided to the shortlisted tenderers.

The only people who are not allowed to know are ordinary citizens. The government knows, the possible tenderers know and a vast list of insiders, including the Linking Melbourne Authority, all know, but the person whose money it is — the public investor, if you like — is not allowed to know yet they are being forced to go through the indignity of undergoing the comprehensive impact statement process while in the most part being in the dark about its really important aspects.

This is just another symptom of a government that has basically lost its way and drifted for most of its term. Suddenly, in a panicked reaction, it wanted something big to announce, so it looked around and found this never-ending proposal to join two freeways together. This thing has been coming back like a zombie throughout my entire career as a politician. The government looked around for something easy to build, and it said, ‘That’s it. We are going with it’.

Every other time line, including proper public consideration, as well as design and construction, has been massively concertinaed around one date which will allow the government to announce that a winning tenderer has been selected prior to the election. Every other process associated with this project has been concertinaed to achieve one political goal, which is the Premier standing at the end of the Eastern Freeway and making an announcement just before he goes into caretaker mode. He will sign the contract 10 minutes before he goes into caretaker mode. On that basis the Labor Party has decided that it will build the road —

Mr Finn — If it is such an unpopular project, why would he do that?

Mr BARBER — Mr Finn asks an extremely good question. It is no exaggeration to say that I have lain awake at night asking myself that question.

The *Herald Sun* has basically thrown in the towel on this project. The *Herald Sun* —

Ms Crozier — Are you knocking the front page of the *Herald Sun* today and its announcement? You should be embracing it.

Mr BARBER — I am looking forward to further debate with Ms Crozier on this question. The *Herald Sun* has thrown in the towel because after relentlessly promoting this project it turned around and said, ‘Okay, we’re going to do an opinion poll’. Of course the opinion poll found that a tiny minority supports the project and a vast majority supports investment in public transport. That was a great moment because even the most populist end of the media had admitted to itself that the project did not have popular support.

The Eastern Transport Coalition has done a survey of public opinion on the simple question, ‘What is more important to you, new road and freeway development in the eastern suburbs or new public transport in the eastern suburbs?’. The results would be quite sobering for the Premier because in the area where there may be some benefit from this project — that is, the area of Manningham, where commuters have very poor public transport choices and might save 5 or 10 minutes in a 20 or 30-minute trip — there was more support for this project than in other eastern municipalities. I think the figure was around 26 per cent. In other municipalities across the east there were much lower levels of support for prioritising more roads and tollways.

What was most interesting was that Manningham showed the highest support of any council for the building of extra public transport infrastructure. The net of the two things — the trains versus toll roads figure, if

you like — was highest in favour of public transport in the city of Manningham. The people who might actually benefit from this thing are calling out for public transport, and the only place there is any modest level of support for this particular project is in two of the safest Liberal seats in the country.

Honourable members interjecting.

Mr BARBER — As prompted by Mr Finn, I lie awake at night and wonder who exactly this project is for. It is an albatross around the coalition's neck. Those in government are three and half years into a four-year term. They have practically nothing to show for it in the public transport area, and they are desperate.

Mr Finn — You should start reading the *Herald Sun*. What's on the front page of the *Herald Sun* today?

Mr BARBER — Have a look at tomorrow's *Herald Sun* to see what the vox populi says about your particular project. It seems to be for the same audience as the east–west toll road. It seems to be designed for a senior executive who has a packaged car, drives down the eastern toll road, goes into their employer-provided car park and then gets a free ride on the tram in the CBD. It will not be helping anybody who already pays a public transport fare to get to the city.

The problem is that it is too little, too late. Voters are smelling the desperation. As those opposite go down the same road as former Premier John Brumby by running lots of ads about transport on TV in the run-up to the election, the voters are being reminded even more of the failure of this government when it comes to the most important issue of the 2010 election, public transport.

One wonders what was going on inside the mind of the Premier and the cabinet in the party room. It must have sounded really good when it was being pitched to them by construction firms and merchant bankers, but it has received a ginormous raspberry from everybody out there in the general public, who in no time whatsoever has sniffed that this project is a dud. Labor is hedging its bets, but there is a bit of a road to travel before we see how we go.

We now know that the government is not going to support this motion. It does not believe in transparency as a principle, and in this case it cannot afford to have transparency in practice because if this business case was presented in this Parliament it would be immediately seen for what most people have already seen it as, a giant waste of taxpayers money when a great long list of better investments could be made in

the realm of public transport — never mind schools and hospitals — for that same \$15 billion price tag.

Ms CROZIER (Southern Metropolitan) — I am pleased to rise to speak to Mr Tee's motion 742 this afternoon following on from Mr Barber's contribution, which I have just listened to.

Mr Finn interjected.

Ms CROZIER — I actually want to talk about Mr Melhem, Mr Finn, because he is somebody who has supported the east–west link. As we know, he came out on a number of occasions supporting the east–west link, and I was going to quote him in relation to that. Now that Mr Finn has reminded me I will go straight to that before talking to the motion in detail. I remind everyone in the chamber that only last year, on 17 March, Cesar Melhem, who was then the Australian Workers Union state secretary, said the east–west link should be a priority for Premier Napthine. He said:

The key here is to decide on a solution and go with it, get it moving, and get the Victorian economy moving.

...

Every order means jobs for Victorians.

I am in total agreement with Mr Melhem.

Nine months prior to that, on 30 July 2012, Mr Melhem went on to say that it is 'just crazy' not to go ahead with the east–west project and that 'we are not going to live without roads and cars'. We need to remind Mr Barber of that fact. I know he supports public transport, as we all do, and he is particularly keen on bicycles. I do not have an issue with any of that, but we do have a mixture of transport means in this state, whether it be bus, rail, tram, foot, bicycle or cars.

The front page of today's *Herald Sun* referred to the government's public transport announcement. Members referred to the vox pop. Victorians understand exactly what has gone on here. The government has made significant savings, and it has been able to deliver for Victorians. It has been able to deliver a better public transport system. I see that in my own region with the Cranbourne and Pakenham rail lines, a \$2 billion to \$2.5 billion infrastructure spend which is going to be an absolute game changer for people in the electorate of Oakleigh. Those people know that if we remove the level crossings at Murrumbeena and Koornang roads we will significantly improve travel times. Ultimately this upgrade will improve the productivity of those people and give them more time to spend in their businesses or with their families, and that is better for all concerned.

The Labor Party has proposed a policy to remove 50 level crossings. Where is the business plan for that? That is going to cause chaos for the whole of metropolitan Melbourne. I do not see why the Greens do not question that. The removal of 50 level crossings in one fell swoop is quite extraordinary. Opposition members had 11 years to remove level crossings. The coalition has done more in that respect than Labor did in 11 years, and it is doing it in a very systematic, considered and planned way. We understand that our population has grown quite significantly in the past decade, as Mr Barber knows.

Mr Barber — Has it grown over the 10 minutes you have been speaking?

Ms CROZIER — Babies are delivered all the time in this state, and that is fantastic. The population does increase. We have an ageing and growing population, and public transport is very much a part of that, but so are those other aspects of transportation, as I have mentioned. I am pleased to say that the announcement today of the Minister for Transport and the Premier is going to see significant improvements for commuters within the CBD and for our tourist industry. We know Melbourne is the world's most livable city — we have achieved that ranking again this year — and the government's new public transport policy is going to give this state another edge in promoting what this wonderful city has to offer. I congratulate Minister Mulder and the Premier for their very good announcement this morning, which will create significant cost savings for many Victorians.

As we know, Victorians are facing cost of living pressures, electricity prices going up and water prices going up, thanks to that desalination plant. Where was the business case for the desalination plant? Victorians are paying \$1.8 million a day for that desalination plant. It goes to show why Victorians are having an increase in their water charges. That cost is going directly onto the consumer. It was an extraordinary project. If you think about it, what was Labor thinking in putting such a project together? All Labor members were doing was lining the pockets of their union mates, as we subsequently found out.

Mr Finn interjected.

Ms CROZIER — We see that time and again, and it is just extraordinary. Every day there is something in the paper about the unions. The Leader of the Opposition, Mr Andrews, is very closely affiliated with the Construction, Forestry, Mining and Energy Union. God help us if he gets in. The Construction, Forestry, Mining and Energy Union will be running the state!

To get back to Mr Tee's motion, I agree with some elements of it. Paragraph 3 affirms the privileges, immunities and powers conferred on the Council pursuant to section 19 of the Constitution Act 1975. That is a very significant power and one we all respect. The Council takes it very seriously. However, what we are talking about here is the business case of the east–west link.

Mr Barber, in his contribution, talked about a concerted date. I remind him that there have been various announcements around deadlines for this project. The funding for the project is outlined in the 2013–14 budget. Some \$294 million was allocated to progress formal planning and procurement on 16 July last year. The government has released the east–west link stage 1 reference design, and construction is expected to commence in late 2014, with a construction period of around five years.

Obviously this is a very significant project. We know the figures, and they are large numbers. We are looking at this in a very considered manner, and that is absolutely prudent, because, as members opposite rightly say, this is about taxpayers money. We need to be responsible in working with taxpayers money and spending taxpayers money, unlike the former government which had very little regard for the trajectory of its spending, which as we know was outstripping our income. Victoria was heading towards a terrible economic position. However, thanks to the good work of former Treasurer Kim Wells and the ongoing work of the current Treasurer, Michael O'Brien, we are in a very good position. We have a AAA credit rating, which, as members would know, allows us to have significant advantages over other states in relation to borrowing money. It means that when we save money we can put more into services such as transport, health and education.

We have debated issues around the east–west link several times, and we have had this documents motion in relation to it before the chamber on a number of occasions. I will come to the minister's letter in a moment, but the Department of Transport, Planning and Local Infrastructure and the Linking Melbourne Authority have prepared a business case, which was created with the involvement of wide range of expert advisory firms. As one would expect, the government needs to have various people involved in a significant project such as this. As I said, it involves huge amounts — —

Mr Barber interjected.

Ms CROZIER — I will come to that point in a minute. I want to provide some background to this. As members would be well aware, Mr Ken Mathers, the CEO of Linking Melbourne Authority, was asked by Jon Faine on ABC radio about the decision not to release a business case, and he speculated that the east–west link business case could be released at a future stage but it would not be appropriate to release it at the current time. This is due to commercial considerations while the project is in the procurement phase. The government certainly supports Mr Mathers’s comments that it would be inappropriate to release the business case for the east–west link project at this time. Mr Mathers’s comments support comments made by the Treasurer. This is standard practice, and it is consistent with other projects, as members well know.

Victoria has had several projects for which governments have not released a business case. I know that Mr Barber understands that, but I remind the chamber that those projects included the Peninsula Link, myki, the north–south pipeline and the desalination plant.

Mr Barber interjected.

Ms CROZIER — Our government is not the former government. We actually understand significant projects. The track record of the government speaks for itself in a number of areas on a number of projects already, and the government has been extremely transparent on many issues.

Nevertheless, to get back to the debate, it is about looking at the best use of Victorian taxpayers money. Commercial in confidence, as Mr Barber well knows — he has a masters of business administration, he understands the business case and he understands good business principles — —

Mr Tee — Hard to understand it if you can’t see it.

Ms CROZIER — Mr Tee’s track record speaks for itself. Do I need to remind members in the chamber about the desalination plant? Victorians will be paying \$1.8 million each and every day for decades. That is what we are paying. That is a direct cost that Victorians are paying due to Mr Tee’s inability to manage projects. We are fixing all those problems. If we have to remind Mr Tee of the prison system and the Melbourne fruit and vegetable market — —

Mr Tee — How is that going?

Ms CROZIER — You may well ask. It is just another debacle that Labor left us to fix.

Mr Finn — Another Labor stuff-up.

Ms CROZIER — Thank you; I could not have said it better myself, Mr Finn. There is a litany of Labor project debacles that have been left in this state, and we have had worked very hard in the short time we have had — 3 years, compared to the former Labor administration of 11 years — to get projects back on track. I can point to some projects, such as the Box Hill Hospital, where there have been significant savings. We have additional beds and an additional floor through good project management and good savings. That is in stark contrast to how Labor managed things. Labor cannot manage projects and it cannot manage money, and Victorians understand that very clearly.

The current approach of the government is about enabling a competitive and fair-bidding process while driving down the cost of the project and ensuring that value for money is obtained for the state. It goes to the heart of saving money for Victorian taxpayers. It is fair to say that that is a short-form business case, and it is available on the Linking Melbourne Authority website for people to see. I know there is a letter from the Minister for Public Transport, Mr Mulder, to the Clerk, Mr Tunnecliffe, dated 14 March 2014 in relation to the request. Mr Dalla-Riva referred to this letter, and I also want to refer to the issue he spoke about. The letter says:

I refer to the Legislative Council’s order of 11 December 2013 seeking the production of:

‘the business case for the proposed east–west link’.

I also refer to my letter to you dated 19 February 2014 advising that the government required additional time to respond to the resolution.

The release of the business case would be prejudicial to the public interest. This is because release of the business case would reveal the deliberations of cabinet, reveal high-level deliberations of the government, reveal information obtained on the basis that it would be kept confidential and because release will likely result in prejudice to the state’s commercial or financial interests with respect to the ongoing tender process.

I respectfully request that the Council not insist on the production of the business case.

In order to assist public debate, I have attached the *East–West Link Stage One — Executive Summary — Short Form Business Case* —

which I referred to previously and which has been made available on the Linking Melbourne Authority website. There is information in that, and it goes to the heart of what we are talking about here.

It is extraordinary that those opposite are now arguing against this project when previously they were endorsing it. It demonstrates that they are all over the place. There are numerous such people, including the Leader of the Opposition and member for Mulgrave in the Assembly. When he was in the former Brumby government he supported the east–west link. That list also includes former Prime Minister Julia Gillard; the now federal Leader of the Opposition, Bill Shorten; former federal ministers Brendan O’Connor and Nicola Roxon; Marsha Thomson, member for Footscray in the Assembly; Wade Noonan, the member for Williamstown in the Assembly; Mr Melhem, who is in the chamber this afternoon; and Mr Somyurek, who is also a member of this chamber. All were supporters of the east–west link. It is quite extraordinary. I have read some of those comments.

Mr Barber — It is amazing how quickly support for the east–west link has fallen.

Ms CROZIER — From the Labor Party? Quite right.

Mr Barber — From everywhere.

Ms CROZIER — At least I can say that Mr Barber is consistent in his objection to it, unlike those opposite.

Mr Barber — Thank you. I have fought it three times now.

Ms CROZIER — I am so saying; Mr Barber is consistent, unlike Labor. I say again that Mr Melhem and Mr Somyurek supported it. When Mr Somyurek was supporting it, he said:

As the Eddington study is clearly focusing on a much-needed alternative to the Monash–West Gate corridor, including the possibility of a tunnel from the end of the Eastern Freeway, I would like to address some comments to this issue in particular ...

...

It is a simple and indisputable fact that Melbourne’s road network is not fully connected. One of the key missing links is obviously at the city end of the Eastern Freeway.

It goes on. He is a supporter.

There are numerous third-party comments and endorsements. Who supports the east–west link? The Royal Automobile Club of Victoria, the Victorian Employers Chamber of Commerce and Industry, the Australian Industry Group, the Master Builders Association of Victoria, Infrastructure Partnerships Australia, the Australian Logistics Council, the Property Council of Australia, the Victorian

Automobile Chamber of Commerce, the Victorian Transport Association Inc., the G21 Geelong Regional Alliance and the Committee for Melbourne have all supported this project. They are significant organisations that understand the business case. They understand the benefits this project will deliver to Melbourne and to our state as a whole.

Some very telling comments were made in an editorial in the *Herald Sun* of 26 October last year. The editorial talked about the opportunity for job creation. We know there will be thousands of jobs created from this project. While the opposition talks about loss of jobs, we are creating jobs on a very regular basis.

Mr Melhem interjected.

Ms CROZIER — We are, Mr Melhem. This project will deliver thousands of jobs. You should support it to give it the opportunity. The *Herald Sun* article says:

The unions whose members will be guaranteed employment for years to come are behind east–west in spite of their politics.

It is telling. Those opposite are all members of unions. Their own membership wants this project to go ahead.

Mr Melhem — We want any project to go ahead. Get on with it!

Ms CROZIER — I am glad Mr Melhem is again endorsing the project. We are getting on with it; that is exactly what we are doing. The article goes on to say:

Mr Andrews might look to the CFMEU, which has been welcomed back to his Labor left faction, but even that is not guaranteed. It seems it is the Labor leader who is on a road that is taking him nowhere.

What truer words could be said? Mr Andrews is so behind the eight ball on level crossings that he has come out and tweeted and is playing catch-up on the announcement today. Poor Mr Andrews; he cannot take a trick.

The case is pretty clear. We understand that there are special powers and privileges this chamber has in relation to documents, but the minister has clearly spelt out the case and the reason for the government’s position. I congratulate him again on the investment he has undertaken in this state not only in road transport initiatives but also in the rail and public transport initiatives that have been around in recent days and recent weeks. This will get Victoria moving again. This will create jobs. This will create huge opportunities for Victorian business. Most Victorians understand that when it comes to managing projects and sensitivity

around business cases, they can be assured that the government will be carefully looking at and considering projects. Unlike the Labor government, we can manage projects and can manage Victorian taxpayers money.

Mr MELHEM (Western Metropolitan) — I was not planning to speak, but I could not help it. My name kept getting mentioned in the debate, and I thought I had better make some contribution. Referring back to my comments in March last year, let me put them in perspective. The only thing we have heard from this government for the last three and a half years is slogans. We heard ‘moving again’ a few minutes ago and there is ‘game changer’; all these things are slogans, slogans, slogans. But jobs and projects — where are they?

Let us see what those opposite have done. On regional rail they sat on their backsides for 18 months reviewing the project and then said, ‘Now we’ll go ahead with’. It is a Labor project, and now those opposite are bragging about — —

Mr Finn interjected.

Mr MELHEM — I have. This is a proud Labor Party project. It was done and funded by the Labor government, so Mr Finn should get his facts right. Those opposite are happy to take the credit, but that is okay; there is nothing wrong with them taking some credit. What other major projects have those opposite done for the last three and a half years? I cannot name any. Most of them are matters of \$50 million or \$100 million — nothing — but suddenly those opposite have woken up and said, ‘Oh, we better do the east–west project’. That one starts in 2015. I have been consistent on the record on the east–west project. The current project of those opposite — —

Mr Finn interjected.

Mr MELHEM — It seems that Mr Finn has verbal diarrhoea. I would appreciate it if he would keep it quiet for a while and not interject every 5 seconds. The east–west project to me at this stage looks like the east project, because there is no west in it. But hang on, it seems as if Prime Minister Abbott is looking at maybe giving those opposite some more money or promising to do so. Now the other side is going to distract everyone and say, ‘We’re going to do the whole job now’. But I doubt it very much. I doubt very much that is going to happen.

Let me go back to the motion. Basically it is very simple. The motion calls on the government to give us the business case. The government would not have to give up any confidential information; for example, how much John Holland and its partners, Lend Lease and its

partners or Samsung and Transfield Services and their partners — the three shortlisted bidders — proposed in their bids for the construction phase of the project. We are not talking about that. A business case does not refer to the construction bids.

There is more than that; there is also the issue of who is going to fund the project. We are talking about a public-private partnership. What I know so far and what is available in the executive summary provided by those opposite is that there is no private investment; it is all going to be funded by the taxpayers. We are taking the risk, we are funding the project, the feds are putting in money and, yes, we are going to get some tolls. We do not know whether it is going to be one-third, one-third, one-third — that is, one-third the federal government, one-third the Victorian taxpayers and one-third one of these tenderers. In terms of construction projects, let me tell you; I have been there. I have done that.

EastLink was a classic example. There was a good business case for EastLink — —

Mr Finn — No tolls — remember that?

Mr MELHEM — Hang on. There are tolls now, and everyone is happy about it. But at least there was a business case where there was a public-private partnership and where a consortium was formed that was different from the consortiums which constructed the project. The shareholding might have been some sort of common shareholding but there were two separate companies. There was a consortium that said, ‘We’re going to provide the funds and operate it post construction’, and there was another that put in a bid to actually construct the project. It will be no different here if that is the model those opposite want to adopt, but we do not know. At this stage what we know is that all the risk is with the state government — with the Victorian taxpayers. We do not know if any private provider is going to come in and say, ‘We’re going to underwrite or invest one-third or 50 per cent or 70 per cent of that project’, because it is all secret.

Going back to May last year — I am going to go back and quote from 2013 — an industry superannuation fund came in with an unsolicited proposal, which is not uncommon. I think the government has just accepted an unsolicited proposal from Metro and John Holland relating to the Pakenham rail project; they came in and said, ‘Hey, we’ve got a bit of money and we’re happy to go and build that project for you’. The industry superannuation fund had done the same thing. It went to the Premier and the Treasurer and said, ‘We’d like to

build that big project. We've got money'. And I tell you: that fund has got money.

The fund said, 'We can do the whole thing, from east to west or west to east — the whole project'. What did those opposite do? They said, 'No. Go away. We're not interested' instead of grabbing that with both hands and saying, 'Okay, let's talk. I don't like your proposal and you need to go and finetune it, but we're interested in talking to you about constructing the project from the west to the east — the whole project. You can construct it, you can operate it, and there'll be a minimum risk to taxpayers'. Those opposite did not lock in between \$6 billion and \$8 billion — and we do not know, by the way, whether the project is going to cost \$6 billion or \$8 billion or somewhere between. It is not much of a difference — only about \$2 billion we are playing with! Instead of locking taxpayers money into half of that project, those opposite could have had the private sector doing it and the government could have invested that money elsewhere, such as in the Metro rail project.

The approach of those opposite was, 'No, we want to build half the project. We're going to lock in \$6 billion to \$8 billion of Victorian taxpayers money on a project that only goes for 5 kilometres, that does not fix the traffic problem and that just moves it from Hoddle Street to the Tullamarine Freeway'. This project does not fix the congestion in the western suburbs, and Mr Finn should know better about this. He keeps grandstanding about standing up for people in the west, but I do not hear him advocating that this project should start in the west. Guess why? Obviously his colleagues do not take any notice of him; therefore he just basically — —

Honourable members interjecting.

Mr MELHEM — Yes. At least I am consistent. Here's the challenge for those opposite. I said in this house a few months back, and I will say again: go to the industry superannuation fund, which would, I think, still be happy to talk about funding and operating the project. Get them to do it, and invest that \$6 billion to \$8 billion of taxpayers money, including federal money, in the Metro rail project. There is a challenge for you. The difference between what Labor is putting on the table and the government is putting on the table is this.

Mr Finn interjected.

Mr MELHEM — It is about priority.

Mr Finn — You have a great track record with money!

Mr MELHEM — We have got a good record; don't you worry about that. Mr Finn is sounding like a broken record. As I said last time — —

Mr Finn — Okay, tell us about EastLink and the no-tolls promise.

Mr MELHEM — Let us talk about EastLink. I am glad you raised EastLink.

The ACTING PRESIDENT (Mr Elasmr) — Order! Mr Melhem, through the Chair.

Mr MELHEM — Let us talk about EastLink. That was a proud Labor project, and I played a major role in my former position as secretary of the Australian Workers Union. That project was delivered six months ahead of schedule and was under budget.

Mr Finn interjected.

Mr MELHEM — I do not see Mr Finn talking about that, but that is the fact. What else? Safety was second to none. As to wages and conditions, it was one of the biggest projects and the workers were the highest paid construction workers in the country for that type of project. It still got delivered six months ahead of schedule and under budget. I do not hear government members talking about that. The desal, yes. The desal had its complication.

Mr Leane interjected.

Mr MELHEM — It is coming. They have all got a short-term memory. Thank God the coalition was not in charge of our finances, because the desal would never have been built.

On the motion, if the government is fair dinkum we can sort it out very quickly and can finish opposition business by 3.30 p.m. Basically we are saying, 'Tell us about the business case'. Government members can keep the confidential stuff which has commercial sensitivity aside; they do not have to include that. A construction project has various components attached to it. There is the design, and basically Linking Melbourne Authority and various government agencies are doing that. There is the design cost and there is the indirect cost — all that stuff. They are known costs, or they can be estimated.

The second part of the cost is the construction cost, and that construction cost can be broken down into various parcels. We are not asking the government for that. You can actually estimate that. You can estimate the first component, which is about the design and layout. That is part A. Part B is the estimated construction cost. That

could be part B of the project. Then the government can go to the three consortia and say, 'Here's the design; I want you to bid for that'. If that cost is \$5 billion, it does not mean that the construction companies will actually come back with \$5 billion for the cost of constructing the project — if they are going to win the tender. No, it is going to be a competitive thing, and they will have to come under that. It is not giving bloody secrets. The only reason the government is not putting that out is that it does not know itself what the costs are going to be. The government does not want to be caught. It is just going to get it under the radar.

Mr Finn — No, we want to get it under the road. Get the traffic off Alexandra Parade; that is what we want to do.

Mr MELHEM — But that is the whole problem. Your whole project is about a 5-kilometre tunnel.

Mr Finn — No, it is not.

Mr MELHEM — I said in 2013, 'Build the whole project'. It is 18 kilometres.

Mr Finn — It is from the Western Ring Road to the Eastern Freeway.

Mr MELHEM — Then start from there. But no, that is not the government's priority. Government members made a commitment, and then suddenly said, 'Oh God, we got that wrong, but we can't get out of it'. They should say, 'Okay, we got it wrong. Let's review this'. Anyway, we are not going to get that out of them.

The motion is a very reasonable one. I will finish off on this point, and Ms Crozier talked about this a fair bit, and a number of other government members have said it. Government members criticise Labor for not having put out a business case for the desal plant. I think they talked about the north-south pipeline. They talked about all these — —

Mr Finn interjected.

Mr MELHEM — Mr Finn is criticising Labor for not doing this. Why is the government not doing it itself? If the government thinks Labor has done the wrong thing, then it should do the right thing! But no, it is a case of, 'Because you didn't do this, now I'm not going to do that'. Government members cannot have it both ways. They cannot on the one hand criticise us for not putting forward a business case for our project, and on the other hand then do the same thing. Here is the challenge for the government: be better than us — if it is right about us — and put out the business case.

Mr Finn — Each and every day we are better than you!

Mr MELHEM — Because you are not doing anything? At least we were in government for 11 years. We had a AAA rating. We had surpluses every year. We had projects all over the place getting this state going. We had jobs; we were creating jobs. What has this government done for three and a half years? Not much. It just blames everyone else. Government members have said the way they got into government was an accident. I do not think they were ready to govern, and they are still not ready to govern. If the government thinks it is ready to govern, it should release the business case and get on with it.

Mrs KRONBERG (Eastern Metropolitan) — It is always very interesting to listen to a contribution from Comrade Melhem. I am a little bit concerned about his emotional state today. I thought his voice was very high pitched there at times, and I was concerned for his welfare.

Honourable members interjecting.

Mrs KRONBERG — It was a very high pitched voice.

An honourable member interjected.

Mrs KRONBERG — That applies to us all. Now Mr Melhem with his high pitched voice assumes the chair. That will be very interesting. I hope he is comfortable.

When these hectic motions come covered with spittle and vomit and venom from the Greens, I am greatly amused. We do not expect breadth of vision, economic responsibility or anything past the immediate rush of blood to the head and the Greens form of socialism, cloaked in that dark, Satanic cloak with a black underbelly in terms of economic capabilities and zero credentials. They are asking for a more detailed business case when there is a live tender under way to find the best possible bidders to construct this visionary project, the east-west link.

Every time these requests are made, unfortunately the opposition, just to have something to say, is sucked into them as well. It is a sort of vortex that opposition members are being sucked into. If the business case were provided, my question to the house is: what on earth would the Greens do with the business case? You need some skills to be able to interpret a business case and put an argument, and you must be prepared to make decisions as if one day you might understand

what the responsibilities of sitting on the Treasury benches are all about.

I am one who has travelled the length of the Eastern Freeway since it opened to those of us living in East Doncaster in the middle of the 1970s. We then experienced great joy when the Kennett government extended the Eastern Freeway from the Doncaster Road terminus through to Springvale Road, and then we saw the private investment come in and give us EastLink. This road system of ours, which includes EastLink and the Eastern Freeway, is one of the few in this country that holds water when compared internationally. It is a very important road system, and it is a great pity that economic troglodytes have no capacity to understand the economic imperative and the economic yield derived from effective road transport infrastructure.

I had the opportunity to touch on this point once before. Victoria continues to be Australia's premier manufacturing state even though a number of multinational companies will not be continuing their commitment to this country, other than selling into it. Yet because we have a spirit of innovation and because we can talk to the people with inbound investment strategies on offer, the momentum around our manufactured goods will continue to grow. Therefore we must have a means of moving these goods around the state.

The last time I looked it seemed that putting a pallet or a partial load from a container truck on a passenger train or the back of somebody's bicycle would be very difficult to do. It would imperil everybody, and nothing would happen. I am mystified by people who make no contribution whatsoever to the cost of infrastructure in this state being drawn into this argument — an argument which has become increasingly myopic, inner urban-centric to a large degree and centred around people who might ride a bicycle, but there is no financial penalty for riding a bicycle.

The people who mount the protests at the site of the project are clearly affiliated with Rent-A-Crowd Incorporated. One questions where these people, who clearly have nothing else to do — they are certainly not making business decisions — actually live. Do they live anywhere near the properties that are affected? I imagine there is some representation from the affected neighbourhoods, but the numbers are augmented by people who are on the payroll of people whose business it is just to be a rent-a-crowd. I suppose people pay their way through university in this way. I would imagine that some of these people, not being gainfully employed, have very little likelihood of ever being property owners. Unless they inherit money, they have

no capacity to raise funds to buy a property, and thinking of the criteria of the average landlord, these people would not even be able to acquire a lease to become a tenant in the area. From the look of some I have seen I assume many of them live outside the area and others are itinerant couch surfers.

In terms of interest, long-term and short-term residents — people who have made a commitment to that area and people who have a commercial or industrial enterprise in the area — are of course the people who are going to be well looked after by this government. Those people are involved in the consultation, and they are going to benefit from the east-west link. This is what absolutely confounds me: if people are worried about suspended particulate matter, benzene, or, heaven forbid, levels of carbon dioxide and carbon monoxide in the atmosphere, the prudent management of these pollutants will be achieved through this tunnel. It is a no-brainer. For the people who live in inner suburban Melbourne their congested streets will be alleviated.

We can see that a lot of the streets are given up to people who do not own a motor vehicle, and this is a very dangerous practice. The compliance with inner suburban council directions to fill up streets — in the vernacular of some, these rat runs — with roundabouts, speed humps and other sorts of chicanes is very dangerous for emergency vehicles. It is a great pity. Perhaps lives are lost as a result of going in this direction. We need to be very careful that every square centimetre of road surface in this state and particularly in metropolitan Melbourne is carefully used and efficiently managed. It is a very crowded space out there.

If we compare Victoria, as the premier manufacturing state in this commonwealth, with the province of Ontario in North America, with its muscular manufacturing giant of Toronto, we see that the manufacturing might of Toronto is giving the United States of America's manufacturing base a run for its money. There is a simple reason for this. It may have come at a significant political cost, but the visionary people in and around Toronto decided that two things needed to happen. They said, 'We need to have an uninterrupted flow of traffic in, around and through the city. The passage of vehicles and goods to which we always give priority will have an economic yield for us'.

As we all know, Canadian society is comparable to that of Australia in terms of how it looks after the less fortunate and people who are newcomers to the country, with its refugee intake and so on. It is a very

compassionate society because it has taken very seriously its responsibilities to people within that society. Its government has said, 'We must have a thriving economy to look after those who are in need and who are less fortunate'. It is a basic principle of liberalism. The proof is there in the success of Toronto where they have freeway systems with eight lanes in each direction. Who was the visionary who said, 'Let us put aside a freeway reserve that allows for 16 lanes of traffic.'? That was a pretty gutsy proposition.

The result for the people of Toronto is that it is a very powerful manufacturing hub. While we have seen announcements by our three remaining large car manufacturers about their commitments to manufacturing motor vehicles in this country, Toronto has five car manufacturers. The muscularity and manufacturing might of that city continues because it gives priority to rail freight. It provides a lovely system for commuters and it provides balance, and that is what my argument is all about. The Toronto government's response is balanced. We cannot neglect our public transport system, and we are not doing that by any means. We are proud of what is about to be commissioned and brought online, especially with the regional rail project being close to completion.

People are complaining, harping and whingeing, looking for some sort of relevance and talking nonsense about the east-west link. It is complete nonsense because this government is providing balance. It has been absolutely soul destroying for those of us who for nearly 40 years have wasted hours, weeks and months of our lifetimes at a standstill on the Chandler Highway, cruising at somewhere between 2 kilometres and 5 kilometres per hour, with the traffic flow indicator redlined at the T-intersection on Hoddle Street.

The Eastern Freeway is fed by the people who use EastLink, which in turn is fed by people who use Peninsula Link. It is the turn of the people of the eastern suburbs to have the throughput. The joy of the east-west link project is that it will free up, and provide balance for, the people of the eastern suburbs who before entering the freeway itself pay a toll through EastLink. They are entitled to ready access to the west, to their families and their jobs, to holiday destinations, to the Tullamarine Freeway, to the western end of the central business district and to the northern suburbs. They are entitled to an easy passage. The east-west link is a no-brainer. I am proud our government has brought certainty and direction through its endeavours, its prudent management of resources, its splendid relationship and dialogue with the Abbott federal government, and its careful management of the bidding process.

This vision will solve a lot of problems, and it has been a long time coming. I make this pledge to my constituents in Eastern Metropolitan Region: there is still much to be done. This is not the end of the story, but it is the only way other projects of this magnitude and importance will be manifested in this state, whether they are road systems, tunnels, bridges and rail tracks, or whether it is further investment in grade separations to allow us to have more trains on the tracks — and we know that we have taken delivery of more rolling stock. This is truly the way forward. No wonder the coalition government is unwavering in its commitment to the east-west link. We are proud of doing the right thing at the right time.

Petty squabbling on the sidelines adds no dignity. It is not distinguished to keep harping and carping because it shows the opposition is missing the big picture. Hundreds of thousands of people in Melbourne's east have been missing out for 40 years. Their time has come, and I am proud the Napthine government is delivering on this project. Naturally in my wildest dreams I could not ever support such a motion as this. I ask the house to vote this motion down as soon as it possibly can.

Debate adjourned on motion of Mr LEANE (Southern Metropolitan Region)

Debate adjourned until later this day.

AUSTRALIAN FORMULA ONE GRAND PRIX

Ms PENNICUIK (Southern Metropolitan) — I move:

That this house notes that —

- (1) costs to Victorian taxpayers of staging the Formula One grand prix in Albert Park have been mounting since 1996;
- (2) when first elected the government stated that the taxpayer subsidy was too high and that the event would not be continued unless costs came down;
- (3) the government has refused to carry out a proper cost-benefit analysis of the event as recommended by the Auditor-General's office in 2007, or required the event to collect accurate attendance figures despite the huge taxpayer subsidy it receives;

and calls on the government to ensure that the grand prix is not staged in Victoria beyond the expiration of the current contract in 2015.

There is a growing cloud over the grand prix. In fact there has been a cloud over it right from the start, but that cloud gets thicker every single year, as it should,

because over the past 18 years the grand prix has cost Victorians hundreds of millions of dollars, with little or no return. On any measure the continuation of hosting the grand prix and the renewal of a contract or signing of a new contract cannot be justified. Given the cost to the taxpayer and the disruptions that the grand prix causes every year, signing a new contract would be highly irresponsible. The government should take the opportunity to just say no and let the grand prix go to whichever country or city wishes to host it.

It is worth looking at the cumulative costs of the grand prix since it was first staged in Albert Park in 1996. In the past couple of years there has been some media reporting of the approximately \$50 million to \$60 million that it has cost every year. The cumulative cost of just the annual government contribution, as appears in the Australian Grand Prix Corporation's annual reports, now stands at \$559 million. That is quite a lot more than half a billion dollars through that annual government contribution alone.

It is worth putting the actual figures on the record. In 1996 that figure was \$34.646 million, in 1997 it was \$8.093 million, in 1998 it was \$3.293 million, in 1999 it was \$3.139 million, in 2000 it was \$4.103 million, in 2001 it was \$7.413 million and in 2002 it was \$11.440 million. That was when the government contribution really started to mount. In 2003 the government contribution was \$19.011 million, in 2004 it was \$15.097 million, in 2005 it was \$18.941 million, in 2006 it was \$22.865 million, in 2007 it was \$34.491 million, in 2008 it was \$43.190 million, in 2009 it was \$52.163 million, in 2010 it was \$68.703 million, in 2011 it was \$61.823 million, in 2012 it was \$66.617 million and last year it was \$65.602 million. The government or taxpayer contribution to the Formula One grand prix comes to a total of \$559.499 million.

That figure does not take into account the cumulative cost of interest earned, which is also a subsidy from the Victorian Treasury and totals \$21.479 million. The subsidy from Parks Victoria totals around \$71 million. The value of free tickets given away by directors totals around \$5 million. There has also been the estimated sponsorship from government agencies such as the Transport Accident Commission and Tourism Victoria. I have asked in this place for the documents on those figures, and I know members from other groups have asked for those figures. The sponsorship from those two government agencies totals around \$12.8 million. Local government subsidies from the City of Melbourne and the City of Port Phillip total around \$2.3 million. The estimate of the cumulative

debt-servicing cost of this money to the government at 6 per cent interest totals around \$318 million.

These figures are not available publicly. Some are derived from the Australian Grand Prix Corporation's reports and others are estimates. Given the \$559.499 million that we know is the total of the annual government contribution over the past 18 years and the other costs that I have just mentioned, we are not getting much change out of \$1 billion. Over the past 18 years the grand prix has cost \$991 million. This money has been spent on a car race and, to all intents and purposes, it goes into the pockets of an overseas billionaire.

This situation cannot be allowed to continue, given all the constraints that we have on the state budget in terms of cuts to the health budget, the education budget and the environment budget, the losses of staff across the public sector in those and other areas and the pressures in the mental health system and the child protection system. Given that we have all these problems and yet we have this amount of money wasted on this event, it really is scandalous.

My motion mentions that when it was first elected the government said that the event would not be continued unless its costs came down. The costs have been going up every year and we presume that they have gone up again this year, so when the Australian Grand Prix Corporation puts in its annual report we will again see that there has been a massive contribution from Victorian taxpayers.

Last year when Ms Asher, the Minister for Tourism and Major Events, announced what she called the \$50 million loss from the grand prix, the following was reported:

The current contract for the event expires in 2015 and Ms Asher has ... said that it would need to present better value for money for Victorians for a new contract to be signed.

It is clearly not providing better value for money for Victorians, so I posit that a new contract should not be signed. The report states that Ms Asher said there was a drop in the losses for 2012, the year before, when, as she claimed, they were \$56.6 million. The report states:

The drop in the losses was also attributed to cost cutting at the grand prix worth about \$2 million.

... the corporation had moved into smaller offices, dropping about 25 per cent of floor space to reduce costs.

That just shows how extravagant it had been. The report states that changes had also been made to the ticketing contract, which is very interesting because the

whole issue of ticketing and attendances is another exercise in smoke and mirrors. The grand prix corporation has been allowed to get away with guesstimating the attendances for the whole time that the grand prix has been hosted at Albert Park. It has never conducted an accurate count of the number of people who attended and it has always overestimated the number. When considering the hundreds of millions of dollars that this event has cost Victorian taxpayers over its 18-year life, cuts of \$2 million are almost laughable.

My motion states:

... the government has refused to carry out a proper cost-benefit analysis of the event as recommended by the Auditor-General's office in 2007, or required the event to collect accurate attendance figures ...

Last year on 20 February I put it to the Council that the Australian Grand Prix Corporation be required to put in place turnstiles or other modern ways of accurately accounting for the number of attendees on every single day of the event. I also made the point that anybody who goes to any other major sporting event, such as the tennis, cricket or football, knows that when you are halfway through the match you will see exactly how many people are present on that day shown up on the screen. Apparently that is not possible; the grand prix corporation is unable to install turnstiles or any other ticket-counting measure.

In the absence of any cost-benefit analysis conducted by the government, the group Economists at Large has produced its own economic analysis of the grand prix, mirroring the methodology used by the Auditor-General back in 2007. It has come up with its own figures on the economic losses made on the race in 2012 and 2013. If we go to the 2013 race, there was a total operating cost of \$94 141 000 and revenue of \$38 756 000, bringing us to a net operating loss of \$55 385 000. Also included are other economic losses, such as other government costs of \$426 000, loss of park use and amenity of \$2.7 million, congestion costs of \$614 000 and noise costs of \$291 000. Then added in are economic benefits, such as a spectator and public consumer surplus of \$1.9 million, net benefits of increased visitation of \$2.9 million and media exposure and induced tourism of \$270 000. This results in a mid-estimate net loss for the 2013 event of \$54.3 million. That is the organisation's midpoint estimate; the best case scenario is \$42.273 million, and the worst case is \$60.55 million.

Any way you look at it, this event costs Victorian taxpayers squillions of dollars — gazillions of dollars I think I called it one time. It is going on year after year,

and there is very little benefit for Victorians. Successive governments have talked about value for Victorians and the value of overseas audiences et cetera. This year we have heard the Premier state publicly — and I have seen the footage of this — that 450 million people watched the Australian grand prix. That made people sit up and think, but I took issue with that particular figure, and it turns out — and this has been substantiated by ABC's *Fact Check* — that 450 million people around the world watch every grand prix, it is not that 450 million people watch the Melbourne grand prix. The 450 million figure refers to the audience of all grand prix races for 2013.

It is interesting to dig further into these claims about audience figures and what they might mean in terms of benefit for Victoria or Melbourne. Brand recognition is what government members, and particularly the Premier, have mentioned. If you look further into this, you find that the viewing audience can be divided into categories: some people watch the event as it happens, some watch delayed coverage and others watch highlights in news and other programs. If audience numbers include news reports, they are significantly boosted. Many organisations seek to inflate the claimed global TV audience of an event by treating all viewers equally, irrespective of whether they spend a couple of hours watching a live broadcast or just see 10 seconds of coverage on a news clip. The inclusion of news viewers is a common tactic in an attempt to increase the perceived popularity of a sporting event.

The Australian Grand Prix Corporation says that around the world Formula One is broadcast to hundreds of millions of people across 187 countries and territories, including trading partners et cetera. It again mentions 450 million viewers, but as I said, that 450 million refers to the estimated number of viewers of all grand prix across one year.

Interestingly Tourism Victoria's report on television audiences estimated that the 2009 race had a cumulative audience of 270 million viewers in 82 countries. The report defined cumulative audience as the sum of the average audiences of each individual broadcast, and it came to the conclusion that Italy, for example, had 71 broadcasts. Adding average audiences together, the report concluded that the cumulative audience in Italy was nearly 65 million people, which is more than its population of 60 million. So it is not just in Melbourne but other places in the world as well where the viewing audience and the supposed benefits from that event are completely overestimated.

The 7.30 program covered the grand prix on 11 March this year, looking at the growing costs of it in the

lead-up to the idea that there may be a new contract signed. Interestingly, 7.30 also pointed out that Bernie Ecclestone, who has run Formula One for 30 years, has accumulated a \$3 billion personal fortune in the process. One could say that quite a lot of Mr Ecclestone's \$3 billion personal fortune has come from Victorian taxpayers. I raise the issue of Mr Ecclestone because I think this is another reason why Victoria needs to distance itself from the grand prix — rid itself of, really. Mr Ecclestone has been embroiled in legal proceedings in the United Kingdom and is also facing legal problems in Germany. It is interesting to note what the judge in the UK court case said about Mr Ecclestone, which was:

It is impossible to regard [him] ... as a reliable or truthful witness.

He added:

The payments were a bribe. They were made because Mr Ecclestone had entered into a corrupt agreement with Dr Gribkowsky.

The 7.30 report went on to state:

In the shadow of the German court case, Bernie Ecclestone continues the so-called tough game of negotiations over the future of the Australian grand prix.

Across the table is chairman of the Australian Grand Prix Corporation, 74-year-old Ron Walker. Mr Walker has led the latest grand prix negotiations as he has done for decades now on behalf of Victorian taxpayers.

I think 7.30 is correct to highlight the problems Mr Ecclestone is having with the bribery allegations — in fact the judge in the UK said it was not an allegation and that he was involved in bribery. How could it be expected that Mr Walker could have the best interests of Victorian taxpayers at heart when he is a long-term close confidant of Mr Ecclestone?

Dr Napthine has been quoted as saying that the government is involved in tough negotiations with Mr Ecclestone, that he himself would not like to conduct negotiations on a contract with someone as tough as Mr Ecclestone and that that should be left to experts like Mr Walker. I think those sorts of arrangements should cease.

I would also say, as I have said before, the idea that Dr Napthine is involved in tough negotiations with Mr Ecclestone is farcical and embarrassing. In fact if Victoria were to be saddled with this event again and another contract were to be signed, costing taxpayers \$60 million to \$70 million per year for the next five years — and that is a conservative estimate — there is no guarantee that this event could be run for less than

\$50 million, which is the direct contribution of Victorian taxpayers. Given the trends I mentioned at the beginning of my contribution I would say that it is more likely to be around \$60 million. Over five years the total would be \$300 million. The direct cost to Victorian taxpayers will be \$850 million by that stage and way over \$1 billion once you include indirect costs.

No cost-benefit analysis has been done since 2007 — or seven races ago. The Auditor-General made it very clear then that there was absolutely no evidence to substantiate the claims that the grand prix brought tourism and branding benefits to Melbourne. I have read evidence that shows that the Melbourne grand prix is the least watched of all grand prix in terms of TV audiences. Estimates for the TV audience over the grand prix's three days is somewhere between 20 million and 50 million — probably closer to 20 million — and not 450 million, as has been claimed. The evidence that it translates into anyone actually coming to Melbourne is dubious at best.

Given the constraints that we have on the budget and the better uses that we can make of this subsidy going forward, I would urge the government and the opposition to support my motion calling on the government not to enter into a new contract for the grand prix in Albert Park.

Before I finish, I simply say that today I have focused on the costs of the grand prix, the fact that there has been no cost-benefit analysis for it and that the government said it would not support the race if costs could not be reduced. That is not going to happen, so the government should be true to its word and not enter into another contract that again makes Victorian taxpayers subsidise this event to the tune of hundreds of millions of dollars into the future.

I have not even talked about the ongoing disruption to Albert Park, which lasts for about three to four months every year, nor the congestion or noise in that area. We have heard reports from local residents who have stated how it has disrupted their children when they are trying to study. It has caused a lot of angst for young people who do not know what is happening with aircraft flyovers. As I understood it those flyovers were meant to stop, but this does not seem to have been the case. It is time this race came to an end and that there be no future contract for the grand prix in Melbourne.

Mr TEE (Eastern Metropolitan) — I welcome the opportunity to make a few remarks on this motion. I note there is much to be commended in it. I also note the concerns Ms Pennicuik has rightly raised and detailed about its cost to Victorian taxpayers. I note that

when first elected the government made a commitment around the taxpayer subsidy, saying that the event would not continue unless the grand prix's costs came down. I also support Ms Pennicuik's remarks in relation to the 2007 Auditor-General's report recommendation and the failure to produce a cost-benefit analysis.

Ms Pennicuik also referred to the impact on the local community of the grand prix. Indeed Martin Foley, the member for Albert Park in the Assembly, has said he has often represented the concerns of his constituents about the impact on the community of noise as well as the loss of the park — —

Mr Finn interjected.

Mr TEE — I say to Mr Finn that the loss of the park is ongoing. I am sure that Mr Foley would be more than happy to introduce Mr Finn to some of the concerns community members have expressed to him and for which he has advocated passionately on their behalf. There is much to commend in the motion.

The motion also refers to the cost-benefit analysis. What is the overall impact of the grand prix on the Victorian economy and indeed the Australian economy? What are the benefits in terms of the hospitality industry? What are the benefits in terms of the enjoyment of those who take an interest in, participate in, watch or attend the grand prix? What are the benefits in the promotion of Melbourne on the world stage?

Up until the part of Ms Pennicuik's motion that deals with the Auditor-General's report I understood that what this was really about was putting information on the table so we could effectively weigh up those competing interests. I am very supportive of that approach. It was a bit of a surprise then to read on and see the motion in effect pre-empting the outcome of the release of that information. Before we have had a look at the cost-benefit analysis and before we have a complete view and a complete picture, the motion goes on to say that we therefore should not stage the grand prix in Victoria beyond 2015. It seems to me a bit curious that the Greens would ask for information and at the same time say, 'Irrespective of what is in that information and data, and irrespective of what the cost-benefit analysis is, we will not have the grand prix'. That seems a bit inconsistent, and the logic seems a bit flawed to me. I have sought to remedy that issue by way of an amendment that I will formally move now. I move:

That all words after paragraph (2) be omitted with the view of inserting in their place —

“(3) the government has refused to carry out an independent cost-benefit analysis of the event as sought by the Auditor-General's office in 2007;

and calls on the government to ensure that this is done and the outcome publicly released prior to any consideration of a further extension of the grand prix beyond 2015.”.

Mr TEE — The amendment continues on from the sentiment that Ms Pennicuik was expressing in her motion around — —

Mr Finn — Does it continue on as much as you do?

Mr TEE — I advise Mr Finn that I am just trying to help the house find a common-sense way through to make sure it gets the balance right. That is an important part of the debate as far as we on this side of the house are concerned. We are all about balance and reasonableness. I am trying to ensure that we have a common-sense way through. My amendment picks up some of the issues raised in Ms Pennicuik's motion but goes on to say, 'Let's have a look at the cost-benefit analysis as sought by the Auditor-General's office, and then let's make sure this is done and released prior to any consideration of the extension of the grand prix beyond 2015'. Let us have an informed debate. Let us have all the facts on the table. That is the intention of my amendment to the motion. I am sure those of us in the chamber who appreciate balance and a common-sense approach would be more than happy to support this as a common-sense way forward.

I do not propose to take up too much more time but, as I said, this is an issue that has exercised and caused concern in the local community. It has been well and truly advocated for by Mr Foley. I hope that my amendment will be successful so that we can have a full and comprehensive debate before we proceed with the grand prix one way or the other.

Hon. R. A. DALLA-RIVA (Eastern Metropolitan) — I rise on behalf of the government to make a contribution to the debate on the motion put forward by Ms Pennicuik. The bottom line is that the majority of Victorians and the majority of the members of Parliament support the grand prix. The majority of people see it as an important part of the major events calendar. This is just another cynical attempt by the Greens to remove a major event that has been successful in Victoria since 1996.

Labor suggests that somehow costs have gone up under our government, when in fact the figures pertaining to when Labor was in government speak for themselves. Those opposite talk with forked tongues; they say one thing but stand up for another when in government. The reality is that I do not want to waste the chamber's time

on a motion which has been sitting on the notice paper since November last year. This is a motion that should be opposed. I thank Mr Tee for proposing an amendment to it, but the bottom line is that we will not be supporting this motion.

Mr FINN (Western Metropolitan) — I rise this afternoon to speak against the motion and also to speak against the amendment because I have to say I find — —

Hon. D. M. Davis interjected.

Mr FINN — They are mealy-mouthed weasel words, as Mr Davis correctly points out. I cannot say that I can match Mrs Kronberg's words from the previous debate, but I will say that I am a fan of the grand prix. I enjoy it enormously. But I will join Ms Pennicuik, Mr Tee and even Mr Lenders if need be today in criticism of the grand prix because the one thing that has distressed me possibly more than anything else in recent times is the fact that the high-pitched engine noise has gone. The screech of the engines is gone.

I remember going to my very first grand prix in 1996. I was on a tram — Ms Pennicuik will be pleased about that — heading towards the track.

Ms Pennicuik interjected.

Mr FINN — You can if you walk down St Kilda Road.

I was on the tram, and as we drew closer to the track I heard a slight hum to start with, which became a roar and which then became a screech of the Formula One engines. I have to say that this year's grand prix was not quite the same without it. I hope the powers that be in Grand Prix Land will do something about restoring the screech — the roar of the engine — because that is as much a part of the grand prix and as much a part of Formula One as Jack Riewoldt kicking a goal at the MCG is a part of football. That is something we all enjoy. In fact we all enjoy both.

We have heard comments today about Albert Park, about how it is handed over to these people every year and about how the local residents suffer as a result of the park being handed over to these people to run their race. I want to take the house back to a time about 20 years ago when Albert Park was a wasteland. There was barely enough water in the lake for a duck to swim in, much less for any boating or other activities to go on there. The grasslands were depleted and there were no recreational facilities. The place was a dump, and it was

an embarrassment to Melbourne. The good people of Albert Park readily accepted that their park was a mess.

However, if you look at Albert Park today, you see it really is a delight to behold. It is a place where local people can take the dog for a walk, go for a jog, ride their bike or whatever. It is a great piece of recreational land close to the heart of Melbourne. The reason Albert Park is in such good nick is because of the grand prix. Without the grand prix, Albert Park would have continued to fall into disrepair.

Mr Tee interjected.

Mr FINN — Mr Tee may laugh. The hyena over there is cackling away to himself, and I do not know why. I was part of the government that introduced the grand prix to Melbourne. At the time it was introduced I was chair of the tourism backbench committee of the Kennett government, and I was very proud to be the main speaker for the government when we introduced the Australian Grand Prix (Amendment) Bill 1995 in the Legislative Assembly. At that time I spoke of the benefits the grand prix would bring to Albert Park — and sure enough, it most certainly has brought benefits. It has brought enormous benefits to the park itself, and it has brought enormous benefits to Melbourne, enormous benefits to the suburbs surrounding Albert Park and to the businesses in those suburbs, which make quite a nice earner out of it.

Ms Pennicuik interjected.

Mr FINN — They may well go away, and I ask Ms Pennicuik if she knows what they do. They let their houses out at about 10 times what they are worth. They make a killing! If I could do that, I would be thrilled to the back teeth. What also happens is that the pubs in the area put up the cost of their meals, they put up the cost of their accommodation and they put up the cost of everything else. Then what happens is that the people who want to go to the grand prix eat those highly expensive meals, drink that highly expensive drink and stay at that highly expensive accommodation. They pour millions and millions of dollars into the local economy, which of course transforms into jobs.

There is one thing the Greens cannot stand, and that is people working. That is a fact. They cannot abide people having to get off their tails and work for a living. It is a foreign concept to them, and it is one they are very clearly opposed to. The investment of the grand prix creates great employment opportunities and great wealth. God help us if I use the word 'wealth' in the presence of a Greens member, but it creates great wealth for the people of Melbourne, particularly for

those living in the areas surrounding the grand prix track.

The grand prix brings benefits to Victoria far beyond just Melbourne, because every year Melbourne has a three-day or four-day international television advertising campaign courtesy of the grand prix. The television networks that cover the grand prix do not just cover the race. As anybody who watches the race from anywhere overseas will know, they also extensively cover the city at which the race is run. We do not know and there is really no way of telling how many people — whether they be in Canada, the United States, Europe, Iceland or wherever they might be — see the grand prix on television and say, ‘Hey, that’s Melbourne. That’s not a bad spot at all, is it? I wouldn’t mind going there!’. Then they ring up the travel agent and ask for two tickets — —

Ms Pennicuik interjected.

Mr FINN — I am not making it up. Ms Pennicuik is getting a tad hysterical at the moment, because the home truths are coming out to haunt her. If there is one thing that the Greens hate more than jobs and wealth, it is the truth — and that is the truth. That is something they really cannot abide, and that is appalling.

As I was saying, the reality of our wonderful grand prix is that people overseas see on television what a wonderful city we have. Let us face it, this is the greatest city in Australia. There is no doubt about it. Sydney may have its harbour, but if you drained the harbour, all Sydney would have is a dirty great hole. That is the truth. There is nothing else up there. You can do Sydney in an afternoon. I think Craig Thompson might have tried that a couple of times!

The reality is that Melbourne has much to offer on many fronts to many people across the world. People come here, and it is not just a matter of staying a few nights, tucking into some fish and chips and having a couple of cold Carlton Draughts. They will come here and go down to Lygon Street, go to Toorak Road and go to many other places. We have some magnificent restaurants and dining establishments in Melbourne that are far better than those of anywhere else in Australia.

A lot of the Asians — the Japanese and the Chinese — love to come to Melbourne for that reason. They may see on television that Melbourne is the place. Just for argument’s sake, they may have never heard of Melbourne before. Let us face facts — Australia is not a world power. It is not something that is on the minds — —

Mr Tee interjected.

Mr FINN — I just say to Mr Tee that if you go to the United States and watch television there night and day, you would not know Australia existed. Quite a few Americans do not know Australia exists. However, you cannot buy the sort of publicity the grand prix gives Melbourne. It opens the minds of many people to the possibility of coming to Melbourne to spend some quality time here and spend a good deal of money here as well.

Hon. R. A. Dalla-Riva interjected.

Mr FINN — As Mr Dalla-Riva said, those are the facts. They are indisputable facts. The other indisputable fact is that tourism is money in the bank. Every person who comes to Melbourne as a tourist, whether they be here for business or for a holiday or whatever reason they are here, is going to put money into the local economy. If you have a rich American or a rich European or maybe even a rich Pom coming out here for a holiday after seeing what Australia has to offer — particularly what Melbourne has to offer — during the grand prix, they will be going on a splurge. I do not think there is any doubt about that at all. As I say, they will not be settling for fish and chips and a cold beer. They will be dining at the top restaurants, staying at the best accommodation and spending in the stores in Collins Street and elsewhere.

Hon. R. A. Dalla-Riva interjected.

Mr FINN — They may well go to Brunswick Street. My wife in fact went to Brunswick Street not so long ago and had her bag stolen. That is the sort of crowd they have down there, but that is by the by. These are the benefits the grand prix brings to Melbourne.

I have slightly digressed. I was going to tell a story from 1996 of my first grand prix and the excitement of that grand prix. I have to say that before that I did not know much about the grand prix at all. I am not what you would call a petrolhead. I used to watch the Bathurst 1000. I am, for the record, a Ford man, and I was a big fan of Allan Moffat through his career on the mountain up at Bathurst and was quite excited that this new race I did not really know much about was coming to Melbourne. Of course the fact that it was being driven, if you will pardon the pun, by Jeff Kennett probably added to that excitement because it was pretty dangerous not to get excited by it at that time. I recall the excitement and the buzz. The feel around Melbourne the weekend of that first grand prix was something I do not think I have quite experienced since. It was absolutely magnificent.

Ms Pennicuik interjected.

Mr FINN — It is a pity Ms Pennicuik is so down on life. It is a pity Ms Pennicuik has not enjoyed her life in the same way that perhaps I have enjoyed mine, because if she gave the grand prix a shot, even she might enjoy it. I remember going through the pits and seeing Michael Schumacher and all these great champions who put their lives on the line to drive cars around for the entertainment of many. I went away from that day thinking to myself, 'This is something that is a part of Melbourne. This is something that is going to be an integral part of Melbourne for many years to come'. Here we are, 18 years later. We have just had a very successful grand prix, and I sincerely hope there are more grand prix to come.

Anybody who is into sport cannot help but get into the grand prix, and I am sure Mr Leane agrees. It adds to Melbourne's status as the sporting capital of the world, and that is something we hang our hat on. That is something we are justifiably proud of. Tomorrow night, for example, I will be at the MCG, along with 95 000-plus others, watching Richmond give Carlton a decent old tailing, and I am particularly looking forward to that. That is one of the many facets of Melbourne's great sporting prowess. It is a facet that shows the world that Melbourne is a great sporting capital, and the grand prix is another such facet. Whilst there might not be people in Tokyo or in Montreal or in New York tuning in to see the Tigers do what they do tomorrow night, they will tune in to watch the cars go around the Albert Park track. As I said earlier, you cannot buy that sort of publicity. You cannot buy that sort of exposure. That is a gift from God, that is manna from heaven, for anybody who is trying to promote the city in the way we need to.

You have to go back to the early 1990s when this grand prix was conceived. Victoria was on its knees — in fact it was more than on its knees, it was flat on its face in the gutter. It had been left broke by Labor governments, which unfortunately is a trend of Labor governments; they have a tendency to leave you broke. These Labor governments, the Cain and Kirner Labor governments, had done Victoria and Victorians in the eye. We were broke. Our self-esteem as individuals and as a state was very low. We were not walking with our heads up.

Hon. D. K. Drum — They were very good at leaving us broke.

Mr FINN — They were good at leaving us broke, absolutely. Nobody leaves you broke quite like Labor. I should not say that, Mr Drum, because there is one thing that leaves you more broke than a Labor

government; as we have seen in Tasmania, it is a Labor-Greens government. That way you have the combination of the worst of all worlds together. You can see what Will Hodgman has done in Tasmania just over the last week. He has done more to get Tasmania back on track in the last week and a half than the Labor Party and the Greens have done in the past five or six years, or even going back further than that. But again, I digress.

Mr Elsbury — Slightly.

Mr FINN — Just ever so slightly. I go back to that time of the 1990s when things were particularly crook in Melbourne and in Victoria. It was events like this — like the grand prix — that got Victoria walking tall again and made us again proud to be Victorians. Even those people who were not particularly enthusiastic about motor sport felt a certain pride that a prestigious event such as the grand prix would be coming to Melbourne. It made them feel better. It made them feel good about themselves, along with the other major events that Jeff Kennett and particularly Ron Walker put together.

At this point I should pay tribute to Ron Walker, who announced very recently that he will be stepping down as chairman of the Australian Grand Prix Corporation. Mr Elsbury suggests that perhaps Ron Walker should be given a knighthood for his contribution to Victoria, and I happen to think that that would be a very appropriate and reasonable thing. Maybe the Prime Minister will take that into consideration in the not-too-distant future, because Ron Walker has done Victoria, done Melbourne and indeed done Australia a great deal of service over a great length of time. Quite frankly he will be a very hard act to follow. He will be hard to replace, but you get the feeling that even though he might be moving on from his current position, he just might be lingering in the background somewhere, ready to step in if he is asked to by his successor.

I pay tribute to Ron Walker because I think he is a great Australian. He is certainly a great Victorian; there are no two ways about that. He has contributed to Melbourne and Victoria in ways that not too many others have, and he is owed the gratitude of every Victorian but particularly those of us who are sitting in the Parliament. Those of us who are the elected representatives of the people of Victoria should publicly express our gratitude and admiration for Ron Walker as somebody who has done so much for us all.

I assume — and I know one should not assume anything, because it makes an ass of you and me, which is an old saying — that Ms Pennicuik may have been

hanging around with that ragtag group of individuals who have been protesting against the Albert Park grand prix since its inception. I remember that back in the mid-1990s one of those individuals was a bloke called John Thwaites. You might remember him, Acting President. Not a lot do, but you might. He was at that time the member for Albert Park in the Assembly. He was the Deputy Leader of the Labor Party — of the opposition. He put on a great song and dance. He decorated his front fence with yellow ribbons, and he went down and gave the protesters jam and scones every day. He was a great opponent! It was all about what he was not going to do to the grand prix when Labor was elected.

This went on for years. Every year up would jump John Thwaites, dressed in yellow ribbons from head to foot, his house festooned with yellow ribbons. You could not see the planks of his front fence for the yellow ribbons. He did this, as I said, for years — until Labor was elected. And what happened? All of a sudden, there was John Thwaites at the grand prix! You would not believe it, would you? Labor hypocrisy. Is it possible? Let me ask the question: is it possible not to have Labor hypocrisy, which we have seen in earlier debates in this house today? Upon his appointment as Deputy Premier, John Thwaites, the Deputy Leader of the Labor Party and deputy leader of the state, after years of fighting the grand prix and waving yellow ribbons, embraced the grand prix as something great for Victoria. If somebody can tell me what is going on in the minds of these people, I would be delighted to know.

I happen to agree with John Thwaites II; I agree with him that the grand prix is great for Victoria. Even deputy leaders of the Labor Party can be given the benefit of the doubt from time to time. It took him only five years to work out that he was wrong. There are members opposite for whom it has taken a lot longer to figure out they are wrong. We could go through them individually if we had the time, but I do not want to do that — not much! On this occasion in 1995 Mr Thwaites was waving the yellow ribbons, in 1996 he was waving the yellow ribbons, in 1997 he was waving the yellow ribbons, in 1998 he was waving the yellow ribbons, in 1999 he was waving the yellow ribbons and in 2000, when he was Deputy Premier, he was waving the grand prix flag — he was waving the chequered flag.

I have to say that those constituents of his in Albert Park, whom he had suckered into thinking he was on their side, must have been in total bewilderment as to what was going on. I cannot help but think to myself too that if that happened way back then, maybe history will repeat itself. Today we have the Labor Party, and

we have Mr Tee, who gets up and opposes everything, as we know, but we also know Mr Tee is only opposing this for political reasons. He wants to score a few points, and I suppose that is fair enough in this sort of adversarial circumstance. We know the Greens are fair dinkum; they oppose everything. They do not support anything that is good for Victoria. If it is good for Victoria, they do not want to have a bar of it. They will fight it every inch of the way. They do not want it, and the grand prix falls into that category.

However, Mr Tee gets up and says — well I am not sure what he said. In fact I have to say Mr Tee's voice is the closest thing I have heard to the screech of the Formula One engines this year. I had some difficulty following exactly what he was saying. I do not know whether he is for the grand prix or against it. I dare say he is against it, but that would not stop him if, God help us and God help Victoria, Labor found itself back in government come December, from doing a Thwaitesey and embracing the grand prix. You could imagine him down there at that track, Crownie in hand, watching the cars go round and round. I would put the house down on that happening, but we hope and we pray that he will not have the opportunity to do that.

Ms Pennicuik's consistency is to be admired, but to be consistently wrong is not such a good thing. That is something Ms Pennicuik should seriously consider. This event has proven to be a great thing for Melbourne, a great thing for Victoria and a great thing for Australia. Irrespective of the political views of the Greens, who we know have a political philosophy that is basically opposed to civilisation as we know it, I suggest that Ms Pennicuik — who I think might live around Albert Park somewhere, although I am not entirely sure — might like to consider what is good for her neighbours, she might like to consider what is good for the businesses in her area, she might like to consider what is good for the young people who are looking for jobs in her area, she might like to put the interests of those people first and she might like to withdraw this motion.

Quite frankly it goes on and on forever. It is the same argument every year. It made no sense back in 1995, and it makes no sense in 2014, and if those concerned are still at it in 10 or 20 years, it will make no sense then. With those few words, I oppose —

Mr Tee interjected.

Mr FINN — I can continue if you like, Mr Tee. I was winding up, but if you want to wind me up —

Mr Tee — I did not want you to mislead the house.

Mr FINN — I am not going to do that, Mr Tee, because Mr Elsbury is very keen to speak on this motion, and I am looking forward to hearing what he has to say. I just say to Mr Tee and Ms Pennicuik that they should have a good, hard think about this motion. It is a bit silly really, because we all know that the grand prix is a great thing, a great event, for us all, whether we accept it or not. On that basis I will be very much opposing this motion.

Mr ELSBURY (Western Metropolitan) — It is my pleasure to rise this afternoon to speak on this motion. Once again, as Mr Finn has highlighted, Ms Pennicuik has joined the yellow ribbon brigade for her annual pilgrimage to this place to try to denounce the Australian Formula One Grand Prix. This is a major event of global significance that comes to our great state. It is a sporting event that brings hundreds of thousands of people to our city and it is seen by millions across the globe. It is not just on TV; it is also webcast, it is on radio and it goes out in print media. It is certainly something that promotes Melbourne to the globe. It is an event which is important to promote the greatness of this state and to show us as the premier sporting capital of Australia.

Ms Pennicuik said they shut down the park for so long and it is a horrible thing because no-one gets access to the park. What happens at Melbourne Park during the Australian Open tennis tournament? The tennis players who are normally there day in, day out do not get to use those courts during that time.

Hon. R. A. Dalla-Riva — The Melbourne flower expo.

Mr ELSBURY — During the Melbourne International Flower and Garden Show, which is currently on in the Carlton Gardens, things get shut down. It is a little less noisy than the grand prix, but that park is closed off to public access all the same and you have to pay to get in.

Many events occur in this state. There is the Australian International Airshow that occurs down at Avalon. We should shut that down because it is noisy. Just a few weeks ago there was an airshow at Point Cook where jet fighters and heavy transport aircraft flew over the top of Point Cook. That airfield has only been there for 100 years. It was used first of all by the army for its reconnaissance corps, and then later on when the air force was formed it was used for the air force to undertake training. If we are going to start closing down events because they make a bit of noise, there will not be Eminem concerts — which possibly would be a good thing, comparing particular music tastes — and

other major events that cause any noise. That would not only make Victoria a very quiet place but would destroy our tourism.

Mr Finn raised some issues with regard to Albert Park before this event was hosted there. I tend to agree with him. I have used those facilities at Albert Park, which were former storage sheds used by the army during the Second World War, and trying to play badminton on concrete floors is not the nicest thing, especially when those floors get wet and slippery and you end up on your backside more than you play shots. The new facilities down there for badminton, basketball, netball, table tennis and myriad other indoor sports are outstanding. If it were not for the grand prix, they would never have happened.

As for the sporting fields that are now available, they are also outstanding. Hockey, soccer, football, cricket — all of these events — are happening in and around the grand prix track because it needs to be maintained to a standard that showcases the greatness of this state. The panoramic views seen on the TV showing Albert Park with the city in the background show that we are a modern metropolis capable of great things. That is a vision that we need to show the rest of the world, and that is something the grand prix does.

I will refer to a little bit of history here, from Wikipedia; apparently that is acceptable for some federal ministers so I will use it myself. It states:

Through the ... 19th and ... 20th centuries, the park was used as a tip, a camp for the armed services, scenic drives, picnics and ... other forms of recreation.

Further on it says:

From 1953–1958, the Australian grand prix was held within the park, around the lake, until it was moved to the circuit on Phillip Island. Through much of the 1960s, 70s and 80s, general ... maintenance was neglected as funding became hard to come by ...

That is certainly reflective of the state the park was in. It is reflective not only of the state the park was in but also of the state in general. You have to go back to the 1990s to remember the jokes that used to be made about Victoria. People used to ask, ‘What is the capital of Victoria?’ and people would answer, ‘About 50 cents’, because that is how bad the economy was under the Cain-Kirner regime. They destroyed our state. There was the Pyramid Building Society disaster. They sold the state bank. They did all these things — —

Mr Finn — Tricontinental.

Mr ELSBURY — There was Tricontinental. All these issues were coming to our state. We were bust.

Along came Jeff Kennett, with enthusiasm and with a vision for this state, which included a grand prix.

The grand prix is an important event. I quote from the *Sunday Herald Sun* of 1 March, where Mark Webber, a former Formula One driver, was reported as having pointed out that without the grand prix we are on a slippery slope towards losing other events in this state. The article by Peter Rolfe states:

Mark Webber has warned Victoria its ... status as Australia's sporting and major events capital may be lost if the state fails to keep the Formula One grand prix at Albert Park.

That is a warning we need to listen to, because if we lose our status as the sporting capital, anything is possible. It could end up that Brisbane gets the AFL Grand Final, and Perth could end up with the tennis. This is not what we want to see happening to our state.

Mr Scheffer interjected.

Mr ELSBURY — We will still have the Melbourne Cup — well done, Mr Scheffer — but we will not have these other major events that bring people into the state. We will not have these important events that bring people into our state so they can spend money.

Mr Scheffer interjected.

Mr ELSBURY — We will have an art gallery — well done, Mr Scheffer. The last time I checked, the art gallery does not exactly get international TV coverage. A grand prix certainly does.

Look at the cost of the grand prix. When the coalition left office in 1999 the Formula One grand prix was attracting \$3.2 million from the state government, but Labor blew that out to \$49.2 million in 2010. An estimated 323 000 people attended the event in 2013, and that was the biggest four-day crowd since the 2005 grand prix. Ernst & Young studies estimate that the 2011 grand prix increased Victoria's real gross state product by between \$32.04 million and \$39.34 million and generated between 351 and 411 full-time equivalent jobs. These are statistics; they are facts from an Ernst & Young report.

The Accommodation Association of Australia issued a media release dated 19 March 2012, which states:

... major events like the grand prix are vital for operators and investors in accommodation businesses.

'Accommodation occupancy rates in Melbourne will run at around 96 per cent for the four days of the grand prix ...

The Victorian Events Industry Council issued a media release dated 23 January 2013 stating:

Major events like the grand prix have flow-on effects to Victoria's grassroots economy, such as accommodation, hospitality, catering, transport and taxi and retail services — these are all labour-intensive sectors —

something I would have thought those opposite would be interested in, considering they could probably try to get a few miniscule union fees out of those workers.

As was stated by Mr Finn, the Greens do not like people to be working. They are against jobs in every way, shape and form. They support a carbon tax which destroys jobs, and they now want to destroy our tourism industry by taking away major events like the grand prix. Ms Pennicuik seriously needs to reconsider what the Greens are seeking to achieve. Are they seeking to remove a great event from the state and destroy our sporting capital status because of some insane political vendetta against an event that generates billions of dollars in revenue and provides the state with advertising that it cannot get in any other way, or do they support this state and want people to invest in it? Do they want to have investment in our economy from multitudes of people?

People from various businesses visit the grand prix and go to corporate boxes. They do not do not just quaff the wine; they actually make deals. They come up with new ways of generating jobs — this crazy idea that people who own businesses can provide jobs better than government can. That is what they do. They generate jobs for everyday Aussies and everyday Victorians.

Mr Finn — Wealth creation.

Mr ELSBURY — It is indeed called wealth creation, Mr Finn. With those few words I will wind up because I want to see just how successful Ms Pennicuik's arguments have been. I have a sneaking suspicion that she will not get this motion up, because I will certainly be voting against it.

The ACTING PRESIDENT (Mr Eideh) — Order! Ms Pennicuik in reply.

Hon. D. M. Davis — Briefly.

Ms PENNICUIK (Southern Metropolitan) — I thank Mr Davis for his encouragement. The motion I have put before the house today is a serious one and goes to accountability, transparency and the use of taxpayers dollars over many years — increasing amounts of taxpayers dollars — for an event which is sponsored by an overseas billionaire who pockets the fee from this race. The mounting cost to the taxpayer is something that is not acceptable. It has not been acceptable for a long time, and it is definitely not acceptable now.

I note that Mr Tee has moved an amendment to my motion calling for all the words after paragraph (2) to be replaced with:

- (3) the government has refused to carry out an independent cost-benefit analysis of the event as sought by the Auditor-General's office in 2007;

and calls on the government to ensure that this is done and the outcome publicly released prior to any consideration of a further extension of the grand prix beyond 2015.

My motion notes that there has been no cost-benefit analysis done since 2007, but it does not call on the government to do one before agreeing not to renew the existing contract or negotiate a new contract for this event. It just notes that one has not been done.

Mr Elsbury referred to the Ernst and Young economic impact statement, which overinflated the benefits —

Mr Finn interjected.

Ms PENNICUIK — Because it did not look at the cost. It just looked at the economic impact, and that is not a cost-benefit analysis. That report cannot be counted in terms of a cost-benefit analysis. I would say that we have gone beyond anything that a cost-benefit analysis conducted by a government could do for this event, because the cost of it in terms of the taxpayer or government contributions have so far amounted to more than \$550 million.

The cost of staging the event has risen in leaps and bounds. For example, in the 1990s and early 2000s the cost to taxpayers was less than \$10 million a year. In 2002 the taxpayer contribution was \$11 million, and in 2003 it catapulted up to \$19 million. In 2006–07 it went from \$22 million to \$35 million. In 2011, 2012 and 2013 it was between \$50 million and \$60 million. In the last three years the event has cost taxpayers \$175 million — and that is just the direct taxpayer contribution as listed in the Australian Grand Prix Corporation annual report. It does not include all the hidden costs that the government will not own up to, which equal around the same amount. This event has cost the taxpayer around \$1 billion, and by any measure that cannot continue.

Everyone is looking at the clock. The Leader of the Government, Mr Davis, is looking at me, wanting me to wind up. I am not going to, and I will say to Mr Davis that if the contributions from the members for Eastern Metropolitan Region and Western Metropolitan Region to this debate are anything to go by, it is a disgrace. I notice that there were no members for Southern Metropolitan Region defending the grand prix. They certainly do not want to be seen by their electorates as supporting this event, which is no longer

supported by the majority of Victorians, if it ever was. I would like to take some time on a further occasion to respond to the ridiculous contributions made by Mr Finn and Mr Elsbury. I will finish by saying I will not be supporting the amendment moved by Mr Tee.

House divided on amendment:

Ayes, 15

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

Noes, 23

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

Amendment negated.

House divided on motion:

Ayes, 3

Barber, Mr (<i>Teller</i>)	Pennicuik, Ms
Hartland, Ms (<i>Teller</i>)	

Noes, 34

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

Motion negated.

Business interrupted pursuant to order of Council.

STATEMENTS ON REPORTS AND PAPERS

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

Mrs COOTE (Southern Metropolitan) — It gives me pleasure to talk on the Victorian Department of Human Services annual report for 2012–13. I have spoken on this report a number of times. There is a great deal of very good news in this report, and I still have quite a lot to say on it, so it is a pity I have only 5 minutes to speak.

One of the things I will talk about is better support for children in out-of-home care, which is particularly topical. It is very important to see what is in the annual report and mention some of the good news statements that have been made in the past couple of days. In 2012–13 a range of initiatives were implemented to better support children in out-of-home care. One was market research on foster care recruitment and retention that will inform the development of a strategy to improve the recruitment and retention of Victorian foster carers into the future. I take just a moment to put on the record my praise for the foster carers of Victoria. They do the most extraordinary job in difficult circumstances in many cases, often with children who have come through very difficult and challenging experiences. Foster carers, no matter whether they keep the children for a long or short time, give those children a sense of stability. They are quite remarkable people.

Another initiative was health and educational assessments for children in out-of-home care, which commenced in December 2012. The Springboard program was launched in 2012 to help young people leaving child protection residential care to access education and employment, and therapeutic residential care has been expanded across the state.

All that is particularly pleasing, but it is even more so when you look at what was announced just yesterday by the Honourable Mary Wooldridge, the Minister for Community Services. She announced a new plan for children living in state care. Not only is the new plan very comprehensive but it is backed, as has so much of the work that Ms Wooldridge has done in this area, with real dollars — \$128 million has been invested in out-of-home care, building a better future for vulnerable children and young people. The minister's media release yesterday states that it:

... will transform the care given to more than 500 of Victoria's most vulnerable children and young people living in residential care and thousands of others in family and kinship care.

Kinship care is a growing area in which members of extended families look after children, but they too need a lot of additional help and support. This package will enable that to happen. The media release states also:

A reform advisory group will oversee implementation of the plan.

In her media release yesterday the minister said that this is a five-year plan and:

... every young person living in residential care will have a therapeutic placement with therapeutic supports that appropriately and effectively addresses their complex needs. We also want to reduce the number of children who are required to live in residential care by increasing support for therapeutic home-based placements, including foster care and kinship care.

As I said, this is another step along the journey of investing in Victoria's most vulnerable children. As members know, \$90 million was put aside to support the report of the inquiry by the Honourable Phil Cummins into vulnerable children in Victoria. That is another example of putting the money exactly where it was needed. Without any questions being asked, it was just done, as indeed this has been.

This plan and package is another significant step in the coalition government's comprehensive reform for the protection of children in our state. Over the last three state budgets there has been an overall investment of \$650 million. That extraordinary amount of money has been put into a very worthwhile and important area.

I am running out of time, which is disappointing. Today the Victorian Auditor-General's Office put out a performance audit of residential care services for children. There were some key challenges relating to the system. The audit found that performance monitoring is inadequate and that children in residential care would benefit from independent advocacy. The government welcomes the Auditor-General's report in which he makes six recommendations, all of which have been accepted by the Department of Human Services and will be addressed through the coalition government's five-year out-of-home care plan and the associated funding package that I have just been speaking of.

I hope I will have an opportunity to speak on report this at length. The plan builds on the legislation on grooming that has been introduced into this place as a consequence of the *Betrayal of Trust* report and the new laws that have just been introduced into the lower house to further protect children from sexual abuse.

Auditor-General: *Apprenticeship and Traineeship Completion*

Mr ELASMAR (Northern Metropolitan) — I rise to speak on the Auditor-General's report entitled *Apprenticeship and Traineeship Completion*. As a member of the parliamentary Education and Training Committee, I am particularly interested to read about the effectiveness of Victorian apprenticeship and traineeship schemes and how they translate into real, worthwhile jobs and career paths for our young people leaving school.

Technical qualifications are crucial to our economy because the fact is that tradespeople are essential to enable future construction of our infrastructure — cities, roads and housing. Tradespeople provide the services that most white collar professionals pay handsomely for. However, it saddens me to see that there are now no more apprenticeships and traineeships than there were in 2004. According to this report there has been no real improvement in the proportion of apprentices and trainees.

Evidence suggests that people who complete their technical education are more often employed on a full-time basis than seasonally or part time. This effectively gives them not only a career path that is well paid, commensurate of course with ongoing employment, but an ability to enjoy a good life and raise a family in relative comfort. The report highlights the fact that the Department of Education and Early Childhood Development does not have a database that can accurately pinpoint the number of and reasons for the non-completion of traineeships and apprenticeships. This is a sad state of affairs, because we need to understand the reasons for young people dropping out of these courses and address the problem properly; otherwise the skills shortage will mean more overseas employees and more unemployable Victorians.

Now, as was the case in 2004, a third of people who pursue apprenticeships and traineeships do not complete them. The Department of Education and Early Childhood Development needs to do more to encourage people to undertake apprenticeships and traineeships. Young people need to be motivated to understand the importance and viability of these technically skilled jobs. In the meantime, expenditure on apprenticeships and traineeships has increased by the equivalent of 37 per cent over the same period, reaching \$311 million in 2012.

The nine recommendations contained in the report relate to the collection of information and the formulation of adequate strategies to address the cause

and effect of dropout rates. Parents struggle to ensure that their children have a university education, thinking this will ensure a good life for them, but the reality is a large percentage of our unemployed have a degree in one hand and a dole cheque in the other, figuratively speaking. However, fully qualified tradespeople are definitely valued and respected in the community. Our young people need to hear that from parents, educators and social media, and they need to hear it sooner rather than later.

Legal and Social Issues Legislation Committee: Australian Health Practitioner Regulation Agency performance

Mrs MILLAR (Northern Victoria) — I am pleased to make a statement in relation to the report on the inquiry into the performance of the Australian Health Practitioner Regulation Agency (AHPRA), an inquiry of the Legislative Council's Legal and Social Issues Legislation Committee, which is a very good committee indeed and which I was pleased to join after 21 August last year. Other members of this committee include Georgie Crozier, who as a very fine chair of this committee did an outstanding job, which has been acknowledged by all members of the committee; David O'Brien; Matt Viney, as the deputy chair of the committee, who was unfortunately unable to see out the full term of the committee due to ill health, and we certainly wish Mr Viney all the best with his recovery; Nazih Elasmr; Colleen Hartland; Jenny Mikakos; Andrew Elsbury; and Inga Peulich.

I thank each of these members for their contributions to this important inquiry, in which I enjoyed participating. I also thank Richard Willis, the secretary to the inquiry, Sarah Hyslop and the other professional staff of the Department of Parliamentary Services who worked on this inquiry for their outstanding contribution. It was a pleasure to work with each and every one of these staff members. It is a unique privilege of this role to participate in inquiries which result in very significant learnings for our state and offer Victorians a real and abiding say on many matters of importance.

This inquiry reviewed the performance of the Australian Health Practitioner Regulation Agency and the national registration and accreditation scheme since its implementation in July 2010 and specifically assessed the extent to which the scheme is protecting the Victorian public. The inquiry followed a number of well-publicised concerns into the handling of complaints by the newly formed body. The inquiry also came in the wake of decisions by two other states — the large and significant states of New South Wales and Queensland — to set up co-regulatory jurisdictions,

specifically in the context of the appropriate handling of complaints in those states. The committee's terms of reference included a review of cost effectiveness, regulatory efficiency and the ability of the national scheme to protect the Victorian public.

The inquiry received a total of 55 submissions from various bodies around Australia and from members of the public. The evidence of those submissions, and the evidence obtained during a large number of hearings, detailed lengthy delays, concerns about the rights of notifiers and information provided to employer organisations about the matters under review. This evidence detailed some very serious shortcomings in these reviews which have eroded the trust and confidence of the Victorian public in that body.

In accordance with the terms of reference, though, 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 complaint reviews, and the evidence before the committee strongly indicated that this had indeed occurred over the period under consideration. This single factor has been significant in driving the committee's ultimate recommendations. Although the committee's evidence noted the improvement in performance, the question remained as to whether the aim of protecting the Victorian public could be met, and the majority committee opinion suggested that it was not a sufficient level of protection to satisfy the needs of our community. The community has a right and an expectation to expect that protection.

The committee's evidence and 12 resulting recommendations indicate that the process for managing health complaints is best managed at a local level, rather than at the national level by AHPRA. Accordingly the majority committee recommendations indicate that it is timely for Victoria to consider becoming a co-regulatory jurisdiction with respect to best managing health practitioner complaints.

Ombudsman: investigation into children transferred from youth justice system to adult prison system

Mr EIDEH (Western Metropolitan) — I rise to address the house on the 2013 report of the Victorian Ombudsman's investigation into children transferred from the youth justice system to the adult prison system. I must say at the outset that the Ombudsman acknowledges that since 2007 there have been 24 incidents of children being received into adult correctional facilities. One transfer occurred between 2007 and 2009; there were three in 2010, four in 2011

and seven in 2012. These seven transfers in 2012 occurred within three months of each other. It must be noted that there has been a significant increase in the number of transfers of children into adult prisons over recent years.

Page 11 of the Ombudsman's report focused on 15 incidents within the period from 2007 to 2012. The Ombudsman identified the following key issues, which I bring to the attention of members. Upon examining the transfers in July and August 2012 the Ombudsman identified:

offending has changed from property-based offences to violent offences

long-term detainees were expressing dissatisfaction with youth justice and were committing violent acts in order to be transferred.

He went on to state:

In applying to transfer children from youth justice to adult custody, the department failed to:

consider a number of rights under the Charter of Human Rights and Responsibilities Act 2006 (the Charter)

document the consideration of alternative placement options within youth justice

consult with the Victorian Aboriginal Child Care Agency, Child Protection or the children's legal representatives

provide relevant information such as mental health history to the Youth Parole Board

follow up the transfer with Corrections Victoria to ensure the placement of the children was appropriate.

The transfers of these children into adult correctional facilities without consultation or alternative consideration represents a serious problem within Corrections Victoria, particularly in the cases examined in the report, which indicate that once transferred the children were moved into the sterile Charlotte management unit, a solitary confinement unit in the maximum security Port Phillip Prison, which houses in excess of 800 prisoners.

I also note that of the 24 children transferred 5 were mistakenly admitted into an adult prison at the outset and remained there for some time. The children were held in solitary confinement for 23 hours a day. They were allowed only 1 hour of natural daylight a day. During this time they were only allowed to exercise in handcuffs. These are abhorrent conditions in which to place children, for whom we as a state encourage rehabilitation, particularly those who are plagued by mental illness.

It is our responsibility to ensure that the necessary treatment is available to those children who are in the state's care. The Ombudsman's report makes mention of a 2008 review prepared by Professor James Ogloff for the Office of Correctional Services Review in which it was recommended:

... prisoners with active major mental health illness should not be placed in a restrictive environment setting as it is more likely to exacerbate mental illness.

That is exactly where these children ended up. In addition to this, the Ombudsman stated that he did not consider an adult prison to be a suitable facility to place children. He went on to state:

Children are vulnerable in mainstream prison populations as they are impressionable and may also be subjected to sexual assaults. Victorian prisons are currently overcrowded, which increases the likelihood of a child in a mainstream unit sharing a cell with an adult.

These instances of children being transferred into the adult prison system are inexcusable and are a serious breach of commitment to care for children within the youth correctional system.

As a result of his investigation the Ombudsman made three recommendations to overcome these failures when dealing with children in juvenile detention. They are:

That the Minister for Community Services consider amending the Children, Youth and Families Act 2005 to remove the option to transfer children to the adult prison system once additional accommodation becomes available at the Malmsbury Youth Justice Centre.

That Corrections Victoria check the dates of birth of young offenders to ensure that no child is incorrectly remanded to prison.

That the Minister for Corrections give consideration to making the Office of Correctional Services Review separate and independent from the Department of Justice.

I hope the government reads this report and urgently implements these recommendations in order to protect these children. I thank the Ombudsman for his investigation and for bringing this serious issue to the Parliament.

Centre for Adult Education: report 2012

Mr RONALDS (Eastern Victoria) — I rise to speak on the 2012 annual report of the Centre for Adult Education. This is very timely as I recently had the pleasure of presenting certificates to adult students. While finishing a course is a great achievement in itself, this was a particularly special graduation ceremony, as it occurred behind bars. The recipients of these

certificates were prisoners at Fulham Correctional Centre, which is in my electorate of Eastern Victoria Region. It was my privilege to represent the Minister for Corrections on this occasion.

Fulham Correctional Centre is a privately run medium security prison which currently accommodates 800 prisoners, almost half of whom are involved in programs run through Kangan Institute of TAFE. Inmates can participate in courses in English and mathematics. They can also undertake vocational study, including courses in engineering, automotive, furniture making, information technology and horticulture.

On Friday I presented certificates to 8 men who had graduated from a specialised Koori program and another 11 who completed a course on exploring change. I also presented TAFE certificates. One inmate completed a certificate in automotive, which is a fantastic achievement. Thirteen prisoners are now baristas, having completed TAFE certificates. I met a young man who was proud to take my order. He subsequently made me one of the best skinny lattes I have had for a very long time, and believe me I am fairly fussy about coffee. I could envisage this young man at any restaurant or cafe in Melbourne or in fact in any regional centre using these newly acquired skills to earn a living, which is a vital step to reintegrating into society and most importantly staying out of jail.

It takes a lot of courage and guts for these men to do what they have done. It was a great honour for me to be there. Many of the men did not have the formal education some members in this house have had, yet they had the drive and motivation to sign up, attend classes and learn. I could see the pride on their faces when the certificates were presented to them. It was a real sense of achievement in having completed this study.

Prisoner education in Victoria is not a privilege; it is a moral and legal right. The Victorian Corrections Act 1986 states that all prisoners have the right to take part in educational programs. This commitment has been enshrined in legislation, policy and procedures. Senior education officers are employed to provide distance education and support services in all publicly run prisons. The management at Fulham Correctional Centre and its parent body, GEO Group Australia, share the same philosophy. Since 2012, 45 prisoners at Fulham have completed TAFE courses.

Members may well ask: why is education in prison so important? Ultimately it is about reducing the likelihood of prisoners reoffending and giving people the chance to make a change for the better. International

research has demonstrated that receiving education while in prison is linked to a lower probability of reoffending and a higher probability of obtaining employment after release from prison.

Prisoners are taught life and work skills and provided with transitional support, particularly when they near the end of their term of imprisonment. I got chatting to a young man at the prison — I will call him Sam — who informed me that he was back in prison because he had breached his parole. He was very matter of fact about it. Much has been said about changes to the parole system, not the least of which is the community expectation that those who reoffend while out on parole should be sent back to jail, and that is a good thing.

There is another advantage stemming from this change. A tightening of the parole system means more prisoners know they will be serving out their entire sentence and so they commit to educational programs knowing they will be there to finish them. This is a great advantage.

I must admit that last Friday was very much an education for me too as I had never been inside a prison before. I was taken on a tour of the facility and was heartened to see the system was very much geared toward rehabilitation rather than incarceration.

One of the great ideals of the Liberal Party is reward for effort. At Fulham, a reward-based system is used where prisoners work in the garden or kitchen or complete maintenance tasks. At the end of the week, the prisoners line up for payment. Credits are given and can be exchanged for everyday items. This gives them a sense of reward for effort. It is this work ethic, individual achievement and education that will set prisoners up for a positive life beyond the prison walls.

Auditor-General: Apprenticeship and Traineeship Completion

Ms TIERNEY (Western Victoria) — I rise to make a contribution on the Auditor-General's report entitled *Apprenticeship and Traineeship Completion*. Historically in this state we have always had a genuine commitment to and provided support for apprenticeships and traineeships. Young people especially benefit from vocational education by obtaining qualifications, skills and work experience to reach their full potential and embark on a lifetime of employment.

This report demonstrates to us the hard and cold reality of what is happening with apprenticeships and traineeships under this government. It is clear that this government has turned its back on the community of

young people in Victoria. The audit examined data on apprenticeship and traineeship investment, participation and completion; Department of Education and Early Childhood Development (DEECD) activities to influence completion of apprenticeships and traineeships; and the regulation of apprenticeships and traineeships.

The Auditor-General found that the number of people commencing apprenticeships or traineeships has failed to increase. There has been a failure by this government to improve the amount of qualified people being introduced into the workforce. In assessing the data available the audit found that around 38 per cent of people who commenced an apprenticeship or a traineeship did not complete it. We are informed in no uncertain terms that completion of this training is essential. When they have completed training people are more likely to be employed, to earn a higher salary and to work full time rather than part time.

The report also details that among the most common factors influencing the decision of an apprentice or trainee to quit are the lack of support available to them and low wages. Rather than assisting our young people to complete their training so that they might receive the obvious benefits that follow, this government has scrapped the apprenticeship accommodation allowance, which helped young people who had to travel for their training. This was particularly relevant in my electorate. The government has also scrapped the apprentice trade bonus, which financially supported people at the beginning of their training. Even more alarmingly, the government has made the apprentice/trainee completion bonus available only to those who commenced their training prior to 1 July 2011. This bonus provided a financial incentive for people to finish their training after having potentially spent years scraping by on very low wages.

The audit further found that the data being collected in relation to vocational education is not being used to understand outcomes and influence change. This exposes the government's real position on apprenticeships and traineeships in Victoria. Those opposite have not assessed the outcomes of, vested any interest in or given any consideration at all to young people and their skills. They have shunned the importance of having qualified and skilled people in our workforce and the impacts that has on industry and livelihood in our state.

I draw the house's attention to the very last paragraph of the comments made by the Auditor-General, John Doyle, at the beginning of the report. He says:

I am encouraged that DEECD has outlined the actions it plans to take to address my recommendations. However, the issues I have identified are significant, and I am not confident that the actions that DEECD proposes to take will make the sustained and significant improvement to apprenticeship and traineeship outcomes that is required.

I think that says it all. There is so much work that needs to be done in this area. What we do not need is the slash-and-burn approach that this government has taken to apprenticeships and traineeships in this state.

Outer Suburban/Interface Services and Development Committee: livability options in outer suburban Melbourne

Mrs KRONBERG (Eastern Metropolitan) — It is a great pleasure for me to make a contribution today on the Outer Suburban/Interface Services and Development Committee's December 2012 report on its inquiry into livability options in outer suburban Melbourne. As it is such a tome — it runs to 605 pages — every now and again some of the ideas contained in it are, I think, worthy of airing on their own because although they are interwoven they are important stand-alone concepts.

One of the concepts I am picking up goes to the heart of containing and transforming Melbourne's outer suburbs. It falls under the umbrella of agricultural urbanism. Agricultural urbanism is defined as a planning policy and design framework that focuses on integrating a wide range of sustainable food system elements into urban planning projects and neighbourhoods. Agricultural urbanism is aimed at altering the historically strict division between urban and rural land to enable both increased production of food within cities and the preservation of extensive tracts of valuable and productive agricultural land within the metropolitan area.

The committee heard from a number of stakeholders in the semirural, and in some cases predominantly rural, areas of Melbourne's interface councils. Clearly agricultural urbanism is highly attractive from the perspective of both current and prospective residents in that it makes a significant contribution to the livability of such areas.

I want to pick up on some visionary statements made by somebody I have met, spoken to at length and admire. They are the thoughts of Professor Richard Weller, who at the time he made these statements was the director of the Urban Design Centre of Western Australia. He stated that the days of food production being, in effect, quarantined beyond metropolitan areas are over. He said there needs to be a new approach to

integrating agriculture production and residential environments, which is not the way we did things in the 20th century. He also stated that residential development and agriculture need to be interwoven with natural habitat to create a complex landscape that is productive on all levels. He went on to suggest that the increasing density of suburbs enables the retention of open space for food production.

The committee had the opportunity to visit Vancouver to get an idea of some of the thinking in British Columbia. Representatives of that province provided some very interesting evidence on these matters. If the integration of people living on the urban interface is to be successful, those people need to value the agriculture and farming occurring on the other side of the urban interface boundary. According to the Urban Development Institute of British Columbia, the concept of agricultural urbanism blurs the boundaries between urban and agricultural land and therefore softens the political arguments about where urban growth boundaries should begin and end, and whether they should be changed over time.

We had the opportunity to meet with one of the senior planners at the City of Surrey in British Columbia. She told us that the city of Surrey has large amounts of agricultural land. We saw some cranberry fields, which were quite interesting to behold. She also said that the agricultural land reserve constrains development and that the protection of land by the agricultural land reserve is valued by local communities.

For the British Columbian model of agricultural urbanism to work it requires higher density living in urban communities. The profit generated from increased density is used to integrate agriculture into the social fabric and economies of these urban communities, which are on that interface between the urban, the rural and the semirural, through farming education and the subsidisation of farming. For example, the committee heard about models for agricultural education that are designed to encourage — —

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

V/Line: report 2012–13

Ms DARVENIZA (Northern Victoria) — I wish make some comments on the V/Line annual report for 2012–13. Firstly, I congratulate V/Line's chairperson, Hector McKenzie, and its CEO, Theo Taifalos, on their commitment to regional public transport. V/Line has a long and proud history of connecting regional Victoria.

It is a major employer with a workforce of 1493, many of whom live in regional Victoria.

In addition to being a passenger service operator, V/Line also provides access to and maintains 3420 kilometres of rail track which is used by both passenger and freight rail services. V/Line faces many challenges, and it has outlined a number of these challenges in its report. It has done an excellent job of acknowledging what those challenges are and of talking about the ways it is handling them. There are challenges with the increase in demand for V/Line's services, especially in my electorate of Northern Victoria Region.

In the report Mr McKenzie acknowledged that this year has been difficult in regard to service delivery because V/Line experienced a number of significant infrastructure problems that required services to be cancelled while repairs took place. In the report Mr Taifalos thanked V/Line customers for their patience and continued support in what was a difficult year of adjusting to the many challenges facing the organisation. V/Line reported a loss of \$10.9 million, which occurred predominately as a result of rail replacement coaches that were used because of track works and the removal of the Z carriages from the fleet.

In the last financial year 13.2 million passengers used V/Line train services, and more than 1.4 million people used passenger coach services. V/Line sold more than \$5.7 million worth of tickets for the year. As a result of the Sunbury electrification project, V/Line lost almost 615 000 passenger trips from the end-of-year tally for 2012–13. Combined with a loss of 250 000 trips due to track work, line closures and rail replacement coaches, V/Line's overall patronage figures were down by 5.4 per cent.

Getting information to customers, particularly during times of disruption, continued to be a strong focus for the business. It is particularly important that people are aware of what is happening with the services, and they rely very much on accurate information being made available by V/Line. Social media sites such as Twitter and Facebook have been very popular, and a new app for customers to access train service information and timetables on their smartphones and other devices was launched in June 2013.

V/Line's fleet includes 134 V/Locity carriages, 41 locomotives, 133 loco-hauled carriages and 21 Sprinters. We wish we had a Sprinter service that came all the way to Shepparton. I will just put that in as a little plug, because a Sprinter goes as far as Seymour but then we either have a coach service or a train

service from Seymour to Shepparton. The Sprinter service is excellent, and we would love for it to be extended to Shepparton.

In 2012–13 Victoria experienced its hottest summer for many years. With the increase in temperature came an increase in heat speed restrictions for the V/Line network. When the temperature reaches 38 degrees there is an increased risk of the tracks buckling, so trains must slow down to 90 kilometres an hour, which blows out journey times. From November 2012 to March 2013 V/Line had 627 trains run late as a result of hot weather. We can expect to experience more of that in the future.

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

Rural and Regional Committee: opportunities for people to use telecommuting and e-business to work remotely in rural and regional Victoria

Mr RAMSAY (Western Victoria) — It gives me great pleasure to speak on the report of the Rural and Regional Committee, which is chaired by Paul Weller, the member for Rodney in the Assembly, on its inquiry into opportunities for people to use telecommuting and e-business to work remotely in rural and regional Victoria. I agree with the sentiments the committee expresses in its report about how people living in regional Victoria are crying out for modern technology that will allow them to run their businesses remotely, whether it be by using broadband, mobile networks or other data communication technologies. This is particularly true in regional Victoria, where the importance of high-speed, high-quality communications is vital because of its remoteness.

I am almost in despair that in 2014 we have an almost Third World communications network in regional Victoria. My electorate is just over 80 000 square kilometres with the new regional distribution, and as I travel around it, I only have to travel 20 minutes to find a mobile network black spot. Despite the Abbott federal government promising \$100 million to help deal with some of those black spots across the nation, the fact is that our rural communications network has been allowed to slide to a point where it is almost uncompetitive.

I refer to chapter 9 of the report, which says:

Rural and regional businesses with poor connectivity are at an immediate competitive disadvantage compared to metropolitan businesses.

How true is that? In another role, in another life, I worked in Canberra, where I was involved in negotiations with the federal government of the time in relation to the privatisation of Telstra. We went to some effort to try to provide a buffer in relation to that privatisation. We had the federal government commit to a fund that could be used to provide rural and regional areas with communication networks of the same quality as those provided to metropolitan areas. That was \$2 billion, but unfortunately, as we have seen, federal Labor managed to grab that \$2 billion and sink it into consolidated revenue, where it was dispersed into failed programs like pink batts, Building the Education Revolution halls, green car schemes, green loan schemes and all those environmental disaster projects that are now a legacy of federal Labor.

Chapter 10 of the report notes:

Australia has one of the highest levels of use of mobile phones and internet-capable smartphones in the world. Globally, there has been a rapid growth in the number of mobile phones and the way they are used to access online information.

But as I said, we are yet to have a proper mobile network in little towns like Dereel, Rokewood, Ocean Grove and Ballarat. I am sure my parliamentary colleague Mr Koch, who travels as many miles as I do, could pinpoint any number of black spots right across western Victoria where there is no mobile communication at all, let alone access to appropriate broadband with high speed.

I refer to a speech made this week by Sarah Henderson, who is the federal member for Corangamite.

Mrs Coote — She is a very good member.

Mr RAMSAY — An excellent member; thank you, Mrs Coote. She draws attention to the fact that on its website Telstra guarantees broadband speeds in satellite suburbs like Ocean Grove to woo potential investors into that area and the residential market there. People invest in those areas only to find that Telstra does not live up to its end of the bargain; the speeds are nowhere near the speeds indicated on its website and are never likely to be. Ms Henderson has rightly called for Telstra to provide compensation to those who have been using Telstra's advice to purchase those houses and have not received any of the highlighted and advertised data speeds that Telstra purports to be providing through its website and other means.

I also refer to the strategic review of the national broadband network that the federal Minister for Communications, Malcolm Turnbull, is conducting. I note that in its summary the review estimates that

Labor's all-fibre national broadband network will cost more than \$73 billion if in fact — —

The ACTING PRESIDENT (Mr Ondarchie) — Time!

Department of Education and Early Childhood Development: report 2012–13

Ms PULFORD (Western Victoria) — I am pleased to speak this afternoon on the Department of Education and Early Childhood Development annual report. In doing so I note the continued pressure on educators in Victoria as the Victorian government continues to strip front-line services from classrooms across the state. There is enormous pressure in classrooms, and it is creating day-to-day difficulties for teachers who are trying to deliver the best possible outcomes for students. In addition to the funding cuts that have directly affected some of the most disadvantaged and at-risk students in the state, the government has continued to contribute to the deterioration of the quality of education in Victoria. There has been a wholesale decimation of TAFE under this government, where courses have been cut, teachers have been sacked and mergers have been mooted.

Regional Victorian communities are dramatically affected by the cuts to TAFE. Small and medium businesses are now incurring the cost of their employees being away from home for days on end to attend courses, whereas employees used to be able to attend a campus up the road or make a reasonable day trip to attend training. These are terrible impediments to businesses meeting their training needs. These impediments have been directly imposed on businesses by this government, making it harder to employ people and harder to ensure that staff have the skills they need.

What has happened to TAFE in Victoria is a disgrace, and we are yet to see a dime allocated from the much-celebrated — by government members — TAFE Structural Adjustment Fund. TAFEs have been left reeling. Community expectations of what TAFES are able to deliver have put TAFES in an unenviable position. The community has one expectation about what can and should be provided, but TAFES have had their funding cut to such an extraordinary degree that they simply cannot meet those expectations.

The cuts to the Victorian certificate of applied learning and the cuts to the education maintenance allowance also place additional pressures on schools and on staff in our schools, including teaching and non-teaching staff. The government's disdain for Victorian teachers was shown in the extraordinary promise it made before

the election when the then Leader of the Opposition, the member for Hawthorn in the Assembly, said that Victorian teachers would be the best paid. Victorian teachers were sold a pup by Ted Baillieu on that occasion, and they have been dismayed ever since by the constant assault on their ability to provide the best teaching support they can.

The benefits that should be flowing from the new national funding partnership agreements through the Gonski deal are not readily seen in Victorian schools. In many communities in Victoria students are going to school and undertaking their studies in substandard learning environments. Parents, teachers and students have reasonable expectations about what school facilities should be like, but there is no shortage of schools in Victoria that are just not up to an acceptable mark.

I note that the government has begun to open the chequebook on school capital, and I congratulate the Horsham community on keeping the pressure on Hugh Delahunty, the member for Lowan in the Assembly, and this government. In particular, I congratulate the Horsham College school council and Rohan Smith, the school college president; Horsham Rural City Council; Business Horsham; and the Wimmera Development Association. I note that there will be a community protest in Bannockburn, where the school needs are absolutely enormous. I look forward to the government funding the much-needed school infrastructure that the Bannockburn community will be demanding this weekend.

CONSUMER AFFAIRS LEGISLATION AMENDMENT BILL 2014

Introduction and first reading

For Hon. M. J. GUY (Minister for Planning), Mr O'Donohue introduced a bill for an act to amend the Associations Incorporation Reform Act 2012, the Australian Consumer Law and Fair Trading Act 2012, the Domestic Building Contracts Act 1995, the Estate Agents Act 1980, the Fire Services Levy Monitor Act 2012, the Funerals Act 2006, the Motor Car Traders Act 1986, the Retirement Villages Act 1986 and the Sex Work Act 1994 and for other purposes.

Read first time.

CORRECTIONS AMENDMENT (SMOKE-FREE PRISONS) BILL 2014

Introduction and first reading

Hon. E. J. O'DONOHUE (Minister for Corrections) introduced a bill for an act to amend the Corrections Act 1986 to provide for the prohibition and regulation of smoking and the entry, use and possession of tobacco products and tobacco smoking accessories in Victorian prisons, to consequentially amend the Tobacco Act 1987 and for other purposes.

Read first time.

VEXATIOUS PROCEEDINGS BILL 2014

Introduction and first reading

Hon. E. J. O'DONOHUE (Minister for Liquor and Gaming Regulation) introduced a bill for an act to reform and consolidate the law relating to vexatious proceedings in courts and tribunals, to make consequential amendments to various acts and for other purposes.

Read first time.

JURY DIRECTIONS AMENDMENT BILL 2014

Introduction and first reading

Hon. E. J. O'DONOHUE (Minister for Liquor and Gaming Regulation) introduced a bill for an act to amend the Jury Directions Act 2013, the Evidence Act 2008 and the Crimes Act 1958 and for other purposes.

Read first time.

ADJOURNMENT

Hon. E. J. O'DONOHUE (Minister for Liquor and Gaming Regulation) — I move:

That the house do now adjourn.

Supported residential services

Ms MIKAKOS (Northern Metropolitan) — My matter this evening is for the Minister for Community Services. The matter I wish to raise relates to a young man called Mark — I will not use his surname and will be providing the full contact details to the minister later this evening — who has significant and complex health and disability support needs. I am advised that Mark

has a long and complicated history of bipolar disorder and depression, self-medication, alcohol abuse and self-harm ideation. I understand that the Young People in Nursing Homes National Alliance was first asked to assist Mark by a Caulfield aged-care nursing home where Mark had been sent on discharge from the Alfred hospital. Suffering from impulsivity, Mark discharged himself from this nursing home and flew to the Philippines, where he had lived once before. I am advised that some weeks later the Australian Federal Police contacted the Young People in Nursing Homes National Alliance to advise that Mark had flown back to Australia and that the alliance was the only organisation he could remember as a contact.

Upon his return Mark entered Sunnyhurst Gardens, a higher level supported residential service in Brighton. The department funded his stay whilst Mark was placed back into the system, including the disability support pension, Medicare and other such health services. As soon as this happened, however, the Department of Human Services contribution to Mark's care fell from \$200 per day to just \$150 per week, where it has remained. I am advised that last week Sunnyhurst was advised by the Department of Human Services that Mark would need to relocate to another supported residential service, Hampton House, because there was not the funding necessary — that is, \$7800 per annum — to allow him to continue living at Sunnyhurst.

The Young People in Nursing Homes National Alliance has raised significant concerns about a lower level supported residential service such as Hampton House being able to meet Mark's complex needs. Mark is due to be moved on Thursday, and it is a shocking state of affairs that the department could only issue Sunnyhurst with a taxi voucher and tell it to send Mark to Hampton House by taxi. I call on the minister to urgently investigate this matter with a view to ensuring Mark receives the support he requires at the appropriate level.

Altona rail loop

Mr ELSBURY (Western Metropolitan) — The matter I raise this evening is for the attention of the Minister for Public Transport, the Honourable Terry Mulder. Today an exceptional announcement has been made in relation to access of people in the outer suburbs to the city, with zone 1 fares being extended into zone 2 for those who travel between the zones and people also being able to travel throughout zone 2 under a lower rate if they stay inside the zone.

The matter I wish to raise for the minister tonight relates to the Altona loop, a part of the train network out in the western suburbs that comes off the Werribee line and reconnects between Laverton and Newport stations. Last Thursday night I attended a meeting of the Altona Loop Group, whose members have major concerns in relation to the services that are being provided. It is understandable, because when the service was first changed under an arrangement put together by Metro Trains and the Labor government, services were reduced in that part of the network to the point where during peak hours people have to take shuttle trains to and from Laverton and Newport stations to gain access to the main line into the city and back out again to Werribee.

A lot of work has been done. Over \$14 million worth of track works and signal works have been done, and trains have been added to the network, but there is still considerable disruption. I experienced that the other night when I went to this meeting. I took the train from Hoppers Crossing, near my home, out to Altona. I had no problems getting there; it was coming home that was the problem. The 9.10 p.m. service was cancelled, which caused great disruption. We were advised to go to Newport station, so off everyone went, and we hopped onto that train, only to then travel back through the Altona loop, past Altona station, where we had started, to get back onto the Werribee line. There are therefore still some significant problems, with lack of communication being an issue.

I ask the minister to work with Public Transport Victoria to improve these outcomes, whether through additional infrastructure or through changes to the timetable and certainly by working with Metro to try to rectify the issues with communication of what passengers should be doing to get about the city.

Geelong region police resources

Ms TIERNEY (Western Victoria) — My adjournment matter is for the Minister for Police and Emergency Services. It relates to police resources in the Geelong, Surf Coast and Bellarine regions. According to statistics, in Geelong crimes against the person have increased 12.6 per cent, drug offences have increased 16.3 per cent, assault has increased 11.1 per cent, burglary has increased 17.3 per cent and the overall occurrence of total crime in the region has increased 3.6 per cent. This is particularly concerning for the Geelong community, as it is the incidence of violent crime which is increasing at an alarming rate. These crimes go to the heart of people feeling safe in their community.

I have raised this issue on numerous occasions, particularly in regard to the government's promising 70 new police officers for the region more than five years ago. As I understand it, not even one-half of that number has been allocated. The specific issue I raise tonight with respect to police resources is the concern I have for the Blue Light program that has been stopped by this government. The positions of a number of full-time staff connected with the program have been axed along with the resources of the Geelong Blue Light branch and all the other branches across the state. It is a world-renowned program that helps at-risk and disadvantaged people under the age of 18 by providing assistance, guidance and programs to help them stay away from crime.

The action I am seeking from the police minister is for him to provide me with an account as to what programs this government will put in place to continue the good work that the Blue Light program has undertaken in this state for over 18 years so that the communities around Geelong will have some understanding about the direction of this government when it comes to police resources and whether it has a commitment to safety and understands the need to have programs that specifically engage with those who are under 18 and disadvantaged and that are committed to making sure that those people stay away from crime.

City of Greater Geelong security cameras

Mr KOCH (Western Victoria) — My adjournment matter is for the Minister for Crime Prevention and concerns the use of closed-circuit television cameras in responding to public safety issues in Geelong. The Victorian coalition government has previously announced funding to upgrade and expand CCTV facilities in Geelong's CBD and waterfront as part of the Public Safety Infrastructure Fund. This program has been extremely popular in the community, which now recognises the importance of these cameras in monitoring behaviour.

Last year the City of Greater Geelong received \$110 000 to purchase 11 additional cameras and upgrade the system's infrastructure. Local police, along with the coalition government and the City of Greater Geelong, recognise that CCTV is a vital tool in improving safety in the Geelong CBD. There is no doubt that people have the right to feel secure while going about their business or having a night out, and the expansion of Geelong's CCTV system significantly improves that security. The City of Greater Geelong has joined the coalition government to put community safety first by fully embracing CCTV as a means of improving security. Any addition to the existing CCTV

program would be welcomed by the Geelong community.

Geelong now has 40 CCTV cameras, and last year's funding allowed the City of Greater Geelong to upgrade data transmission infrastructure and CCTV monitoring at the Geelong police station. Coalition government funding has enabled councils to improve community safety, which has given local residents and visitors the confidence to move about in public places, and to reduce opportunities for crime and antisocial behaviour. Local councils are best placed to manage solutions for crime issues in their communities, and the CCTV program in Geelong has been a great initiative in improving public safety, particularly in the CBD.

The Geelong CCTV program has been very successful, with falling assault rates showing it is making a difference. Any expansion of the program would help to further address ongoing concerns about public safety in some areas of the Geelong CBD. The Barwon south-west regional crime prevention reference group has identified common themes that keep emerging in the region. The primary concern has been the devastating impact of random violence, family violence and violence against women and children. Under the CCTV program many people feel much safer, especially when going out at night, so it is important that this program continue as a part of the response to local safety issues.

My request is for the minister to provide an update to the Parliament on the CCTV camera program, particularly as it applies to the City of Greater Geelong.

Wangaratta District Specialist School

Ms DARVENIZA (Northern Victoria) — I raise a matter for the attention of the Minister for Education, Martin Dixon. The matter concerns the urgent need for a bigger specialist school in Wangaratta. Wangaratta District Specialist School has rapidly outgrown its site in Appin Street. Principal Libby Hosking recently informed the local paper, the *Wangaratta Chronicle*, that enrolments at the school, which has been based at its current location for almost 30 years, had increased by 25 per cent over the last two to three years. The school started with 9 students in 1986 and now has an enrolment of 113 students. This year the school had 21 new enrolments, which is a large number of new students for the school to receive in a year. The largest class size in the school is 10 students.

Ms Hosking outlined that the increase is due to a number of factors including the school's larger catchment area, which now extends to a number of

towns situated quite close to Wangaratta, improvements in early diagnosis of problems and the need for students to utilise the service of a special school, as well as the quality of education offered by the 44 staff at the Wangaratta school.

The specific action I am seeking from the minister is that he acknowledge and act on the urgency of this project and ensure that Wangaratta District Specialist School receives the funding it requires in the next state budget. The principal says there has been limited room to grow at the current site of the school. The school is surrounded by a housing development, it adjoins a primary school and it will soon have another four classrooms out the front, which will exhaust the land on the site that can possibly be used. All the available land has already been taken up with the school. A new site is now required. The students need a bigger area to play in and to participate in sporting activities, and I know soccer is a particularly popular sport at the school. The school needs funding, and I seek that the minister fund it in the next budget.

Public transport fares

Mrs COOTE (Southern Metropolitan) — My adjournment matter this evening is for the Minister for Tourism and Major Events, Louise Asher. I must say I was very excited about the announcement made today by the Premier and the Minister for Public Transport, Mr Mulder, about the new transport arrangements in the Melbourne CBD. There will be free tram travel in the Melbourne grid — which is just fabulous — and zone 2 tickets will be scrapped for zone 1 tickets. This is just so exciting, and it will make an enormous difference in my electorate and to the lives of a whole range of people. On early figures that have come in there could be savings of up to \$800 a year for some people in some areas, which is significant. It is just terrific. It has been a very well received policy, and I must say it has some exciting ramifications.

Melbourne has the largest tramway network in the world, and many people come here to see our trams. To see that you have only to look at the City Circle tram, which was an initiative of Premier Kennett's era. Trams on that route are always full of people. When you get onto those trams you learn things about your own city that you did not know; the commentary is very informative. Having free tram transport all through the city will open up the city for people to use at all times.

President, I understand that you have written to all the diplomatic corps here and explained that their students will be able to ride on public transport for free in our

city and that all the consulates are particularly pleased and interested to know that is what will happen.

The issue I would like to bring to the attention of Minister Asher is that the minister has run a number of significant and successful trade missions particularly to Asia, from where we get a lot of foreign students. I would encourage the minister when she is speaking about Victoria to include in her program just how important it is for people who come to this country as students or tourists that they will be able to use our city trams and get to a lot of our tourist icons for free. Also, scrapping zone 2 is a very important thing.

Bendigo aquatic centre

Ms BROAD (Northern Victoria) — My adjournment is for the Minister for Sport and Recreation, Mr Drum. In February 2012 Mr Drum issued a media release in response to the decision of the City of Greater Bendigo to push for a 50-metre indoor pool and aquatic centre at Kangaroo Flat. It states:

There has been a strong community campaign for the full-sized pool and I'm glad to see that the city council has listened to the community.

...

Mr Drum said he looked forward to working with the City of Greater Bendigo in developing and then delivering the aquatic centre project.

'A lot has to be done in areas such as innovative design and sustainability, but I now feel that work has truly begun ...

Two years later, in January, following a great deal of work by designers, engineers and expert advisers appointed by the City of Greater Bendigo, as well as the input of the community reference group, the final plans for the \$30 million project were released in a bid for government funding. The Greater Bendigo City Council confirmed the project is its no. 1 priority. At that time Mr Drum was reported by the *Bendigo Advertiser* as having said he would do all he could to secure funding for the project. The planning permit was lodged in February and the Office of the Victorian Government Architect has endorsed the project.

Now that Mr Drum is the Minister for Sport and Recreation, what action will the minister take to secure \$10 million in funding from the Napthine coalition government and \$10 million from the Abbott federal government in the 2014–15 state and federal budgets for the Bendigo aquatic centre at Kangaroo Flat? I also mention for the minister's information that this project was endorsed by both Liberal and Labor candidates in Bendigo during the most recent federal election campaign, and presumably there are voices lobbying

the federal government for this project to be funded in the forthcoming federal budget.

The particular action I am seeking from the Victorian Minister for Sport and Recreation, Mr Drum, is that he provide \$10 million funding for the Bendigo aquatic centre in the Victorian state budget for 2014–15.

Public transport fares

Mr RONALDS (Eastern Victoria) — The matter I wish to raise is for the Minister for Public Transport, the Honourable Terry Mulder. I would like to particularly commend the minister on the fantastic announcement today about public transport in Victoria, with free trams in the CBD and reduced costs for public transport. I call on the minister to make sure that people in my electorate are made aware of the great benefit this will be to them.

I think particularly of a couple of friends I have in the Assembly electorate of Monbulk. My good friend Mark catches the train a lot, and I know he stands to save up to \$1200 — that is a lot of money. Another friend James does not catch the train all that much, but I am sure this will encourage him to catch the train into the city instead of taking his car. This is a great initiative, and I congratulate the government, but I call on the minister to ensure that everyone in Eastern Victoria Region is aware of the great benefits of this initiative.

Somerville Road, Yarraville

Mr MELHEM (Western Metropolitan) — The matter I wish to raise today is for the Minister for Roads. The action I seek is for the minister to overturn the decision by VicRoads not to install flashing 40-kilometres-per-hour school zone signs on Somerville Road, Yarraville. In recent correspondence to Wade Noonan, the member for Williamstown in the other place, VicRoads said the electronic signs would not be installed on Somerville Road because it does not meet the criteria of a 60-kilometre-per-hour zone with a traffic volume of at least 10 000 vehicles per day.

However, it is clear that this criteria could be reviewed to enable the installation of the electronic signs to go ahead, as happened in the case of Park Orchards Primary School in Melbourne's east, where traffic volumes were well below the volume of at least 10 000 vehicles per day. The chief operating officer of VicRoads, Bruce Gidley, stated in his correspondence with the minister in 2012 that the previous speed zone lights program had been expended and that Park Road was ineligible for flashing signs because it only had a volume of 6600 vehicles per day. VicRoads requested

funding of \$95 000 from the minister's special fund for the signs, and this was approved by the minister.

By way of background, Kingsville Primary School is in a unique situation, being on a major truck route for freight travelling to Melbourne's port. The City of Maribyrnong's strategic risk assessment reveals that a number of trucks fail to stop at the red lights at the Kingsville school crossing. I plead with the minister to make a special case to approve the installation of flashing lights at the site so these kids can be safe.

Mr Elsbury interjected.

Mr MELHEM — I would appreciate it if Mr Elsbury would stop making jokes and comments about this, as I am talking about the safety of kids and the parents who drop those kids off at school. It is a non-political issue, and I do not wish to make it political. I request that the minister look at this case. I would appreciate his assistance in this matter.

Elizabeth Street, Coburg North

Mr ELASMAR (Northern Metropolitan) — The matter I wish to raise today is for the attention of the Minister for Public Transport. The issue relates to pedestrian safety on Elizabeth Street, Coburg North. Elizabeth Street is a major thoroughfare for cars, buses and a multitude of trucks and heavy vehicles. In peak periods traffic on Elizabeth Street is heavy in both directions and, at the intersection with Booth Street, is often travelling at 60 kilometres per hour. Elizabeth Street is significantly wide and able to accommodate parking, a bike lane and a decent traffic lane in both directions. There is a footpath the full length of the western side of Elizabeth Street, but on the eastern side the footpath is discontinued at Booth Street when travelling south.

In order for residents living in surrounding streets to access the parklands and recreation areas of Merri Creek via Goff Street they must cross Elizabeth Street at or near Booth Street. To get to the nearest tram — the no.1 tram — at the intersection of Nicholson and Bell streets, they must also cross Elizabeth Street at Booth Street. Crossing Elizabeth Street by foot is very dangerous due to the heavy traffic flows, and local residents have indicated that they face this dangerous situation on a daily basis. It is dangerous even when vehicles are driving at or below the speed limit. The minister needs to act to protect the safety of local pedestrians. The action I seek is that the minister direct VicRoads to investigate the installation of a pedestrian crossing on Elizabeth Street between Booth Street to

the south and the Raymond Street intersection to the north.

Roof construction reforms

Mr TEE (Eastern Metropolitan) — My adjournment matter is addressed to the Minister for Planning, and it relates to a decision by the government to allow for the construction of metal roofs by people other than plumbers. Currently the construction of metal roofs is confined to plumbers. I received a letter from the master plumbers association which was co-signed by Earl Setches, federal secretary of the Communications, Electrical and Plumbing Union, plumbing division. The letter raises a number of concerns about the government's decision to open up the construction of metal roofs to people other than plumbers. The action I seek is for the minister to respond to the issues raised in the letter, and to meet with master plumbers to address its concerns. Firstly, the letter states that:

The blanket change allowing people with no demonstrated training or competency to construct metal roofs will leave consumers with no protection or warranty.

Secondly, the master plumbers association says it is concerned because it has not been consulted about this proposal and that clearly no thought has been given to 'the consequences of this poorly thought-out proposition'. I am more than happy to make this letter available to the minister.

The third issue the letter raises is that it is not legally possible under current legislation for a plumber to sign off on work done by members of other trades, as the government has proposed. There is an issue about how this proposal will operate in practice. The master plumbers association also suggests that it is questionable whether any insurer would allow this practice for work done outside the direct control of a plumbing contractor and by people who do not have the required competence. As I said, the master plumbers association raised a number of issues in terms of consumer protection, the competence of people to perform the role and the adequacy of insurance, and I ask the minister to address these concerns to ensure that master plumbers, and indeed the plumbers, are properly consulted before this action is taken by the government.

Responses

Hon. E. J. O'DONOHUE (Minister for Liquor and Gaming Regulation) — I have written responses to adjournment debate matters raised by Ms Pennicuk on 17 September 2013, Mr Melhem on 19 February and Ms Tierney on 20 February.

Ms Mikakos raised a matter for the Minister for Community Services in relation to a gentleman named Mark. I thank her for providing me with the details she referred to and I will provide them to Minister Wooldridge.

Mr Elsbury raised a matter for the Minister for Public Transport in relation to the Altona loop and the potential to improve services through working with Public Transport Victoria and Metro Trains Melbourne, and I will pass that matter on to Minister Mulder.

Ms Tierney raised a matter for the Minister for Police and Emergency Services. In relation to the concerns she raised, I make the comment that she referred to Minister Wells giving some direction when it comes to police resources. As I am sure Ms Tierney is aware, that is a matter for the Chief Commissioner of Police, but I will refer her matter to the minister.

Ms Darveniza raised a matter for the Minister for Education in relation to the Wangaratta District Specialist School, and I will refer that matter to Minister Dixon.

Mrs Coote raised a matter for the Minister for Tourism and Major Events to make sure potential foreign tourists and others are aware of the benefits of the change to fare arrangements that were announced today, and I will relay that to Minister Asher.

Ms Broad raised a matter for the Minister for Sport and Recreation in relation to the Bendigo Aquatic Centre, and I will refer that to Minister Drum.

Mr Ronalds raised a matter for the Minister for Public Transport in relation to today's announcement about fare changes, and I will refer that to Minister Mulder.

Mr Melhem raised a matter for the Minister for Roads in relation to Kingsville Primary School in Yarraville, and I will refer that matter to Minister Mulder.

Mr Elasmara raised a matter for the Minister for Public Transport as well in relation to safety issues at Elizabeth Street, Coburg North, and I will refer that matter to the minister.

Mr Tee raised a matter for the Minister for Planning, and I will refer that matter to Minister Guy.

Mr Koch raised a matter for me in relation to the Geelong CCTV project. While I will respond to Mr Koch formally, I note his comments about funding from the government to provide additional CCTV cameras for the Geelong precinct. I congratulate the City of Greater Geelong and Victoria Police for the way

they are working in partnership on this project. The additional cameras build on the existing network already in operation. I understand the project Mr Koch referred to, which was funded by the government, is progressing very well, but I will formally respond to Mr Koch.

The PRESIDENT — Order! The house stands adjourned. I remind members of the joint sitting in the Legislative Assembly chamber at 6.15 p.m.

House adjourned 6.04 p.m.

Wednesday, 26 March 2014

JOINT SITTING OF PARLIAMENT

Legislative Council vacancy

**Honourable members of both houses met in
Assembly chamber at 6.17 p.m.**

The Clerk — Before proceeding with the business of this joint sitting it will be necessary to appoint a Chair. I call the Premier.

Dr NAPTHINE (Premier) — I move:

That the Honourable Christine Fyffe, Speaker of the Legislative Assembly, be appointed Chair of this joint sitting.

She is willing to accept the nomination.

Mr ANDREWS (Leader of the Opposition) — I second the motion.

Motion agreed to.

The CHAIR — I draw the attention of honourable members to the extracts from the Constitution Act 1975 which have been circulated. It will be noted that the various provisions require that the joint sitting be conducted in accordance with rules adopted for the purpose by members present at the sitting. The first procedure, therefore, will be the adoption of the rules.

Dr NAPTHINE (Premier) — I desire to submit the rules of procedure, which are in the hands of honourable members, and I accordingly move:

That these rules be the rules of procedure for this joint sitting.

Mr ANDREWS (Leader of the Opposition) — I second the motion.

Motion agreed to.

The CHAIR — The rules having been adopted, I now invite proposals from members for a person to occupy the vacant seat in the Legislative Council.

Dr NAPTHINE (Premier) — I propose:

That Mr Daniel David O'Brien be chosen to occupy the vacant seat in the Legislative Council.

He is willing to accept the appointment if chosen. In order to satisfy the joint sitting as to the requirements of section 27A(4) of the Constitution Act 1975, I also advise that I am in possession of advice from the Leader of The Nationals that Mr Daniel O'Brien is the

selection of The Nationals, the party previously represented in the Legislative Council by Mr Hall.

Mr ANDREWS (Leader of the Opposition) — I second the proposal.

The CHAIR — Are there any further proposals?

As there are no further nominations, I declare that nominations are closed.

Motion agreed to.

The CHAIR — I declare that Mr Daniel David O'Brien has been chosen to occupy the vacant seat in the Legislative Council. I will advise the Governor accordingly.

I now declare the joint sitting closed.

Proceedings terminated 6.20 p.m.