

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-EIGHTH PARLIAMENT**

**FIRST SESSION**

**Wednesday, 5 August 2015**

**(Extract from book 10)**

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### Legislative Council committees

**Privileges Committee** — Mr Drum, Ms Hartland, Mr Herbert, Ms Mikakos, Ms Pulford, Mr Purcell, Mr Rich-Phillips, and Ms Wooldridge.

**Procedure Committee** — The President, Dr Carling-Jenkins, Mr Davis, Mr Jennings, Ms Pennicuik, Ms Pulford, Ms Tierney and Ms Wooldridge.

### Legislative Council standing committees

**Standing Committee on the Economy and Infrastructure** — Dr Carling-Jenkins, Mr Eideh, Mr Elasmarr, Mr Finn, Ms Hartland, Mr Morris, Mr Ondarchie and Ms Tierney.

**Standing Committee on the Environment and Planning** — Ms Bath, #Mr Bourman, Mr Dalla-Riva, Mr Davis, Ms Dunn, #Ms Hartland, Mr Leane, #Mr Purcell, #Mr Ramsay, Ms Shing, Mr Somyurek and Mr Young.

**Standing Committee on Legal and Social Issues** — Ms Fitzherbert, Mr Melhem, Mr Mulino, Mr O'Donohue, Ms Patten, Mrs Peulich, #Mr Rich-Phillips, Ms Springle and Ms Symes.

# participating members

### Joint committees

**Accountability and Oversight Committee** — (*Council*): Ms Bath, Mr Purcell and Ms Symes. (*Assembly*): Mr Angus, Mr Gidley, Mr Staikos and Ms Thomson.

**Dispute Resolution Committee** — (*Council*): Mr Bourman, Mr Dalidakis, Ms Dunn, Mr Jennings and Ms Wooldridge. (*Assembly*): Ms Allan, Mr Clark, Mr Merlino, Mr M. O'Brien, Mr Pakula, Ms Richardson and Mr Walsh

**Economic, Education, Jobs and Skills Committee** — (*Council*): Mr Elasmarr, Mr Melhem and Mr Purcell. (*Assembly*): Mr Crisp, Mrs Fyffe, Mr Nardella and Ms Ryall.

**Electoral Matters Committee** — (*Council*): Ms Patten and Mr Somyurek. (*Assembly*): Ms Asher, Ms Blandthorn, Mr Dixon, Mr Northe and Ms Spence.

**Environment, Natural Resources and Regional Development Committee** — (*Council*): Mr Ramsay and Mr Young. (*Assembly*): Ms Halfpenny, Mr McCurdy, Mr Richardson, Mr Tilley and Ms Ward.

**Family and Community Development Committee** — (*Council*): Mr Finn. (*Assembly*): Ms Couzens, Mr Edbrooke, Ms Edwards, Ms Kealy, Ms McLeish, and Ms Sheed.

**House Committee** — (*Council*): The President (*ex officio*), Mr Eideh, Ms Hartland, Ms Lovell, Mr Mulino and Mr Young. (*Assembly*): The Speaker (*ex officio*), Mr J. Bull, Mr Crisp, Mrs Fyffe, Mr Staikos, Ms Suleyman and Mr Thompson.

**Independent Broad-based Anti-corruption Commission Committee** — (*Council*): Mr Ramsay and Ms Symes. (*Assembly*): Mr Hibbins, Mr D. O'Brien, Mr Richardson, Ms Thomson and Mr Wells.

**Law Reform, Road and Community Safety Committee** — (*Council*): Mr Eideh and Ms Patten. (*Assembly*): Mr Dixon, Mr Howard, Ms Suleyman, Mr Thompson and Mr Tilley.

**Public Accounts and Estimates Committee** — (*Council*): Dr Carling-Jenkins, Ms Pennicuik and Ms Shing. (*Assembly*): Mr Dimopoulos, Mr Morris, Mr D. O'Brien, Mr Pearson, Mr T. Smith and Ms Ward.

**Scrutiny of Acts and Regulations Committee** — (*Council*): Mr Dalla-Riva. (*Assembly*): Mr J. Bull, Ms Blandthorn, Mr Dimopoulos, Ms Kealy, Ms Kilkenny and Mr Pesutto.

### 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 A. Young

*Parliamentary Services* — Secretary: Mr P. Lochert

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

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The Hon. D. K. DRUM

**Leader of the Greens:**  
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Member	Region	Party	Member	Region	Party
Atkinson, Mr Bruce Norman	Eastern Metropolitan	LP	Mikakos, Ms Jenny	Northern Metropolitan	ALP
Barber, Mr Gregory John	Northern Metropolitan	Greens	Morris, Mr Joshua	Western Victoria	LP
Bath, Ms Melina <sup>2</sup>	Eastern Victoria	Nats	Mulino, Mr Daniel	Eastern Victoria	ALP
Bourman, Mr Jeffrey	Eastern Victoria	SFP	O'Brien, Mr Daniel David <sup>1</sup>	Eastern Victoria	Nats
Carling-Jenkins, Dr Rachel	Western Metropolitan	DLP	O'Donohue, Mr Edward John	Eastern Victoria	LP
Crozier, Ms Georgina Mary	Southern Metropolitan	LP	Ondarchie, Mr Craig Philip	Northern Metropolitan	LP
Dalidakis, Mr Philip	Southern Metropolitan	ALP	Patten, Ms Fiona	Northern Metropolitan	ASP
Dalla-Riva, Mr Richard Alex Gordon	Eastern Metropolitan	LP	Pennicuik, Ms Susan Margaret	Southern Metropolitan	Greens
Davis, Mr David McLean	Southern Metropolitan	LP	Peulich, Mrs Inga	South Eastern Metropolitan	LP
Drum, Mr Damian Kevin	Northern Victoria	Nats	Pulford, Ms Jaala Lee	Western Victoria	ALP
Dunn, Ms Samantha	Eastern Metropolitan	Greens	Purcell, Mr James	Western Victoria	V1LJ
Eideh, Mr Khalil M.	Western Metropolitan	ALP	Ramsay, Mr Simon	Western Victoria	LP
Elasmar, Mr Nazih	Northern Metropolitan	ALP	Rich-Phillips, Mr Gordon Kenneth	South Eastern Metropolitan	LP
Finn, Mr Bernard Thomas C.	Western Metropolitan	LP	Shing, Ms Harriet	Eastern Victoria	ALP
Fitzherbert, Ms Margaret	Southern Metropolitan	LP	Somyurek, Mr Adem	South Eastern Metropolitan	ALP
Hartland, Ms Colleen Mildred	Western Metropolitan	Greens	Springle, Ms Nina	South Eastern Metropolitan	Greens
Herbert, Mr Steven Ralph	Northern Victoria	ALP	Symes, Ms Jaelyn	Northern Victoria	ALP
Jennings, Mr Gavin Wayne	South Eastern Metropolitan	ALP	Tierney, Ms Gayle Anne	Western Victoria	ALP
Leane, Mr Shaun Leo	Eastern Metropolitan	ALP	Wooldridge, Ms Mary Louise Newling	Eastern Metropolitan	LP
Lovell, Ms Wendy Ann	Northern Victoria	LP	Young, Mr Daniel	Northern Victoria	SFP
Melhem, Mr Cesar	Western Metropolitan	ALP			

<sup>1</sup> Resigned 25 February 2015

<sup>2</sup> Appointed 15 April 2015

**PARTY ABBREVIATIONS**

ALP — Labor Party; ASP — Australian Sex Party;  
DLP — Democratic Labour Party; Greens — Australian Greens;  
LP — Liberal Party; Nats — The Nationals;  
SFP — Shooters and Fishers Party; V1LJ — Vote 1 Local Jobs



# CONTENTS

## WEDNESDAY, 5 AUGUST 2015

PERSONAL EXPLANATION	
<i>Mrs Peulich</i> .....	2201
PAPERS .....	2201
MINISTERS STATEMENTS	
<i>Agriculture Infrastructure and Jobs Fund</i> .....	2201
<i>Public transport infrastructure</i> .....	2201
<i>Small Business Festival Victoria</i> .....	2202
MEMBERS STATEMENTS	
<i>Lilyroo Fund</i> .....	2202
<i>Regional and rural public transport</i> .....	2202
<i>City of Casey councillor</i> .....	2203
<i>National Diabetes Week</i> .....	2203
<i>Commonwealth Women Parliamentarians</i> .....	2203
<i>John Gough</i> .....	2204
<i>DonateLife Week</i> .....	2204
<i>Angliss Hospital</i> .....	2204
<i>Western Liverability Festival</i> .....	2205
<i>Australian Diamonds</i> .....	2205
<i>Hunter Petrass</i> .....	2205
<i>Anna Heisar</i> .....	2205
<i>Dr Hugh Wirth</i> .....	2206
PORT OF MELBOURNE LEASE .....	2206, 2232
QUESTIONS WITHOUT NOTICE	
<i>Religious institution tax exemptions</i> .....	2223, 2224
<i>Adoption legislation</i> .....	2224
<i>Native forests</i> .....	2224, 2225
<i>China-Australia free trade agreement</i> .....	2225
<i>Regional Jobs and Infrastructure Fund</i> .....	2226
<i>Public holidays</i> .....	2226, 2227, 2228
<i>Aviation skills training</i> .....	2227
<i>City of Moreland councillor</i> .....	2228
<i>Written responses</i> .....	2229
QUESTIONS ON NOTICE	
<i>Answers</i> .....	2228
PARLIAMENTARY COMMITTEES	
<i>Reports</i> .....	2229
CONSTITUENCY QUESTIONS	
<i>Northern Metropolitan Region</i> .....	2230
<i>South Eastern Metropolitan Region</i> .....	2230
<i>Eastern Victoria Region</i> .....	2230, 2231
<i>Northern Victoria Region</i> .....	2230
<i>Western Victoria Region</i> .....	2231
<i>Eastern Metropolitan Region</i> .....	2231
<i>Western Metropolitan Region</i> .....	2231
ALCOA (PORTLAND ALUMINIUM SMELTER) (AMENDMENT) ACT AMENDMENT BILL 2015	
<i>Second reading</i> .....	2241
<i>Committee</i> .....	2246
<i>Third reading</i> .....	2249
PRODUCTION OF DOCUMENTS .....	2249, 2254
STATEMENTS ON REPORTS AND PAPERS	
<i>Law Reform, Drugs and Crime Prevention     Committee: supply and use of     methamphetamines, particularly ice, in     Victoria</i> .....	2255, 2257
<i>Auditor-General: Technical and Further     Education Institutes — 2014 Audit Snapshot</i> .....	2256
<i>Cancer Council Victoria:     annual review 2014</i> .....	2257, 2260
<i>Auditor-General: Early Intervention Services     for Vulnerable Children and Families</i> .....	2258
<i>Standing Committee on Legal and Social Issues:     Children, Youth and Families Amendment     (Restrictions on the Making of Protection     Orders) Bill 2015</i> .....	2259
<i>Budget update: report 2014–15</i> .....	2260
<i>Auditor-General: Delivering Services to     Citizens and Consumers via Devices of     Personal Choice — Phase 1</i> .....	2261
DELIVERING VICTORIAN INFRASTRUCTURE (PORT OF MELBOURNE LEASE TRANSACTION) BILL 2015	
<i>Second reading</i> .....	2261
ADJOURNMENT	
<i>Nagambie ambulance services</i> .....	2262
<i>Truck curfews</i> .....	2263
<i>Gippsland Carers Association</i> .....	2263
<i>Caulfield–Dandenong rail corridor</i> .....	2264
<i>Route 8 tram</i> .....	2264
<i>Family violence</i> .....	2264
<i>Sunbury municipality</i> .....	2265
<i>Southern Cross Firearms</i> .....	2265
<i>Casey-Cardinia Library Corporation</i> .....	2265
<i>Responses</i> .....	2266



**Wednesday, 5 August 2015**

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

**PERSONAL EXPLANATION****Mrs Peulich**

**Mrs PEULICH** (South Eastern Metropolitan) — I wish to make a personal explanation with regard to allegations made against me and published in the daily media and republished via social media. I completely and categorically reject all allegations made against me as false and, I contend, malicious. As a member of Parliament from a migrant background, I find racism abhorrent, and my entire life has been committed to working against discrimination against persons on the grounds of their race, religion and ethnicity. The allegations are now subject to legal processes that I have instigated.

Thank you, President, for allowing me to make a statement with regard to allegations which are the antithesis of all that I stand for.

**PAPERS****Laid on table by Clerk:**

Auditor-General's Reports on —

Follow up of Collections Management in Cultural Agencies, August 2015 (*Ordered to be published*).

Follow up of Managing Major Projects, August 2015 (*Ordered to be published*).

Follow up of Management of Staff Occupational Health and Safety in Schools, August 2015 (*Ordered to be published*).

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

Macedon Ranges Planning Scheme — Amendment C89.

Melbourne Planning Scheme — Amendment C215 and C240.

Nillumbik Planning Scheme — Amendment C88.

A Statutory Rule under the Dangerous Goods Act 1985 — No. 91.

**MINISTERS STATEMENTS****Agriculture Infrastructure and Jobs Fund**

**Ms PULFORD** (Minister for Agriculture) — The Andrews government will establish a \$200 million Agriculture Infrastructure and Jobs Fund. This will be about driving economic growth, creating jobs in this important part of our economy, boosting exports and supporting Victorian farmers in a number of ways as they get their produce from paddock to port.

The fund will be essential in supporting an industry that already provides an \$11 billion contribution to the Victorian economy. Indeed agriculture employs 87 000 people in Victoria. The fund will be established following the successful passage of the port of Melbourne lease legislation through the Parliament and will support practical projects and programs that will wholly benefit agriculture. These include transport, irrigation and energy projects, as well as skills development programs and market access campaigns.

Eligible applicants will include farm businesses, industry and agribusiness organisations, and asset owners such as water authorities and local governments. This government is working hard to ensure a strong future for such an essential sector of the Victorian economy.

*Honourable members interjecting.*

**Ms PULFORD** — I can hear the complaints from members opposite about this, but we intend to work closely with our agricultural producers, and with the communities that are supported by their endeavours and their work, to grow this important part of our economy.

The Agriculture Infrastructure and Jobs Fund is complementary to our plans to make agriculture central to the Victorian economy. It is absolutely consistent with our approach through the Future Industries Fund — a \$200 million fund — to invest in those parts of the Victorian economy in which Victoria is placed to lead the world.

**Public transport infrastructure**

**Mr JENNINGS** (Special Minister of State) — This morning my colleagues the Premier and the Minister for Public Transport have made an announcement about the intended approach to the metropolitan rail system going under the Yarra River in terms of its design and the treatment that may be associated with that important alignment and the development of the metropolitan rail system. It demonstrates yet again the momentum that has been established by the Andrews Labor government

in relation to public transport investment and major infrastructure changes to the nature of our city to try to improve the ease of transit across the city, to reduce congestion, to increase our expenditure and commitment to public transport and to drive investment.

Over the winter break significant works were undertaken at a number of sites in the level crossing program that is a hallmark commitment of the Andrews Labor government. We have seen work commence at the Burke Road level crossing, which has adversely impacted the quality of life of commuters for many years. The shovels are out and work is being undertaken on that important project which will see the redevelopment of the Burke Road and Gardiner railway station intersections.

We have also commenced geotechnical work at Koornang Road. This again is an important need of members of the community in the south-eastern suburbs. It will see the redevelopment of four stations along the Cranbourne line. This project went out to tender and work commenced during the winter break. Carnegie, Murrumbeena, Clayton and Hughesdale stations will be an important part of the rollout of our commitment to public transport investment.

### **Small Business Festival Victoria**

**Mr DALIDAKIS** (Minister for Small Business, Innovation and Trade) — I rise this morning to inform members of new developments in relation to Victoria's Small Business Festival. The festival is a great Labor initiative which is now in its 10th year. We launched it because we know that small business owners need access to specialist advice and professional development to help them to grow their businesses, grow jobs and grow the services available to the Victorian community.

The 2015 festival kicked off last week and will run throughout the month of August. This year's program features more than 350 free and low-cost events, with over 160 private and public organisations involved. I am pleased to inform the house that for the first time this festival is coming to the regional centres of Mildura and Shepparton, which builds on the activities happening in Geelong, Ballarat, Bendigo, the Great South Coast, Gippsland and of course here in Melbourne.

The program includes 170 events that will be held outside of business hours, which is more convenient for small business operators. It includes 12 feature events, including the festival hub at Federation Square;

6 regional roadshows; the Faces of Small Business exhibition; 18 free webinars; and the Small Business BIG Marketing event, which attracts more than 800 participants every year.

In addition, there are more than 180 free business mentoring sessions available through the Small Business Bus program across 37 locations across the state. We will continue to help small business operators to drive ideas, to drive sales, to drive growth and to drive jobs, because ultimately that means more opportunities for all Victorians.

## **MEMBERS STATEMENTS**

### **Lilyroo Fund**

**Dr CARLING-JENKINS** (Western Metropolitan) — I rise today to speak about a notable local initiative called the Lilyroo Fund, which was established by Pete Lockyer, who I had the pleasure of meeting some weeks back, and his wife Kristie. Lilyroo was established to celebrate the 'short but perfect life' of their daughter Lily, who was born at just 23 weeks and 6 days. Lilyroo has recently reached its goal of raising \$200 000, all of which is going towards the purchase of new equipment for the newborn and intensive special care unit at the Royal Women's Hospital to give babies born prematurely the best chance of survival. Part of Pete and Kristie's mission through the Lilyroo Fund has been to educate the community on premature birth, and they hope that Lily's legacy will ensure that preterm babies and their families receive the best possible care.

Due to many medical advances in recent years infants born as early as Lily can and often do survive if given specialist care. I firmly believe that every baby deserves the best chance of survival, and I have the utmost admiration for the efforts made by and the commitment of Pete and Kristie Lockyer to premature babies and their families in Victoria. Their initiative is most commendable, and I wish the Lilyroo Fund every bit of success now and into the future. I also commend the newborn and intensive special care unit at the Royal Women's Hospital for its great work.

### **Regional and rural public transport**

**Mr RAMSAY** (Western Victoria) — As shadow parliamentary secretary for rural and regional transport, I had the opportunity over the winter break to experience firsthand regional rail and bus networks across the state. In Mildura, Bendigo, Shepparton, Ballarat and Geelong the story was the same: bus timetables do not connect with trains, peak-hour trains

are overcrowded, car parks are overflowing, services are unreliable, there is a lack of adequate rolling stock, signals are breaking down, there are track closures, public transport services to rural and remote towns are infrequent, and then there was the implementation fiasco of the regional rail link.

On the Ballarat to Southern Cross peak service I found overcrowding and poor punctuality on arrival, so passengers then missed metropolitan connections. Delays at the Deer Park junction, where the Geelong line joins the Ballarat line, insufficient carriages on both the Ballarat and Geelong lines and insufficient services for commuters cause chaos and frustration for public transport users. During the regional rail link implementation not one government minister was seen; there were only denials and excuses from the Premier's office.

The lack of rail freight connections from our food and fibre production areas, the lack of commitment to the Murray Basin rail project and the lack of vision for intermodal sites like Warrnambool and Hamilton demonstrate that there is no long-term planning for regional rail and road transport, and this beggars belief. The government opposed the east-west link, ditched the West Gate distributor, will saddle commuters with tolls on a proposed western distributor and now proposes a 70-year lease for the port of Melbourne. All of these measures will further congest traffic movement around the port and the Melbourne CBD. The public is frustrated and angry with this Labor government, which is showing total incompetence — —

**The PRESIDENT** — Time! For much of that contribution Mr Ramsay seemed to be channelling Mr Barber — extraordinary!

### City of Casey councillor

**Ms SPRINGLE** (South Eastern Metropolitan) — On 23 July Cr Rosalie Crestani, member of the Rise Up Australia Party and City of Casey councillor, committed some very concerning views to the public record in an interview with the *Berwick Leader*. The resulting article reads:

... Cr Crestani launched a tirade against Muslims, believing the 'fundamental beliefs of Islam incite violence, oppression of women, hatred of the unbeliever, beheading, paedophilia, female genital mutilation and segregation with the burqa'.

Cr Crestani also addressed the so-called Reclaim Australia rally recently held in Melbourne, which garnered much attention for its inclusion of Nazi and anti-Muslim participants.

I have consequently written to Cr Crestani inviting her to join me for dinner with members of the Islamic Council of Victoria in an attempt to facilitate better mutual understanding and begin to build trusting relationships. It is our responsibility as community leaders to be proactive and consistently strive for a cohesive, harmonious multicultural society, despite our differences. I look forward to hearing Cr Crestani's response to my invitation and sincerely hope we can move past the divisive and ultimately unproductive public discourse we are currently witnessing.

### National Diabetes Week

**Ms FITZHERBERT** (Southern Metropolitan) — On 12 July I was very pleased to attend and support the launch of National Diabetes Week by Diabetes Australia Vic. This year's campaign had the theme '280 a day', which is a reference to the number of people diagnosed with diabetes in Australia every day. The '280 a day' campaign also addressed some of the misconceptions surrounding diabetes. At the event on 12 July, Jack Fitzpatrick literally embodied some of these misconceptions. Jack, who is 2 metres tall, is a 24-year-old forward ruckman for the Melbourne Football Club. His story of his own diagnosis of type 1 diabetes in June 2012, two weeks before his 21st birthday, was utterly compelling.

Jack is living proof that you can be young and extremely fit and still develop diabetes — and his was no mild case when diagnosed. But his story is also very powerful. It is one of taking advice and then action to respond to a very difficult health challenge. Carefully managed changes to Jack's diet — which he stressed have been made in consultation with a nutritionist — mean that he now only injects long-acting insulin at night instead of having needles at every meal. This has given him much greater flexibility in managing his diabetes. It also means he has been able to continue to train fully at high intensity without losing strength. I congratulate the team at Diabetes Australia Vic on a very successful National Diabetes Week, and I acknowledge Jack Fitzpatrick's contribution in so publicly telling his story.

### Commonwealth Women Parliamentarians

**Ms PENNICUIK** (Southern Metropolitan) — On 9 and 10 July I attended the 2015 Australia region Commonwealth Women Parliamentarians (CWP) conference in Sydney. The Deputy President, Ms Tierney, also attended the conference, along with current and former women parliamentarians from all states of Australia, New Zealand and several Pacific Island nations. Topics covered included the state of

play for women in politics, women MPs and the media, male MPs as champions of change, and family violence. Keynote speaker was 2015 Australian of the Year Rosie Batty. It was the first time I had heard Rosie speak in person, and she was truly inspiring. Rosie reminded us that family violence is a gender issue and we must work at all levels of the community, particularly with young people in schools, if we are to end this scourge.

A former Premier of Queensland, Anna Bligh, spoke about her experiences as premier. Former Governor-General Quentin Bryce launched the Katrina Dawson Foundation, which has been established to support the education of girls and young women. Other speakers and panel members included members of the media and current and former parliamentarians from New Zealand and from all parties and parts of Australia. The conference was very worthwhile, and I would like to extend my thanks to Catherine Cusack, chair of the Australia region CWP steering committee, and Rhonda Miller, Clerk of the New South Wales Legislative Assembly, and her team, for organising the conference. I encourage all women MPs and parliamentary staff to participate in future CWP activities.

### John Gough

**Ms CROZIER** (Southern Metropolitan) — I would like to acknowledge the passing of a great Victorian and a great Australian. John Bernard Gough, AO, OBE, died on 24 July. At the outset I would like to pass on my condolences to his family, Rosemary, Sarah, Stewart and Anna, and their wider families. John's exceptional service to industry and philanthropy, his foresight in forging relationships in new markets across Asia and the love and commitment he gave to his family were all highlighted in a number of eulogies that were given at his service last Friday.

What was so apparent in the eulogies delivered by Philip Brass and Charles Goode, AC, was John's extraordinary contribution to the many iconic Australian companies he served. John was described as an industrialist, a gentleman and a man who had tremendous gravitas and who inspired respect from those he worked with directly and from those within government, including those from both sides of the political divide.

In the short time I have today I cannot possibly pay tribute to the many contributions he made across so many areas. The list of companies with which John had involvement is too long to list, but I will list some of the companies he gave his time, wisdom, experience and

belief to. He was chair of Pacific Dunlop, the ANZ and the Melbourne Business School. He was a governor of the Ian Potter Foundation and served in various capacities on the boards of BHP, ICI Australia, Amcor, the National Gallery of Victoria, the Australia-Israel Chamber of Commerce, the German-Australian Chamber of Industry and Commerce, the Australia Japan business forum and the Royal Botanic Gardens Victoria.

**The PRESIDENT** — Order! The member's time has expired.

### DonateLife Week

**Mr DRUM** (Northern Victoria) — Along with some others, I would like to use this opportunity to continue to promote DonateLife Week 2015. We are currently in the middle of DonateLife Week, which runs from 2 to 9 August. It is something I had an introduction to through a cricket game that takes place in Bendigo each year to raise awareness under the auspices of the David Hookes Foundation. One of the things we have to continually push among mainstream Victorians is that it is critical to register if you would be happy to have your organs donated after you pass on. It is critical that individuals have the conversation with their families and their loved ones so that everybody within the family — within that very inner sanctum — is in no doubt that an individual who has just passed away wanted to have their organs donated to others.

### Angliss Hospital

**Mr LEANE** (Eastern Metropolitan) — I was very excited that the Minister for Health, Ms Hennessey, has announced that the planning and design stage for the \$20 million Angliss Hospital intensive care unit is going ahead as we speak. This is a fantastic program, and the new intensive care unit will save lives by reducing the amount of time spent waiting before patients are attended to in an emergency. The new unit will provide the latest treatments for heart attacks, strokes, severe infections, organ failure and complications resulting from surgery.

This is part of a large funding injection for Eastern Health, which also includes funding for Box Hill Hospital to open six new endoscopy service points. That will enable the treatment of an extra 1837 patients. I am very much looking forward to these extra facilities servicing what is a great area of Melbourne.

### Western Liverability Festival

**Mr EIDEH** (Western Metropolitan) — This month in the western suburbs we are observing the Western Liverability Festival, an initiative of Hepatitis Victoria which takes place during the weeks around World Hepatitis Day. In Australia almost 500 000 people live with chronic viral hepatitis. This is more than 17 times the number of people living with HIV/AIDS and more than double the number of people living with epilepsy. Left untreated, hepatitis B and C can lead to liver scarring, liver cancer and liver failure. Sadly, each week four Victorians lose their lives from this disease.

I was shocked to learn that two municipalities in my electorate, the cities of Brimbank and Maribyrnong, are ranked second and third in Victoria for the prevalence of hepatitis B. Despite there being a safe and effective vaccination for hepatitis B, there is not yet a cure for those already living with the virus. It is important to educate people about the risk factors for viral hepatitis, as well as the importance of regular testing and liver check-ups for those who are at high risk. We have the tools to prevent, test and provide treatment for hepatitis, but more people need to be informed.

During the month-long Western Liverability Festival the community is being urged to participate in events aimed at raising awareness about viral hepatitis and the importance of testing and treatment within the general population, particularly those in the western suburbs, which have high rates of hepatitis B and C. These events include community seminars, information sessions, a photo competition and exhibition and a video launch as well as collaborations with other organisations to build awareness and encourage prevention.

I commend Hepatitis Victoria for its ongoing work in the community, in raising awareness and encouraging action to spread the right message about the treatment and management of hepatitis. I am also grateful to Mr Ross Williams, who is an active volunteer with Hepatitis Victoria in my electorate. He has approached my office to raise this very important health issue which affects too many people.

### Australian Diamonds

**Mr MELHEM** (Western Metropolitan) — I rise to wish the best of luck to the Australian Diamonds netball team as it heads to the Netball World Cup to be held in Sydney this weekend. Running over 10 days at Sydney's Olympic Park, 16 teams from around the world will play 64 matches to determine the 2015 world champions. In 2014 the Diamonds were ranked

no. 1 in the world, they were the reigning Commonwealth Games gold medallists and they won the Constellation Cup in a game against their key international rivals, the New Zealand Silver Ferns. The Diamonds could not be better prepared for this year's championship. They are currently on a 19-game winning streak after remaining undefeated throughout the whole of 2014, and they will be seeking to take out their third consecutive world cup.

Although netball is not recognised in the Olympic Games, tournaments like the world cup and the Commonwealth Games provide an opportunity for Australia to compete on the world's stage. Australia has been making headlines in netball since the first world cup in 1963, where we claimed the first gold medal. That team was coached by Lorna McConchie and captained by Joyce Brown. In the 13 world cups held since Australia first took home the gold in 1963, the Diamonds have gone on to become the world's most successful national netball team, winning 10 gold and 3 silver medals.

All the best to the coach of the Diamonds, Lisa Alexander, captain Laura Geitz and the rest of the team as this weekend they fight for Australia's rightful place at the top of the leader board.

### Hunter Petrass

**Ms TIERNEY** (Western Victoria) — I rise to speak of a brave young man in my electorate, Hunter Petrass. Hunter is a 12-year-old boy who was a recent recipient of a Junior Triple Zero Hero Award for speaking calmly and clearly when he called 000 of his own volition when his mum's lungs were filling with fluid due to complications with her cancer. The award recipients are nominated by the Emergency Services Telecommunications Authority operators, and I must say that if they say you are calm, they know it! Hunter provided the operator with his mum's medical history and followed instructions while help arrived. To Hunter's mum, Donna, I say, 'Congratulations, you have raised a fine young man'. To Hunter I say, 'Well done. You saved your mum's life'.

### Anna Heisar

**Ms TIERNEY** — On another note, I would like to talk about another brave person in my electorate, Anna Heisar, who is a nurse in Apollo Bay. She has just won the Remote Area Health Corps (RAHC) Annette Walker Award for 2014. The Annette Walker Award is for an outstanding contribution by an RAHC professional. Anna received her award for going the extra mile to provide support to other health

professionals in her area. She went beyond the call of duty when a cyclone hit the Northern Territory and the Waruwi community had to be evacuated to Darwin. Anna was noted for being in full swing helping members of the community in what was no doubt a stressful time. In her day-to-day work Anna is recognised for the support she provides to new remote area health workers. Her contribution in working towards closing the gap on Indigenous health is outstanding, and I would like to congratulate her.

### Dr Hugh Wirth

**Ms PULFORD** (Minister for Agriculture) — Last Saturday morning Dr Hugh Wirth announced his retirement as president of the RSPCA Victoria after 43 years. So many of us have grown up listening to the radio on Saturday mornings and to the gentle, or not so gentle, admonishments dished out by Dr Wirth to callers that have meant that many of us know so much more about how to care for our pets. The fact that a dog should not be given chocolate is something that I learnt. My mother always said, ‘No; Dr Hugh Wirth always says chocolate is bad for dogs’. This is but one of the gems of advice that has become folklore in my own household.

Dr Hugh Wirth’s passion, skill and tireless dedication to improving animal welfare will not be lost to the RSPCA. It is his intention to continue as a patron, but it is a testament to his ability, commission and passion for animal welfare that Dr Wirth has been in this role for 43 years, his contribution having been recognised by a Medal of the Order of Australia, one of our nation’s highest honours.

During Dr Wirth’s 43 years there have been significant shifts in community attitudes around the issues of animal welfare and treatment, and our state has known an extraordinary champion of these issues in Dr Wirth. On behalf of the Victorian government I wish him well in his retirement and congratulate him on his extraordinary service.

### PORT OF MELBOURNE LEASE

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) — I move:

That —

- (1) a select committee of eight members be appointed to inquire into and report on the proposed lease of the port of Melbourne as contemplated by the Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015 and, in particular —

- (a) the structure and duration of the proposed lease;
  - (b) the potential impacts of the proposed lease on the development of a second container port in Victoria;
  - (c) the potential impacts on the environment of the further expansion of the port of Melbourne;
  - (d) the potential impacts of the proposed arrangements on the competitiveness of the port of Melbourne, the supply chains that depend on it and cost effects on goods passing through the port of Melbourne;
  - (e) the effectiveness of the proposed regulatory framework in dealing with the transfer of a monopoly asset from the public sector to the private sector;
  - (f) how the proposed lease balances the short-term objective of maximising the proceeds of the lease with the longer term objective of maximising the economic benefits to Victoria of container trade; and
  - (g) any other relevant matters;
- (2) the committee will consist of three members from the government nominated by the Leader of the Government in the Council, three members from the opposition nominated by the Leader of the Opposition in the Council, one member from the Greens nominated by the Leader of the Greens in the Council and one member from among the remaining members in the Council nominated jointly by minority groups and Independent members;
  - (3) the members will be appointed by lodgement of the names with the President by the persons referred to in paragraph (2) no later than 4.00 p.m. on the Friday following the adoption of this resolution;
  - (4) the first meeting of the committee must be held no later than 4.00 p.m. on the Wednesday following the adoption of this resolution;
  - (5) the committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy;
  - (6) one-half of the members appointed pursuant to paragraph (3) will constitute a quorum of the committee;
  - (7) the chair of the committee will be a non-government member and the deputy chair will be a government member;
  - (8) in addition to exercising a deliberative vote, when votes on a question are equally divided, the chair, or the deputy chair when acting as chair, shall have a casting vote;
  - (9) the committee may commission persons to investigate and report to the committee on any aspects of its inquiry;
  - (10) the committee will present its final report to the Council no later than 30 November 2015;

- (11) the presentation of a report or interim report of the committee will not be deemed to terminate the committee's appointment, powers or functions; and
- (12) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders and sessional orders or practices of the Council will have effect notwithstanding anything contained in the standing or sessional orders or practices of the Council.

Last night the Legislative Council started its consideration of the Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015. In speaking to that bill on behalf of the opposition I made the point that this proposed lease transaction — the sale of the port of Melbourne, if you will — is the most significant asset transaction that the state of Victoria will have undertaken for around two decades. It is a transaction which the market estimates is valued somewhere between \$6 billion and \$8 billion and which will put in place new operating and regulatory environments and a framework for one of the most important assets in Victoria.

The port of Melbourne is Australia's largest container port. It handles 2.5 million 20-foot equivalent units each year and around \$92 billion worth of two-way trade for southern Australia. The sound operation of the facility is incredibly important for the future economic prosperity of not only Victoria but all of southern Australia, given the role the port plays in Australia's infrastructure network.

Therefore it is appropriate that when the house considers this legislation, it does so from an informed perspective, having full knowledge and understanding of the way the transaction envisaged by this legislation will take place and the way it will work in the long term as well as its implications for Victorian trade over the longer term. It is clear from the legislation that the government envisages this lease will operate for a period of between 50 and 70 years, and it is worth reflecting that 70 years is the period of time from the Second World War until today. This transaction will endure for a long period of time. Under the terms of the legislation before the house, this arrangement will be in place for a long period of time — longer in fact than the life span of any current member of the chamber.

**Mr Mulino** interjected.

**Mr RICH-PHILLIPS** — I said 'current', Mr Mulino. Far be it from me to talk about the life expectancies of those opposite, but in terms of current life expectancy this transaction could be in place for a period longer than any member of this chamber has lived to date. It is a significant transaction and its impact on logistics in this state will be very significant.

Last night, during the second-reading debate on the Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015, I spoke about some of the coalition's concerns over this proposed transaction. We are concerned about the duration of the lease but also the prospect for the future expansion of port facilities in Victoria as a consequence of this lease and the fact that the legislation sets out a regime which will require current and future Victorian governments to pay compensation in the event that a second container port is developed here in Victoria. Inevitably new port capacity is going to be required in Victoria.

It has been the bipartisan policy of successive Victorian governments — until recently — to develop a second container port at the port of Hastings in recognition that there are limitations on the port of Melbourne, being adjacent to the CBD, and that future container port capacity in Victoria will be required. That was the position of the now government. It was certainly the position of the coalition government that that expanded capacity in the long term should be in Hastings.

The bill before the house now seemingly will not allow such an expansion in the future, given the compensation mechanism that has been put in place. The bill does not answer the question of how future port capacity will be provided for the state. If a second container port is not viable because of that compensation mechanism, what is not clear is what alternative is available for the expansion of port capacity into the future.

The transaction under the legislation envisages the transfer of the operations of the port of Melbourne and the lease of the site to a single operator, which will create a private monopoly around container port operations in this state. What the bill does not expand upon is the way in which that private monopoly will be regulated in terms of port charges and associated rents and lease costs. Some elements of the bill describe a framework for 15 years, but of course that is just a small fraction of the period of time in which this lease is supposed to be in place. The legislation does not address issues around the environmental challenges that will come to the fore if further capacity is required to be created at the port of Melbourne site in Port Phillip Bay.

As we saw under the last Labor government in Victoria, it was deemed necessary for the channel in Port Phillip Bay to be dredged to continue to allow current generation ships access to the port. It was an expensive and complex project, and in fact it was subject to review by a Legislative Council select committee. If the port of Melbourne is to continue to expand as the state's main container port it is inevitable that projects like that

channel dredging will again be required, and potentially an opening of the heads will also be required. This is not contemplated by the legislation, nor is it addressed by it.

The coalition has a number of concerns with the way the legislation is structured and the fact that no coherent policy has been articulated around that legislation which addresses these issues. It was notable in the minister's second-reading speech last night that the chairman of the Australian Competition and Consumer Commission (ACCC), Rod Sims, has also commented on the proposed lease and transaction, and made the significant comment — given that it has come from the chairman of the ACCC — that in considering the privatisation of an asset the focus should be on improving the efficiency and effective operation of that asset and not on simply maximising the revenue from such a transaction.

One of the terms of reference we are seeking with the establishment of the select committee today is to look at the balance between maximising revenue from the lease transaction and ensuring that there is an appropriate environment created which leads to the efficient long-term operation of the asset in the interests of the state of Victoria. This is not contemplated by the legislation as it currently stands. The key provisions of the motion are considered in paragraph 1, and I will deal with them in turn. Paragraph 1(a) concerns the structure and duration of the proposed lease, and it goes to the point I raised earlier around the optimal length of the lease. The previous coalition government was advancing with a policy of a medium-term lease on the advice that was available to that government at the time that 40 years would be the optimal time for the lease. This bill contemplates 50 to 70 years — 50 years with a 20-year option — and the validity of the period that is laid down in the bill has not been established. It is appropriate that the committee, if formed by the Council, considers that appropriate term of the lease.

Paragraph 1(b) concerns the potential impacts of the proposed lease on the development of a second container port in Victoria, which goes to the issue of where we see the future of container port activity in Victoria. It was previously the policy of the Labor government that that expansion should be at the port of Hastings. In opposition it was the policy of the Labor Party that that expansion should be at Bay West. It seems to be the apparent policy of the government now that any expansion should actually be on the current port of Melbourne site, which we regard as unreasonable in the longer term. It remains the view of the coalition that future container port capacity should be provided at the port of Hastings.

It is appropriate that the inquiry be able to consider the question of what provision is made within this legislation for the expansion of container port capacity and where that would best occur.

Term of reference (c) is:

the potential impacts on the environment of the further expansion of the port of Melbourne ...

That goes to the issue I raised before, that if container port capacity is to expand at the port of Melbourne, it will inevitably lead to requirements for the Port Phillip channel to be dredged and potentially for the heads to also be opened. That is something which would be avoided by using a deepwater port like the port of Hastings, but it is something which will be central if we see continued long-term expansion at the port of Melbourne site on Port Phillip Bay.

Term of reference (d) is:

the potential impact of the proposed arrangements on the competitiveness of the port of Melbourne, the supply chains that depend on it and cost effects on goods passing through the port of Melbourne ...

That term of reference goes to the crux of the issue. We have seen in recent months an attempt by the Port of Melbourne Corporation to raise rents on stevedores operating at the port. Just yesterday we saw that a negotiated outcome has been reached with one stevedore, DP World, for a negotiated increase in rents over the coming period, but that was from a starting point of proposed rent increases of the order of 800 per cent. The impact of an 800 per cent increase in rents, either now, under the public Port of Melbourne Corporation, or in the future, under a private operator, is going to have a very significant impact on the competitiveness of the port of Melbourne and the way in which our supply chains to that port of Melbourne operate.

The reality is that the port of Melbourne, with 2.5 million TEUs, is the biggest port in Australia, but Port Botany at 2.2 million TEUs is not far behind. We need to ensure that the port of Melbourne remains the leading port in Australia and that it continues to be competitive, frankly, not only in Australia but also internationally so that we can hold up the port of Melbourne and Victoria's port infrastructure as competitive by international standards. Consideration of those questions around competitiveness is central to what this inquiry would look at.

Term of reference (e) is:

the effectiveness of the proposed regulatory framework in dealing with the transfer of a monopoly asset from the public sector to the private sector ...

That is one of the key issues which always arises with respect to the privatisation of critical infrastructure. It is something that arose with the privatisation of the electricity system in Victoria, which was done by way of having separate generators, distributing the generators among different private sector purchasers and having a common network and different retailers. It was done by the commonwealth, perhaps less successfully, with the leasing of the commonwealth airports 15 years ago. It is important that with the lease of the port of Melbourne, Victoria's only container port, an appropriate regulatory framework be considered and put in place. Consideration of those questions by this select committee will go a long way to providing some guidance to the Council as to whether the limited framework that is considered in the legislation before the house is appropriate.

Term of reference (f) goes to the question of:

how the proposed lease balances the short-term objective of maximising the proceeds of the lease with the longer term objective of maximising the economic benefits to Victoria of container trade ...

That is the fundamental question for this chamber in the consideration of the legislation. Is the transaction that is proposed by this lease in the long-term interests of the state of Victoria? Will it ensure that the port infrastructure we have in Victoria, in 20, 30, 40, 50 or potentially 70 years time, serves the needs of the state at that point in time? Will it be an environment that allows for the necessary growth in capacity to occur as that growth is required? Is it the type of structure that allows for appropriate competition in the provision of port services in 50, 60 or 70 years time. That is the fundamental question for this chamber to consider.

We on this side understand and recognise that in seeking to lease or privatise an asset any government will seek to maximise the returns to the state at the time the lease or sale is entered into, but it needs to be a consideration of this chamber whether the balance between maximising that revenue today and protecting the interests of the state in 50, 60 or 70 years time has been appropriately reached. One of the fundamental questions considered by an inquiry into this legislation needs to be whether that balance is right or if we have gone down the path of giving up too much in terms of long-term interests in order to maximise revenue in the immediate term.

These are significant questions that all members of the Council should be contemplating in considering their position on this legislation. I believe the best way for members of this chamber to consider these questions is through the work of a select committee. Before the house this morning is a proposal for the establishment of a select committee which will follow the standard form that has been adopted in this Parliament in relation to our standing committee structure. It will be a committee of eight members drawn from the government, the opposition, the Greens and the crossbenches, replicating our existing proportions of three, three, one and one. The select committee will operate using the same provisions as our current standing committees in terms of its capacity to seek information, to report on an interim and final basis, and to provide to Council members the information they need when considering this legislation.

The proposed latest reporting date for this inquiry is 30 November. That date has been nominated by the opposition, being very conscious of the government's desire to have this legislation in place to undertake its lease transaction in this financial year. In moving this motion today it is not my intention, or that of the opposition generally, to stymie the government's intention with regard to the leasing of the port of Melbourne. It was of course the policy of the coalition to enter into a medium-term lease, and that continues to be the position that coalition members support. In nominating 30 November as the final date for the report of this inquiry, three and a half months are being allowed from the establishment of the committee, which we on this side consider to be a reasonable time frame for the committee to undertake its work. It is not an excessive period of time but a reasonable period of time, and it will allow the government to proceed with its legislative framework and ultimately its transaction in this financial year.

As a member of this house who in the past has served on a number of select committees and standing committees of this chamber, I consider that one of the best and most efficient ways that a committee can undertake its work is with the cooperation of the government. The 30 November date is nominated as the latest reporting date. There is no reason the committee cannot complete its work and report earlier than that date if it can get the information it needs, if it has the cooperation of the government and relevant government agencies in undertaking this inquiry and if committee members can work cooperatively to that end.

In recent days some members of the government have been making public statements around the inquiry being proposed to block and frustrate this process relating to the port. I say to the chamber, including members of the government and in particular the Leader of the Government in this chamber, that that is not my intention or that of the opposition in moving this motion. With cooperation this inquiry can be completed smoothly, and it will allow the chamber to give proper consideration to the legislation and the questions before the house in considering the bill.

Last night I indicated that at this stage it is the intention of the coalition to seek the adjournment of consideration of the bill until there is a committee report in the form contemplated by the motion before the house this morning. We on this side believe that the type of information sought and the issues to be explored through this motion are appropriate background material for the consideration of the further advancement of the bill in this place. We believe that this inquiry is appropriately scoped to deal with the critical issues around the long-term provision of port infrastructure for Victoria. We believe also that the time frame is not unreasonable given the complex issues that need to be considered and given that with the goodwill of the committee and the government there is the possibility of the inquiry being concluded earlier.

I urge members to support the appointment of the select committee. It will give the Council valuable information for the consideration of the legislation and ultimately will lead to the best outcome in the provision of port infrastructure in Victoria for decades to come.

**Mr BARBER** (Northern Metropolitan) — The Greens will support this motion. I believe the issues and questions Mr Rich-Phillips has put in paragraphs 1(a) through to 1(g) are the relevant questions the house ought to consider in deciding its position on the Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015. I believe also that members of the Labor Party never thought for one minute that any of those questions would be asked and aired publicly. They thought they had a lock on this thing. They had the whole plan worked out when they were in opposition, when the money men from the superannuation funds and the merchant bankers came to see them, saying, ‘We need another transaction to keep our customers happy’. Since that time, the coalition appeared intent on selling the thing in their own time, and they never imagined we would be here.

The more questions we ask about this sale, the more extra questions we start to generate. There has been little debate about the future freight needs of Victoria,

there has been little debate about the relevant pro-competitive regulations that need to be in place, there has been little debate about how to boost rail’s share of freight, and there has been very little debate about why the money is going into a particular list of level crossing removals and what are the purported benefits of those relative to the cost.

Now all of those questions are about to be asked. We need to hear from Treasury on this question; we need to hear from the department of transport on this question; we need to hear from the port of Melbourne on this question. By invitation, we might even hear from the Australian Competition and Consumer Commission, which will no doubt be involved in some sort of regulatory sign-off of this project, as may be the Foreign Investment Review Board, depending on who the ultimate buyer is.

We would like to hear from academics who have conducted studies of Victoria’s freight needs, particularly the various options for the port. We would like to hear from port users, not just freight companies and tenants of the port but those who try to compete in an export market by shipping their goods via the port of Melbourne. We need to hear about the competitive pressures that are on them and the impact on them of any cost increases.

To do all of that in seven weeks is going to be a mighty task. It is becoming routine in this place for bills to be scrutinised by parliamentary committees. Some of them are so small that by agreement they do not need to go there. Some small but important bills in the last six months have been scrutinised with a few weeks turnaround by one of the parliamentary committees, chaired by various members of this house. But this one, anyone would agree, needs some serious debate and consideration and the gathering of evidence so that we can make a solid recommendation back to the house. I intend to be the person who is nominated from the Greens onto this committee.

The government MPs — a string of speakers — will jump in a moment and start to try to lambast anybody who is standing in the way of their brilliant idea of flogging off what is really one of the last remaining floggable private assets in Victoria. Mr Rich-Phillips says that we need to learn from past privatisations. Since this is basically the last thing that can be flogged off, it is not like those lessons will ever be used in the future, because once you have sold the port the only things left to sell are the water boards.

I note that Victoria's water boards are actually included on Joe Hockey's list of assets that he believes are up there for recycling. It is in his report, if you want to read it. The first thing they had to do was drop the word 'privatisation' because they knew that was a stinker, so now they call it 'asset recycling', but it points out that in Victoria the port and the water boards are really the only significant assets left to be sold or leased. That I think makes it even more important that this last purely publicly owned strategic economic asset in the form of the port needs a decent amount of scrutiny and consideration before we even further debate the bill that proposes its long-term lease. For that reason the Greens will be supporting the motion.

**Mr JENNINGS** (Special Minister of State) — I am perhaps going to surprise Mr Barber, by the sound of things, because the government is going to support this reference. The government accepts the scope of what is intended to be explored by the select committee. In fact many of the issues that Mr Rich-Phillips has raised in his contribution I agree with. Some of the policy issues that Mr Barber has raised I would actually agree are relevant issues and should be explored and well understood by this chamber and the community.

We are not arguing about the significance of the bill that is in question in relation to the port of Melbourne lease, the Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015. We understand it is a very significant public policy issue for Victorians about whether our port is subject to a long-term leasing arrangement, which would take its operation outside the public sector. We accept that is a very significant issue.

It is a very significant matter in terms of freight logistics, how our economy works and how transport connections are made, not only within the metropolitan region but across the state, in terms of how the freight network, particularly transport linkages and export market opportunities, is built through the prism of the activities of the port. It is extremely significant for that reason. It is extremely significant because of its social and environmental impacts. It is very significant because of its financial implications in relation to what difference it will make to the structure of the budget, now and into the future. This government intends to use the proceeds of the sale to acquit its election commitment to remove 50 level crossings across the state in the name of making public transport work better. We will see increased capacity on public transport links as a consequence of the removal of level crossings, which are a major impediment to the number of trains that you can run on the metropolitan rail system.

In fact under normal circumstances you would have thought that was an issue that Mr Barber would have been a very enthusiastic advocate for. He seemed to question in his contribution the significance of that election commitment and the significance that that project may play in terms of improving public transport now and into the future. But if he needs to run through those issues under the scope of this reference, so be it.

The government totally accepts this reference. I will just reiterate, so that nobody can be under any illusion about it, that we accept that the term of reference (1)(a) in the motion, 'the structure and duration of the proposed lease', is a relevant matter for public policy consideration here, and we are happy for that to be explored during the life of the committee. We are very happy for the potential impacts on the development of a second container port, and whether a second container port is warranted and how it should be accounted for now and into the future, to form part of the considerations of any committee's work. We are very happy for the potential impacts on the environment of the further expansion of the port of Melbourne to be assessed. We are very comfortable for the issues relating to the competitiveness of the port of Melbourne, its impact on the supply chains and cost effects on goods and services passing through the port of Melbourne to be assessed and well understood.

We understand that it is appropriate to have a look at the effectiveness of the regulatory framework, particularly as it relates to what is described here. We might quibble about whether this is the only relevant issue that relates to the regulatory framework with the transfer of a monopoly asset from the public sector to the private sector. We are not quibbling about it, but the reason you might quibble about existing conditions at the port is that stevedoring arrangements at the port of Melbourne have already been privatised. Most of the traffic flows and commercial relationships go through the prism of stevedoring arrangements rather than necessarily the management of the port itself. In terms of that, has a significant degree of privatisation already occurred in transfer from the public sector to private sector? In many ways, I would argue, that significant transfer has already occurred in relation to the operation of the port. Let us not quibble about it today, but let us explore that issue as part of the select committee's work.

The idea that we make a proper assessment of the short-term price that may be attracted in relation to Victoria's financial position and the budget may be supported by the current proposals of the government compared to other approaches in relation to the length of the lease and other issues about the development of

other port facilities into the future. That should be well and truly understood by the Parliament before the government seeks the support of the Parliament to progress passage of the bill. Mr Barber has already identified connectivity with public transport issues as one of the issues he is interested in as a relevant matter that is roped in within the scope of what the committee will be doing.

The government is not defensive. At this point in time we welcome the consideration of the select committee. I volunteer that the government intends to participate not only in terms of the membership of the committee but also in terms of responding to the challenges the committee may make of it to provide information in an appropriate and timely way to assist the committee in its deliberations. We are not concerned about that. In fact we are happy to rise up and meet the challenge to enable the committee to undertake its work. The government is embracing that in a fulsome way today because we argue that this work should commence as soon as possible. The government supports the provisions within today's motion that say 'Bring it on' in terms of nominations coming forward by the end of this week and the committee starting its work next week. We support and will participate in both of those elements.

In relation to the issues embedded in this motion that have belts and braces from the opposition's perspective concerning the work of the committee starting even if other members have not been appointed to it, we think that is a bit of an overreach and a defensive mechanism that does not need to be in the motion. We just draw that to members' attention.

We will not be opposing that, but we will be proposing by amendment that the quorum requirements be changed to reflect what has become the accepted precedent in the operation of committees in this place that are roughly based upon proportional representation across the chamber. We accept the logic of having a committee of eight of which the government brings three members and the opposition brings three members, in addition to one from the Greens and one from the crossbench. We accept that is a reasonable structure. Given the importance of this work and the participation of the government, we think the precedent that is laid out in standing orders and has been adopted by the coalition in the past — for instance, during the 56th Parliament when three select committees were established in this chamber — is an appropriate precedent to rely on. On each of those occasions a bare majority was the quorum requirement. The standing orders do not prevent a quorum of 50 per cent of members, but they do say that the quorum number

should be established when the terms of reference are established.

Mr Rich-Phillips may go back to thinking about how those select committees worked. He may have had an important role to play in those committees, so I implore him as spokesperson for the opposition to accept the logic of relying on that precedent and a reasonable point of view that five members should be the quorum for this committee. I will move an amendment in accordance with that.

The other issue I want to move an amendment about is in terms of the time frame for reporting. I pride myself on being a good listener — and I hope it is not false pride — and I heard Mr Rich-Phillips indicate that if there is goodwill and good faith established by the government in relation to its participation, the provision of information and fulsome support for the speedy considerations of this committee, then there may be opportunities for substantial reporting back by the committee prior to 30 November. I acknowledge that and thank him for putting that on the public record. I indicate on behalf of the government that our preference would be for the committee to complete its work by 30 September.

I will move accordingly that the reporting date be changed to 30 September, because the government is very firmly of the view — notwithstanding that we understand the importance of the scrutiny of the issues I have been discussing — that we should do what we can to ensure the bill passes subsequent to the report being handed down. We would then enter into tendering arrangements to enable the market to participate in this opportunity. On the basis of financial and other advice, we believe it would be preferable for the window for that to occur in the last quarter of this calendar year and to be able to proceed prior to the conclusion of the calendar year, which as we all understand already would be halfway through the financial year.

The government believes it would be best to go to market to explore the opportunities for the potential return for the state of Victoria by proceeding as soon as possible after the passage of the legislation. The select committee will undertake its work, and hopefully it will report back to enable the Parliament to then support the legislation. We are interested in bringing that process forward as much as possible, and we have valid reasons for that viewpoint. I am sure the valid concerns of the government in relation to that market opportunity can be explored during the course of the select committee's inquiry.

I have an additional argument in relation to the 30 September time frame. In his contribution Mr Barber questioned whether a seven-week time frame was feasible. There are 15 weeks in the timetable which currently allow for inquiries for select committees. If the upper house had made a decision to this effect in the last sitting week in June, then the work commissioned by this reference today could have taken place then. I raise that point not to be petulant but as a way of putting to members that there were other pieces of legislation where the process of consideration of a committee happened. My colleague Ms Mikakos's piece of legislation —

**Mr Drum** — When was the bill put to Parliament?

**Mr JENNINGS** — Mr Drum is obviously concerned about this issue.

**Mr Drum** — No; I am concerned about what you are saying.

**Mr JENNINGS** — I ask Mr Drum to listen. I was referring to a bill subjected to a committee process of the upper house, and the motion about that was put whilst the bill was being considered in the Assembly some two months ago. That committee report landed yesterday in the Council to enable consideration of the committee recommendations, which will be the subject of a debate tomorrow. My point is: if that approach had been adopted by opposition members and they had moved the motion being moved today for this important committee six or seven weeks ago — and I was not raising this issue to be provocative — then we would not be arguing the toss about the conclusion of the terms of reference. Instead we would be saying, 'With the time frame we need 15 weeks; give us until the end of September', and we would all have agreed today. I implore members opposite to agree to the 30 September deadline today, but I anticipate that they will not agree to it.

Now that the amendments have been circulated, I formally move:

1. For paragraph (6) substitute —
  - '(6) five of the members appointed pursuant to paragraph (3) will constitute a quorum of the committee;'
2. In paragraph (10), for '30 November 2015' substitute '30 September 2015'.

**Ms Symes** — They are reasonable amendments.

**Mr JENNINGS** — I thank Ms Symes for her support and for suggesting that they are reasonable

amendments; I hope she starts a groundswell of support for these logical amendments for the compelling reasons I advocated. I hope the government will get support across the chamber for these reasonable amendments in the spirit in which the government has tried to demonstrate some goodwill and preparedness to participate in this process in order for the committee to complete its work. In this way it can meet the satisfaction of the Parliament and the legislation can be passed at the earliest opportunity.

The government wants to proceed with its important election commitment to roll out level crossing removals across the state — a process which will be funded and supported by this transaction. The government welcomes the scrutiny and participation of the committee. We would welcome some goodwill coming from other parties in the chamber in relation to what we are trying to achieve in the best interests of funding the needs of the port now and into the future and to support the Victorian community in that position.

**Mr DRUM** (Northern Victoria) — It gives me great pleasure to rise to support the motion put forward by Mr Rich-Phillips in relation to the select committee to inquire into the long-term lease of the port of Melbourne. The critical piece of legislation now before the house concerns a critical piece of infrastructure that services this great city and this great state, and parts of New South Wales and even South Australia, which use the port of Melbourne.

**Mr Barber** — Tasmania has an interest.

**Mr DRUM** — Tasmania would have an interest; what Mr Barber says is very true. The port of Melbourne is a critical piece of infrastructure, and that is highlighted when you ponder for a moment the fact that it is Australia's busiest container port and that Australia, being an island nation, is reliant on shipping for the vast majority of its goods. Nearly everything we consume comes in from overseas — our electronics, gadgets and a lot of our food. When you think about how reliant we are on shipping and on the port, it brings home just how important the port of Melbourne is to the everyday lives of everybody in Victoria. It is therefore one piece of infrastructure that we really need to have operating at an optimal level.

When I have made inquiries of some of the major stakeholders within the port sector in my role as shadow Minister for Regional Development, it has been evident that we are a huge importer of goods that come to Australia in containers. This is contrary to the perception that Australia is a phenomenal exporter. We might quite often export a whole shipload of grain; we

might export paper; and we might export woodchips. From other ports around the nation we might export minerals. However, the ratio of containers imported to containers exported is in the vicinity of 11 000 containers coming into the port of Melbourne for every 1000 going out. This means we quite regularly have ships laden with empty containers going back to their point of origin, simply sending back the hundreds of thousands of shipping containers we cannot fill. We therefore need to understand that if anything were to happen to the port resulting in significant price hikes for the handling and processing of containers, it would have an incredibly detrimental effect on the everyday lives of Victorians. It is critical that we in this chamber use every opportunity to guard against any significant price hikes for the handling, operations and processes that go on within the port of Melbourne.

The bill that is currently before the house throws up a whole range of uncertainties and unknowns. We need to try to figure out what the future expansion of the port of Melbourne will be like. Are we going to be able to expand it further? Are we going to be able to cater for our needs over the next 5 or 10 years? Debate is proceeding along the lines that we will be able to continue to expand the port of Melbourne for a while, but there is real doubt about the continued expansion of the port beyond the next 10 to 15 years. That is something that has readily been put forward by a whole range of stakeholders that have knowledge and understanding of how the port needs to continue to grow to handle the needs of this city and state.

The fees for handling are the subject of great conjecture at the moment. Price hikes of up to 800 per cent have been flagged. This has been seen as increasing revenue in the short term to try to maximise the price of the lease of the port to the private sector, and that is causing enormous angst among people who use the port to get their goods into this state. Future dredging policies were touched on by Mr Rich-Phillips. We understand that the increasing size of container ships around the world is going to lead to the need for continued dredging, and maybe even more aggressive works, within Port Phillip Bay to enable some of these super container ships to be able to access the port of Melbourne.

The proposed length of the lease makes matters even more difficult. We are trying to imagine what the needs of the city and state are going to be in 50 to 70 years. It is akin to putting in place a government after the Second World War and saying, 'We need you to accurately foresee what our shipping needs will be in 2015. We expect you to be able to make that projection

now, in 1945'. It is ludicrous to suggest that any government at any time has the foresight to predict what is likely to happen in 70 years time and is therefore able to put in place a set of rules and regulations to adequately handle the needs of the people of Victoria.

Constituting the select committee with eight members — three from the government, three from the opposition, one from the Greens and one from the crossbench — seems to be in accordance with standard practice in this house. Given my time in committees over my 12 or 13 years in this house, the reporting date of 30 November sounds ambitious. If the government is happy to provide all of the information that is requested, we should be able to meet it, but members should understand that many of the stakeholders will need to have their evidence heard by the committee. In terms of finding the time, we all know that as members of Parliament we are already busy on many days of the week. I am sure we are all prepared to make this a priority and get this work done, but I think that to make all the inquiries needed, to conduct all of the sessions, to gather the information we will need to tease out the detail is going to require every bit of the time we have available. I therefore think it is going to be difficult for us to support the bringing forward of the reporting date that has been moved by Mr Jennings.

In relation to Mr Jennings, we were delighted to hear his attitude to this inquiry. It is certainly at odds with the language that has been used by the Premier. Premier Andrews has been incredibly critical of any further scrutiny of this lease or sale. He has been very short in his language in relation to the coalition's desire to tease out some of these unknowns, these important issues that have been put forward. If the government is now going to support the inquiry, that is a big first step, because to have the full support of the government will make it much easier for us to have access to the variety of information the committee will need.

As I say, the holding of this inquiry is worthwhile. It would be worthwhile for all members of the chamber to be supportive of getting to some of the detail surrounding some of the clauses within the lease provisions. This is an incredibly important decision. The framework we put around the lease will define trade in and out of the port — in and out of Victoria — for the next 70 years; given that a 50-year lease with an option for a further 20 years, there is no doubt that that option will be taken up. We are therefore talking about effectively handing over the operation of the port of Melbourne for 70 years, which is something that is going to affect every mum and dad and every family in this state and something that will touch every

commodity we need as a basic part of our daily lives. Every commodity we use will be affected by the decisions we make about leasing the port of Melbourne for the next 70 years. We need to get it right, and I want to congratulate Mr Rich-Phillips for bringing this motion forward.

**Mr MULINO** (Eastern Victoria) — This is indeed a very important issue. The government made a commitment on this issue in the last election, and it is an issue the now opposition made commitments on in the lead-up to the last election. It was one of the most significant issues in the last election. With all the significant issues of the last election the government is carefully and methodically working through keeping its commitments, and I would hope that at the end of an efficient and appropriately timed inquiry the opposition would keep to its commitments as well. As I say, this is a very important issue. We support an inquiry into the issue. We want the Legislative Council to establish a select committee to look into this issue but to do so in such a way that does not imperil the timing —

*Honourable members interjecting.*

**Mr MULINO** — We support holding an inquiry that does not imperil the timing of the transaction, and I do not think those opposite would want to imperil the transaction either. To imperil the timing of the transaction would cause serious damage to taxpayers and the community's interests.

What is the context here? We agree with those opposite when they say that this is going to be one of the largest transactions in the country over the next year. We agree with those opposite when they say it will be one of the largest transactions in relation to this state's economy over recent decades. We also agree that this will be a very significant transaction in terms of the economic lifeblood of this state. We also want to say, in terms of context, that both this side of the house and the opposition made a commitment at the last election to undertake a lease of the port of Melbourne. Both major parties supported that.

*Honourable members interjecting.*

**Mr MULINO** — The Greens opposed it, but both our parties supported the lease of the port of Melbourne. That is important context. Another important piece of context is that the level crossing removals program, which was so supported by the community at the last election, is clearly and explicitly going to be funded by the proceeds of this transaction.

Again, the context is that at the last election both major parties supported this transaction, and when we, the

now government, were asked how we were going to fund the level crossing removals that were so supported by the community, we made it clear that we were going to fund them from the lease proceeds. That is the context. You do not get mandates that are much clearer than that. This was not something that flew under the radar. This was debated at great length and in great detail, and the community has spoken.

Another piece of important context is that we are undertaking a process started by those opposite. We are using the same consultants. We are going to make it very clear during the course of this inquiry, including on the issues those opposite have raised, that we are acting on the advice of experts, indeed experts appointed by those opposite, who they presumably listened to and were guided by. That is another important piece of context. Let us be clear about where there is a serious policy disputation here and about where there is political pointscore. I will go into that in more detail in the course of my contribution.

Another piece of context — and I will go into this in a bit more detail — is the question of whether there will be another major port development and where it will be. Those opposite have made some comments about the port of Hastings and Bay West. The commitment we made at the last election was to undertake a detailed review before any decision was made in relation to that issue. We made a commitment to establish Infrastructure Victoria.

Let us look at the two approaches we have on that very detailed and complicated issue. Gordon Rich-Phillips has made some comments around why the port of Hastings is appealing in some ways, and there are arguments one can raise in favour of that port. There are also arguments one can raise that make that a difficult option for developing another major container port. There are arguments one can raise in favour of Bay West and also arguments one can raise about difficulties with that option. What we have said is, 'Let's establish a new body, Infrastructure Victoria', which I think has the support of all in this chamber. 'Let's establish a body, let's get that body to look at that extremely complicated issue in detail and let's make decisions based upon that advice'.

To have people throwing around different options in this chamber on this day and to suggest that we need to make a decision as to that issue right now is, I believe, not the right approach when it comes to infrastructure planning of that magnitude and complexity. In fact what we have done is see through on our commitment to establish Infrastructure Victoria and to task that body

with that very complicated issue of how we develop future capacity.

That is important context. Both the government and the opposition supported this lease. We have to keep that in context. We fundamentally agree on the rationale for why the lease makes sense. We went to the election and got a mandate for the lease but also, importantly, for what the lease will fund, and that is the removal of level crossings. There is a strong commitment in the community to the removal of level crossings, and if those opposite do not support funding the removal of level crossings, I would really like to hear from them. I would like to hear them explain why it is that they do not want that as a state priority.

Why is it that a lease — —

*Honourable members interjecting.*

**The ACTING PRESIDENT (Mr Eideh)** —  
Order! Let us hear the member in silence.

**Mr MULINO** — I think those opposite are getting a little excited because they do not like hearing some of this, Acting President.

Why would a government lease out this asset? This is important context, because it goes to what the appropriate timing of this review would be, and that is something we really need to thrash out in this discussion. Those opposite have suggested a deadline for the inquiry that we believe is way too long. Fundamentally the opposition and the government are on the same page in our belief that a lease of this asset makes sense, because putting it into the hands of a private operator for a period of time will actually improve the operation of that asset, and fundamentally that is why a lease makes sense. As well we are going to gain revenue from that transaction, but we are not doing this to gain revenue at the expense of future generations, at the expense of the operation of the port or at the expense of our future economy. It is actually being done to enhance the operation of the future economy.

Our government, the Treasurer and I are totally on the same page as Rod Sims, the chair of the Australian Competition and Consumer Commission, who has said this decision should not be driven by short-term revenue gain. We are totally on board with that. We want to do this in a way that is going to enhance the long-running operation of the port, that is going to put in place a regulatory arrangement in terms of pricing, safety and environmental operation and that will see us strengthen our position as a freight and logistics hub of the country. We are on the same page in terms of those

broad policy objectives, and we believe a port operated by a private operator under the right regulatory arrangements will actually become stronger both in absolute productivity and in terms of its relative position within the country.

Another point worth observing in relation to why we want to lease this asset at this point in time is the long-running evolution of capital markets and port operations. Capital markets have moved a long way since the time when the port was built. When the port was built governments had to build and operate ports of that nature, but we now see around the world many instances of private financiers willing and able to put money into ports and operate them. Capital markets are now much more sophisticated. We have seen many ports funded by the private sector in relation to bulk exports. We have seen the evolution of capital markets in relation to their willingness to fund and operate these kinds of assets. We have also seen the evolution of port operations and the fact that we can use the private operation of this port as a way of importing best practice and innovation.

That brings us to the broader point of asset recycling, which makes sense when governments can reassess whether it makes sense for them to continue operating certain assets and where it reassesses and decides that certain assets can be better operated, whether it is in the short term or the long term, by the private sector. That affords governments the opportunity to take that capital and put it into something more urgent, where governments need to play more of a role. This is exactly what we see in this instance. We see the evolution of capital markets, and we see the evolution of port operating expertise around the world. In Melbourne there is a desperate need for level crossing removal, and that requires massive capital investment that only government can provide. This is the perfect instance where asset recycling makes sense. We will take capital, which the private sector is willing to put into the port, and we will put it to use in the removal of our 50 worst level crossings.

This is a policy, I might add, that the opposition's federal counterparts have totally signed off on and have totally signed off on in this context. What opposition members will find themselves facing very soon is an asset recycling initiative that their federal counterparts have signed off on, that key stakeholders have signed up to and that they are imperilling through a political point-scoring exercise through a select committee if they insist upon a deadline that is not consistent with this transaction. That is the broad policy rationale for this. We are going to do this in a way that strengthens the port in this new context we find ourselves in and

that also frees up capital that only government can provide to meet an urgent need.

I want to make a couple of other comments. This follows up on the broader issue that Rod Sims raised around the fact that this is not about pumping up short-term value to the detriment of the operation of the port down the track. We are definitely not trying to do that.

Let us look at the issue of the length of the lease, which has been raised a number of times. We are more than happy for that to be looked at in this inquiry. We recommended a 50-year lease. Those opposite would say they have a preference for a 40-year lease. We have suggested a 50-year lease, based upon expert commercial, legal and engineering advice. That advice has been made in the context of the whole-of-life operation of the port. It has been made in the context of the likely capital requirements of the port over time and the likely timing of those investments. As Mr Barber said last night, it is difficult to pinpoint the exact points in time when capacity might be reached or when certain levels of demand might be reached. However, what we can do, based upon best forecasts of likely demand over time, is say that a lease of a certain period of time is most likely to make sense, given best operation of the port and risk management.

Based upon our commercial, legal and engineering advice — the full suite of expert advisers we have in place, appointed by those opposite I should add — 50 years is what has been recommended as the best balance. This is also a lease length that is quite common in these kinds of large infrastructure transactions, so we are more than happy to bring evidence to bear in the inquiry as to why this makes sense. But I want to stress that in the context of a long-lived asset, in the context of wanting to provide certainty to an operator who has to inject capital into that asset and in the context of wanting to manage risks, 50 years is a reasonable balance.

Those opposite have made a great deal of noise about the 20-year option, and I want to stress that this is not a 70-year lease, it is a 50-year lease. The 20-year option would be at the mutual choice of the operator and the government of the day and would only be exercised if the government of the day decided that a 20-year extension made sense in the interests of taxpayers and the community. The reason that option has been added is not to say that it will necessarily make sense — it might be that at the expiry of the 50-year lease it makes sense to have another 50-year lease or another period of time. That would be based at that point in time on further commercial and other expert advice. What we

have done is to put in place something which will make it administratively easy to exercise a shorter term lease if that makes sense for the operator and for the government of the day, based upon public policy interests. We are not tying this in for some incredible length of time until everybody in this place is dead and their children are old as well. This is not meant to be ratcheting up the price of the asset by having some lease that is inordinately long.

**Mrs Peulich** interjected.

**Mr MULINO** — Not at all. This is a 50-year lease. Those opposite are saying they want a 40-year lease. We are suggesting a 50-year lease based on expert advice. If they are saying they want to hold up the whole transaction because they want 40 and we are suggesting 50, that is utterly ridiculous.

Those opposite talk about the monopoly aspect. I want to stress that the economic regulation that is going to be provided for in this lease will be best practice economic regulation of a container port in Australia. The economic regulation is going to be managed by the Essential Services Commission (ESC). It is going to be a stronger regime than we have at present. At present we have a price monitoring regime which covers certain prescribed services. What we are going to have is an economic regulation regime that will cover more prescribed services. It will cover 86 per cent of the commercial revenue. It will cover everything except for the rents, and I will get onto that in a moment.

What we are going to have is a far broader economic regulatory regime that will be based upon a more rigorous underpinning than price monitoring. We are actually strengthening the regime. This is an economic regulatory approach that the commercial sector in Australia and beyond is very familiar with. This is the broad approach: the efficient cost-based approach that companies in Australia, the UK, the US and many other countries are familiar with when it comes to utilities. It is a very economically sound approach to regulating assets where market power is at play.

I want to stress that we are broadening the number of services that are going to be prescribed services covered by the ESC. As an example, slipway services are not currently managed by the ESC. They will be. We are broadening the range of services that will be covered. Something in the order of 86 per cent of revenue will be covered by the ESC, and the approach will be more rigorous. The economic regulation will be very strong and very much in the interests of the Victorian economy.

Rents are an issue which has been raised by some speakers in this context. What we are proposing with rents is basically the same practice that applies at other regulated ports around Australia. Rents are not proposed to be covered under the pricing order because the commercial leases that are covered by the negotiate and arbitrate model more often than not do not entail market power, which is the test for whether or not the ESC should be given powers in relation to pricing orders.

Rents in Australia are always, and for good reason, fundamentally regulated by different frameworks because there are different market conditions. The kinds of economic regulation powers the ESC will be given in relation to prescribed services do not apply where market power is not a consideration. That is the fundamental policy underpinning this, and we have seen recent rent negotiation outcomes that are satisfactory to all the parties concerned. We have seen a system that is working and will continue to work. The system is in place before the lease and will be in place after the lease. The rental arrangements are appropriately not included in the price cap. They are a very small proportion of the supply chain costs. They are regulated in an appropriate way, not by using a price order that is only appropriate when there is a clear demonstration of market power. The mechanism is the right one moving forward.

There has been talk of the compensation clause and the notion that we are somehow putting in place a regime that will not allow for the development of a second port. That is simply not true. I want to clarify that the clause proposed is very much in line with standard commercial practice. It is not about providing compensation or restricting future options for the government. It is about providing certainty for a leaseholder coming on board who is expected to invest in the operation. We are trying to balance the new leaseholder's need for certainty in order to optimally invest in the port. It is not a matter of bumping up the sales process but rather of creating value for the state. I will move on to this broader point in a moment.

Last night Mr Barber raised the point that when he sees transaction revenues go up, he worries. He sees that as almost implicitly meaning revenues are going to be raised down the track which will cause damage to the economy. It is not right to view this in such a zero-sum way as many of the things government can do to increase sales proceeds are actually about adding value. They are about adding value, for example, through opening scope for innovation. They are about adding value by reducing uncertainty. The notion that every bit of value added to the sale proceeds is necessarily

detrimental to the future economy is not the right way to view this. We should see the higher proceeds from the lease as a good thing for the state, because if it is achieved through opening up future development opportunities, through the government providing a more certain and sound regulatory arrangement, that is a good thing for our future economy.

That is exactly the case when it comes to what is being described as the compensation clause. It is not about putting in place punitive arrangements to prevent the development of a second port. We all agree that the port of Melbourne is going to grow to capacity at some time in the future, and I agree with Mr Barber that it is difficult to pinpoint when that will be. It will not be next year or not in 50 years time; it is going to be somewhere in between. It is difficult to pinpoint exactly when, but we agree that we need to maintain flexibility in planning for the future development of a second port. What we need is a lease arrangement that provides certainty to the organisation that is investing in the lease such that they will have the confidence to invest as appropriate in the port so that it has capacity to increase.

That takes me back to the broad point which I touched on already and which I want to talk about, and that is the idea that increasing transaction revenue means that we are somehow damaging the future economy. I want to reinforce that that is not the case. The government is trying to maximise transaction revenue in a way that is beneficial to the future economy. Those members opposite, I believe, agree with us on the broad policy reasons for undertaking this lease. They agree fundamentally that a private operator is going to drive innovation and efficiency, and they agree fundamentally with the concept of asset recycling.

The point is we can drive up transaction revenue in ways that are positive for the future economy, and that is what we are seeking to do. We are not seeking to do it in a way that is in conflict with the future economy. We are on the same page with Rod Sims when it comes to that. We believe the transaction, which is based upon expert advice — their expert advice I might add — is doing that appropriately.

The idea that we are somehow trying to prejudice where the second port will be located or that we are trying to prevent the second port being developed has been thrown around a lot in this debate, but it is not at all true. In relation to where the second container port should be located, we said during the election campaign that we would establish Infrastructure Victoria and that that body was the right place to hold an inquiry and to look at this issue vigorously. It is an extremely

complicated issue that does not just relate to the complexities of forecasting container volumes; it actually comes down to the complexity of the whole transport network. The fact that ports in particular are interconnected with so many other parts of the network means they have to be designed in a way that takes that into account, and, as I said, Infrastructure Victoria is the right place to hold that discussion.

**Mrs Peulich** — Are you going to vote against the motion?

**Mr MULINO** — We are recommending amendments to the motion. To take up the interjection, we support an inquiry that is held according to a timetable that does not imperil the transaction. I would hope those opposite would not want to imperil the transaction. If they insist on timing that drags this out to the point where the transaction cannot be undertaken in a timely way, they will be damaging the interests of taxpayers.

I want to briefly touch on what the asset recycling is for. It is for level crossing removals — the removal of the 50 worst level crossings in our state. That is critical. I want to ask the opposition members to put on the record their position on those level crossings. What is their position on all the public policy benefits that will arise from those level crossing removals? Do they support their removal? Do they support the community, which exhibited strong support for their removal?

The removal of level crossings will lead to significant time savings for people in many communities right across the state — not just people on the road network but people on the rail network and people from regional Victoria who will be able to travel from eastern Victoria into Melbourne faster. People will be able to travel faster by road in order to spend more time with their family. It will increase the productivity of the network as a whole, it will improve safety and it will create thousands of jobs, and it is critical to place that on the record because it is a key part of the asset recycling initiative.

I also place on the public record the recently announced \$200 million Agriculture Infrastructure and Jobs Fund. That is also critical because the government will be investing a significant amount of the proceeds of the lease into assets that will facilitate infrastructure that will help exporters from right around regional Victoria get access to the port. The Victorian Farmers Federation is one of a number of stakeholders who have come out in favour of that and who want to see a competitive port and want to see rural infrastructure boosted so that rural exporters can get better access to

the port. Of course there are other initiatives that the government is undertaking, such as the Regional Jobs and Infrastructure Fund, the Murray Basin rail project and a number of other initiatives which will support access to the port. Opposition members need to state their position when it comes to these initiatives.

I will end with some high-level observations about the inquiry. We support examining the bill if other parts of the chamber want to examine certain aspects of the transaction. I believe and hope that those opposite remain in support of the lease of the port. I hope and believe that those opposite continue to support an asset recycling initiative that will see a significant amount of money coming from the federal government — their federal counterparts — to help us fund important assets. We will see whether they continue to support something they committed to during the election. Hopefully they will in the interests of the state. What we do not support, however, is an inquiry time line that imperils the transaction, because we do not want to talk this thing out endlessly, for months and months, when we have already discussed this at great length. We discussed it over years in the lead-up to the election, we discussed it as one of the key issues during the election and we explained at great length during the election that our major transport initiative was going to be funded by this very initiative.

We do not need until 30 November to prosecute all of those issues. We can have an efficient, targeted inquiry that looks at some of the concerns raised by those opposite. If they are concerned about the length of the lease and want to raise issues around 40 versus 50 years, let us have advice. We will provide expert advice to them as to why 50 years makes sense, and then they can decide whether they want to hold up the whole transaction because they desperately want it to be a 40-year lease. Let us have that discussion in the inquiry, and I welcome it. We can have a discussion around any kind of growth facilitation or compensation clause, but we do not need to go over the whole issue, because I would be surprised if opposition members have now suddenly backed away from supporting the lease of the port or backed away from an asset recycling approach, so we do not need a three-month inquiry, we need a targeted inquiry that fits into the transaction time line.

As the Leader of the Government has indicated, we will also make an amendment in relation to a quorum. That is an entirely reasonable amendment and consistent with practice across other committees. So we are supportive of an inquiry, but we want one that is on a reasonable time line and that has reasonable practices. I welcome opposition members agreeing to a sensible

time line, and I also look forward to the outcome of the inquiry supporting a sensible policy in the interests of the state.

**Mr ONDARCHIE** (Northern Metropolitan) — That was 30 minutes of our lives we are never going to get back. Mr Mulino just spent 30 minutes prosecuting the government's case for the port of Melbourne sale and did not talk to the motion at all. I will commence by saying that I have a career history of supporting off-balance-sheet transactions where they make sense and where all stakeholders know what the outcome is going to be. But this is policy on the run, and what the government is prosecuting today is, 'Just trust us. We know what we're doing; just trust us'.

Government members have a long history of implementing financial transactions in this state under the banner of 'Trust us', so let us talk about those. First of all there is the myki ticketing system. They spent \$1.35 billion on a system that does not work. They were offered turnkey projects by international experts, but they said 'No, we'll do it ourselves', and here we are after all this time, with the great deniers across the chamber saying, 'Just trust us on this next one'. Another one is the desalination plant that is rusting away down in Wonthaggi. It is costing Victorians \$1.8 million every single day. It was a bad financial transaction for Victoria, and again their argument with the port of Melbourne is, 'Just trust us. We know what we're doing'. Another one is the Premier's own HealthSMART project. It is a complete basket case of an IT project that the government engaged in without a comprehensive business case, without a plan and without understanding the financial transactions around HealthSMART. Government members said, 'Just trust us'.

Another one is the sale of the electronic gaming machine licences, which cost Victorians, as the Victorian Auditor-General said, \$3 billion worth of revenue because the government headed off on this pipedream of selling these things very, very quickly, and the Labor Party said to Victorians, 'Just trust us'.

The north-south pipeline is perhaps the greatest white elephant Victoria has ever seen, and the Labor Party members headed down the road saying, 'We're going to build a pipeline to transport water from the north to the south', but they could not do it. They said, 'Just trust us'. Here they are today, telling the people of Victoria, 'Just trust us. We know what we're doing'.

The Royal Children's Hospital development did not have money provided for the IT system, but government members were saying, 'Just trust us with

this project'. The Olivia Newton-John Cancer and Wellness Centre in the northern suburbs in Heidelberg had the construction of the building funded, but nothing was provided for the internal fit-out, nothing for the patients and nothing for wellness provision. When the project was started Labor Party members said, 'Just trust us. We know what we're doing'. There is a litany of examples.

**Mr Leane** — On a point of order, Acting President, the member is very much straying from a tight motion that, apart from the amendment, most members of the chamber agree with, and I ask you to bring the member back to debating the motion.

**Mrs Peulich** — On the point of order, Acting President, a critical part of Mr Mulino's contribution was his reaching out to the public saying, 'Believe us. We know what we're doing. We've got the facts right', and Mr Ondarchie is giving some real and well-known examples of where in actual fact that was not the case. So Mr Ondarchie is responding directly to the case that was put by Mr Mulino.

**Mr Leane** — Further on the point of order, Acting President, I fail to see how the projects being mentioned by Mr Ondarchie — such as the Royal Children's Hospital, which was a Labor Party project where Liberal Party members clamoured to attend the opening and to rub shoulders with the Queen — have anything to do with this motion.

**The ACTING PRESIDENT (Ms Dunn)** — Order! Mr Leane is debating, not adding clarity to, the point of order.

**Mr ONDARCHIE** — On the point of order, Acting President, this is a wideranging debate that government members entered into by taking debate beyond the motion, which is about the port of Melbourne transaction, and to their financial credibility, and that gives me licence to talk about their financial credibility.

**The ACTING PRESIDENT (Ms Dunn)** — Order! On Mr Leane's point of order, Mr Ondarchie is in the early stages of making his contribution on this motion. We should give him some licence and latitude to continue his contribution, but I draw Mr Ondarchie back to making sure that he focuses his contribution on the motion before the house.

**Mr ONDARCHIE** — In relation to motion 141 moved by Mr Rich-Phillips for the appointment of a select committee to look at the transactional arrangements in the government's proposed sale of the port of Melbourne, it goes to the government's credibility as decision-makers in financial matters. The

fact of the matter today remains that Labor does not have a good track record when it comes to financial rigour in relation to contracts. I have already demonstrated that in my contribution today.

The Labor Party heads off on a journey without any due diligence, without any logic and without any planning around initiatives. Already during the term of this government we have seen that happen. The government has embarked on two new public holidays without a regulatory impact statement, which proves that the government's thoughts on this initiative are economically harmful to Victoria. The government's Back to Work Bill 2015 proceeded into the Parliament with no rules or guidelines around it. Government members said, 'Don't worry about it. Trust us. We'll work it out as we go along'.

Those are two examples in a row already during the term of this government when it has headed off on an initiative without any due diligence or any rigour around the issues, yet today government members say to the people of Victoria, 'Just trust us. We have got an idea. We know what we're doing. Just trust us'. This is policy on the run 101, reiterated by a Labor government. Time and again Labor governments embark on something saying, 'To hell with the cost'. If it hurts Victorians, they do not care. They just want to get their policy through.

Yet today, having criticised the opposition, the Greens and the minor parties, saying they are stalling the port of Melbourne legislation, government members now say, 'We're happy with the inquiry'. This is policy on the run. The government just moves around. How do government members deal with that? They send each other text messages saying, 'Let's look enthusiastic. Let's look happy about what we're doing'. I do not know why they are wasting money on acting lessons; they should just text each other. That is policy on the run 101, and the government wants the Treasurer's monopoly: pay \$200, but do not pass go. That is what members of the government want. They say, 'Just trust us'.

Today the government claims that it is going to give \$200 million to regional Victoria. The government spent \$640 million not to build a road, but it is only going to give regional Victoria \$200 million. How incredible are the actions of those opposite? They will give \$200 million to regional Victoria as some sort of sweetener but will not even mention Bay West and the people of Geelong. Yet Mr Mulino stands here today and says, 'We're on the same page'. But we are not on the same page, because we want appropriate due diligence for the people of Victoria. The Labor Party

has a track record of not supporting them and not applying appropriate financial rigour when it comes to financial transactions in this state. We cannot blame the people of Victoria for saying, 'Actually, we don't trust you. You've mucked it up so many times before'. They want to hear the outcomes of this inquiry. It is our job as a responsible opposition, along with the Greens and crossbenchers, to make sure that the people of Victoria are getting good value for this transaction. We cannot help but support the people of Victoria on this issue.

Today, by way of amendment, the government is arguing about the timing of the transaction and saying the end of November is too late. When it comes to timing, let me give members an example in relation to what the government is thinking about in terms of the standing orders in the lower house. It is talking about reintroducing the lunchbreak in the lower house. It has gone to the Standing Orders Committee of that house and said, 'We'd like you to report on that by 30 June 2016'.

**Mr Herbert** — On a point of order, Acting President, I appreciate your previous ruling that Mr Ondarchie was at the start of his contribution then, but he is straying way, way from anything anywhere nearly relevant to the motion we are debating today. I ask you to bring him back to the motion. The lunchbreak in the other house has simply no relevance whatsoever to this debate, and it is childish.

**Mrs Peulich** — On the point of order, Acting President, I must say I can understand why Labor Party members are upset about Mr Ondarchie's very entertaining and informative contribution, but his most recent comment, and the point on which the minister has taken a point of order, was on the length of the inquiry. It is absolutely pertinent, and it highlights the hypocrisy of members of the Labor government — —

**The ACTING PRESIDENT (Ms Dunn)** — Order! I suggest that Mrs Peulich is debating.

**Mrs Peulich** — I was just going to say that the proposal for a very long lead appetiser to the reintroduction of the lunchbreak versus a 30-day period of inquiry into the biggest and most important matter affecting all of Victoria, but in particular the south-east, shows that Mr Ondarchie is on the money.

**Mr Finn** — On the point of order, Acting President, Mr Ondarchie is well within his rights and is being extremely relevant, because we are talking about time lines here. The important point that Mr Ondarchie was making — and indeed would have completed making if the minister had allowed him to do so — is that here we

have a government whose members are saying, 'We must conclude this inquiry within a month', but when it comes to an inquiry into a lunchbreak they are giving it until the middle of next year. We are talking about time lines. That is the important part of this debate and in fact probably the only thing that is worth debating on this matter at the moment given that members on both sides are in agreement on everything else.

**The ACTING PRESIDENT (Ms Dunn)** — Order! I suggest that Mr Finn is debating. In relation to the point of order raised by the minister, it is my view that Mr Ondarchie has strayed far beyond the brief of this motion, and I ask him to come back to the motion before the house.

**Mr ONDARCHIE** — My point was about time lines, but perhaps government members can eat their Vegemite sandwiches while they are watching the Port Phillip Heads being blasted. Government members are prepared to stretch out the time lines for other committees to suit their bellies, yet they want to argue about this one. Members of the opposition will not support the amendment to the time lines.

Let me conclude by saying that this is perhaps one of the most important inquiries for Victoria outside others such as the child abuse inquiry. When it comes to financial transactions Victorians are not prepared to trust members of the Labor Party, given their track record on financial transactions in this state. They are not prepared to see Victoria blasted with another myki ticketing system, another desalination plant, another north-south pipeline or any of the litany of projects that have come from the Labor Party over many years and that put Victoria in a bad financial position.

**Ms Shing** interjected.

**Mr ONDARCHIE** — While government members make frivolous interjections that divert attention away from their track record of bad financial transactions in this state, they have not yet denied that they will wipe out all of Port Phillip's beaches when they blast the heads to get the big ships through. When government members contemplate selling one of Victoria's biggest assets, not for this generation but for the generations beyond, Victorians are entitled to know what is going to happen with their money. Members of the Labor government in this state are saying insultingly to the people of Victoria, 'Just trust us. We know what we're doing'. We do not and we will not.

**Mr HERBERT** (Minister for Training and Skills) — Maybe we can get back to a serious debate here rather than that frivolous rubbish about Vegemite

sandwiches and the history lecture we just received from Mr Ondarchie. I had no idea he was like a university professor who likes to lecture so much.

The truth of this is very simple. This is an incredibly important debate on an incredibly important motion moved by Mr Rich-Phillips proposing the establishment of a select committee to consider the lease of the port of Melbourne. It has to be put in the context of the government's absolute commitment to driving infrastructure and investment in this state. That is absolutely crystal clear. The fact is that the government inherited from the previous government a legacy of 6.8 per cent unemployment, including huge youth unemployment across the state; industries closing down; the finance sector and other business sectors all going to Sydney; and a state that was moribund, with business confidence on the floor and the confidence of Victorians as low as we have seen it for decades. We have to rebuild this state.

We also have to have measures in place in the context of the increase in the population of Melbourne, with the 1 million people who have come here in the past seven or eight years and those who will come here. We are doing that in planning, transport and a whole range of business and employment investment strategies.

This debate is about a very simple matter. It is about an election commitment to lease the port of Melbourne to fund the removal of 50 of the worst congested level crossings in this state, which have to be addressed. We have to do something right across Melbourne, not just build a tunnel with a dodgy contract. We have to do something that is in the interests of people from the rural sector as they transport their produce through Melbourne on trucks. It has to be done in the interests of our rail network, where we have to have thousands more people transported by public transport every day of the week. It has to be done in the interests of all those commuters who live in the suburbs of Melbourne, because the roads they travel up and down are clogged at the level crossings. It is a simple thing. We will increase trains, increase capacity with more rolling stock and build an inner city duplicate underground. We will get more people onto trains and have fewer level crossings, and that will mean less congestion on our roads. We will fund that through the lease of the port.

These programs are not something that members can play political games with, as much as those opposite would like to do that. I have been in opposition, and I understand entirely what a bitter experience it can be, but it is not right that members should take that bitter experience and try to wreck the programs that are

needed in this state to get people back to work and to bust the current congestion on our roads. Those opposite should not take the bitterness that they are feeling out on the people of Victoria. That is the real issue here; that is exactly what is happening.

Members have talked about timing. We all know what the timing is about. Let us just put it on the table. We will have \$100 million to fast-track planning for the program to remove 50 level crossings. There will be a contract this year to lease the port, and we will have \$5 billion to remove those level crossings linked to that fast-track planning. If we can get the bill through the Parliament quickly with the support of those opposite, we will probably get a lot more than \$5 billion and we will be able to put \$200 million into regional Victoria under the deal done with the Victorian Farmers Federation.

If we cannot get the bill through the Parliament this year, we will have to cut back on the money. If we cannot go through the process of the lease of the port this year, the whole thing will be put out of whack. That is what this motion is really about. That is why government members say, ‘Do a bit of work if you’re really fair dinkum about this. If you’re not just playing political games, be fair dinkum, get the inquiry done by 30 September — get it done earlier — and don’t drag it through to the end of the year and the Christmas close-down to put back the leasing arrangements and process by a year. Don’t extend the process into another financial year. If you’re fair dinkum, have a program of rapid work — really do a bit of work on this’.

There is no reason why this cannot be done in order to have the program to lease the port started, as is outlined in the budget this year, by the end of this financial year. That is what it is about, and we all know it is about that. Then we hear these lectures about our capacity to do it and how we are changing things. Let us be clear: the previous government started the process. The previous government’s advisers, Morgan Stanley and Flagstaff Partners, were appointed by those opposite. They are still in place under the same advisory arrangements. There is no conspiracy here. The financial advisers appointed by opposition members are still doing the work to the same time line. There is no conspiracy here and there are no deep secrets. It is about getting the best value out of the leasing arrangements to put into infrastructure, the best value in terms of long-term delivery of transportation of goods through the port and the best value for Victoria.

Morgan Stanley and Flagstaff Partners are doing the work. They were appointed by the now opposition, and we have continued their appointment as they plan that

out. This is just about political games. Do members know who is going to suffer the cost of those games? The hundreds and hundreds of apprentices who will be employed through the government’s 10 per cent commitment to projects of national significance. On every one of those grade separations 10 per cent of the workforce will be apprentices. They are going to suffer because of what the opposition is doing. The workers who will be building the grade separations, the hundreds and hundreds of apprentices and the hundreds and hundreds of engineers who are being relocated from Ford and Holden who would be working on these grade separations right now are the people being disadvantaged by the opposition’s very shallow political partisanship.

We can keep going on this, but let us be clear: we have an agenda to remove 50 of the worst level crossings. We have an agenda to rebuild Melbourne Metro. We have an agenda to get rid of dangerous crossings in country Victoria. We have an agenda to build our schools and rebuild our TAFE systems. This is a major agenda. It was all there, contained in our election commitments, and we are living up to them. The only danger to Melbourne’s future growth and Victoria’s future growth in terms of meeting our population needs, our industry needs, our community needs and our farmers’ needs is the partisanship of the opposition and the bitterness of opposition members about not being in government. The game the opposition is playing on this important connection — —

**The PRESIDENT** — Order! I thank the minister.

**Business interrupted pursuant to sessional orders.**

## QUESTIONS WITHOUT NOTICE

### Religious institution tax exemptions

**Ms PATTEN** (Northern Metropolitan) — My question is to the Honourable Gavin Jennings, representing the Treasurer. Religious institutions in Victoria receive a number of exemptions to payment of taxes and rates that are not enjoyed by other organisations. These exemptions are included within the Stamps Act 1958, the Financial Institutions Duty Act 1982, the Debits Tax Act 1990, the Payroll Tax Act 2007 and the Land Tax Act 2005. How much did exemptions on religious institutions’ investment earnings, land tax, capital gains tax on the sale of assets and rate payments cost Victoria in the 2013–14 year?

**Mr JENNINGS** (Special Minister of State) — I am going to invite the member to ask me what the predicted outcome was for 2014–15 and in 2015–16 as a supplementary question!

I cannot actually provide her with the answer at this point in time. I will certainly encourage my colleague the Treasurer to exercise his mind and perhaps seek the advice of the Department of Treasury and Finance to either make an estimation or attribute what that cost may be. But unfortunately at this point in time it does not come to mind.

*Supplementary question*

**Ms PATTEN** (Northern Metropolitan) — I look forward to the advice of the Treasurer. Sadly, my supplementary question is not as the minister suggested. Tax exemptions for religious organisations have been justified in the past through the suggestion that these organisations and the advancement of religion, which may denote them as charitable in common law, provide some kind of social benefit. Could the minister explain: what is the social benefit of advancing religion and how is that measured?

**Mr JENNINGS** (Special Minister of State) — President, I am not necessarily going to in a fulsome way respond with a deep-seated philosophical response or a cultural response to the question, but I will respond by saying that I would have thought in many, many instances — regardless of denomination — we can point to circumstances where social support and community support services are provided each and every day in Victoria, in Australia and around the world by organisations which are faith-based. I think that is pretty evident, and I am sure the member is aware of that herself. On that basis there is a value, and I am certain there is a value, but in terms of the public policy issues about the charitable status and exemptions, I think that is probably the domain of public policy considerations of government and it would be better to deal with the financial implications of it in the response to the member's substantive question.

**Adoption legislation**

**Ms SPRINGLE** (South Eastern Metropolitan) — My question is for the Minister for Families and Children. In a media release before last year's election the minister, then in opposition, promised that there would be a thorough review of the Adoption Act 1984. The minister has since confirmed that she will be commencing a review of the Adoption Act this year. Can the minister indicate when this review is scheduled to commence and provide some basic details, such as

who will be conducting the review, what will be the terms of reference, whether the government is intending to release an issues paper and whether the reviewers will be consulting with stakeholders?

**Ms MIKAKOS** (Minister for Families and Children) — I thank the member for her question. I can inform her that Victoria's adoption laws are more than 30 years old. I can confirm that I made such an election commitment prior to the change of government and can also advise the member that that commitment stands. I spoke to organisations that have an interest in these issues prior to the election and have done so subsequently. We are now in the process of considering how we can best review and modernise our adoption legislation. We are very committed to ensuring that members of the community have an opportunity to participate in that and express their views. More information will be available, and I am happy to share that with the member, as well as with other members, when those details are finalised.

The member would also be aware that we made another election commitment in relation to Victoria's adoption laws, and that was to provide for adoption within same-sex relationships. The government commissioned a review in respect of the existing legislation, in particular relating to that issue. That review was conducted by Mr Eamonn Moran, QC, and that matter is being overseen by the Minister for Equality, Mr Foley. We hope to be able to have more to say about that relatively soon.

**Native forests**

**Ms DUNN** (Eastern Metropolitan) — My question is to the Minister for Agriculture. It is clear that the minister has a standard response when presented with evidence of the unsustainability of native forest logging and the benefits of transitioning to commercial plantations. Her response is that Labor supports the 21 000 jobs in the timber industry. Not surprisingly, I have asked the minister for the precise details of the number of jobs in the various sectors of the timber industry. In particular I have asked for details for native forest logging and transportation, sawmill jobs and timber plantation jobs in each of the regional forest agreement regions. In her response the minister has indicated that the department does not have the data sought by the member. How exactly does the minister account for the 21 000 jobs that are so important in the government's continuing support for native forest logging?

**Ms PULFORD** (Minister for Agriculture) — I thank the member for her continued interest in these matters.

**Mr Jennings** — She is sincere in that too.

**Ms PULFORD** — Yes, I am. The form in which the member requested this information does not exist, so it is not able to be provided by the geographical breakdown that the member requested. I have provided the member with information about the 21 000 jobs. In fact there are other sources that would suggest the number is higher, but I think 21 000 is a conservative number.

We will no doubt get to continue to do this until Ms Dunn runs out of questions, because her interest in this is enormous. Her appetite for information on our forestry industry knows no limits. Where I am able to answer questions, even when they are questions that would perhaps be better directed to the federal Minister for the Environment, I will do my best to answer them; but I cannot answer questions where answers do not exist. When I am asked to provide the breakdown of figures by different locations in a form that does not exist, then I cannot just magic that up, in spite of the member's desire that I might do so.

*Supplementary question*

**Ms DUNN** (Eastern Metropolitan) — I do recall the minister explaining that some of those jobs were in Eastern Metropolitan Region, so I wonder how she came to an answer on that basis given that the figures are not in a geographic range.

As my supplementary question, I am wondering how the minister can justify support for native forest logging on the basis of the 21 000 jobs in the entire timber industry, when the latest census data shows that only 559 Victorians nominated their occupation as 'Forestry and/or logging worker'?

**Ms PULFORD** (Minister for Agriculture) — It makes for a refreshing change that the member is asking about people who work in the timber industry in her electorate, because there are many. I will provide you, President, and the house with a further explanation. As the member probably is aware, Australian Bureau of Statistics data that is collected and electoral boundaries do not have a neat and perfect overlap. There are significant employers in the timber products industry that are in the Eastern Metropolitan Region. But the member, in her question about the geographical breakdown, was inquiring about forestry agreement boundaries rather than the boundaries that

the Australian Bureau of Statistics or indeed the Victorian Electoral Commission use.

I am trying — I really am — but the member does seek information in a form that does not exist, and she continues to ask impossibly broad-ranging questions about the kinds of things that the government might be doing to support people in the timber industry, including a question asking if I could outline any —

**The PRESIDENT** — Order! I thank the minister.

**China-Australia free trade agreement**

**Mr ONDARCHIE** (Northern Metropolitan) — My question is to the Minister for Small Business, Innovation and Trade. Does the Andrews Labor government support Australia's free trade agreement with China?

**Mr DALIDAKIS** (Minister for Small Business, Innovation and Trade) — I see where Mr Ondarchie is going. There is a famous Greek saying that I will not recite in Greek, for Hansard's benefit, but it is 'Before you were coming, I was already going'. I can already tell what the member's supplementary question will be. Let me tell the member as the minister for trade that the Andrews government supports anything that benefits both businesses and the people of Victoria.

The China-Australia free trade agreement is at the behest of the federal government, and it is up to the opposition's Liberal Party colleagues federally to negotiate an appropriate deal for the people of Australia, which obviously includes the people of Victoria.

*Honourable members interjecting.*

**Mr DALIDAKIS** — I have already answered the question in relation to Victoria. Anything that helps benefit the betterment of Victorian businesses is something the Victorian government supports. But let us be clear that the free trade agreement is the domain of the federal government.

*Supplementary question*

**Mr ONDARCHIE** (Northern Metropolitan) — The minister started by saying that he knew what I was going to ask so he was going to answer it, but he failed to do that. Given that he already knows what my supplementary is going to be, maybe he can commence by answering it. Given that the minister, on behalf of the Andrews government, fully failed to commit to supporting the free trade agreement with China, could he tell the house how he — not anybody else — will

ensure that Victorian companies maximise their trade opportunities arising from the free trade agreement with China?

**Mr DALIDAKIS** (Minister for Small Business, Innovation and Trade) — I am glad Mr Ondarchie got my message last night to ask me these questions, and I appreciate the opportunity. As Mr Ondarchie knows, we have 18 Victorian government business offices overseas, and we have committed to establishing 3 more. The role of the Victorian government business office network is to assist investment facilitation into Australia and to enable trade overseas. In relation to China specifically, this government will shortly undertake a significant trade mission to China led by the Premier, Daniel Andrews. I welcome the member's support for what we are trying to do to increase trade between Victorian businesses and those overseas. We live in a global marketplace. China of course is a very significant one, and we will endeavour to ensure that Victorian businesses can maximise their earning and export potential wherever possible.

### **Regional Jobs and Infrastructure Fund**

**Mr DRUM** (Northern Victoria) — My question is to the Minister for Regional Development. Can the minister advise whether 100 per cent of the funding envelope for the Regional Jobs and Infrastructure Fund will be paid out as grants for regional projects, or will the fund also be used to set up public service offices and for other incidentals such as office accommodation, equipment, vehicles and even wages?

**Ms PULFORD** (Minister for Regional Development) — The Regional Jobs and Infrastructure Fund is Labor's \$500 million commitment to rebuilding our regional Victorian communities. It is something we said before the election we would establish, and as members know, the legislative arrangements to support its establishment passed through this house with support from members of all parties, and I thank them for that.

The fund guidelines were released on 28 June and the fund has been operational since 1 July. The trust fund arrangements are similar to the two predecessor funds — the Regional Growth Fund and the Regional Infrastructure Development Fund of the former Labor government — and this has served us well. As a former minister and former parliamentary secretary in this area, Mr Drum would be well familiar with the arrangements that govern these funds. I can confirm to Mr Drum that things like office fit-outs are not covered by the guidelines. I urge him to have a look at the guidelines on the Regional Development Victoria website.

### *Supplementary question*

**Mr DRUM** (Northern Victoria) — It is also worth noting, though, that the documents put out by the government late last year mention that part of the \$200 million subset within the Regional Jobs and Infrastructure Fund was going to be for the setting up of eight regional Victorian business centres. I ask whether those regional business centres will be set up under that \$200 million fund using part of that \$200 million fund, or will they be excluded?

**Ms PULFORD** (Minister for Regional Development) — The \$200 million component of the Regional Jobs and Infrastructure Fund is the Regional Jobs Fund. This supports the establishment of a number of programs and initiatives, including the \$20 million Food Source Victoria fund. The jobs fund component of the Regional Jobs and Infrastructure Fund — the \$200 million Mr Drum is referring to — is substantially around providing support to businesses and industry to develop and create jobs in regional Victoria. It is not about fitting out government offices.

### **Public holidays**

**Ms FITZHERBERT** (Southern Metropolitan) — My question is to the Minister for Small Business, Innovation and Trade. Sue, the owner of a bakery cafe in Surrey Hills, says the creation of a grand final eve public holiday is one of the most irresponsible decisions she has ever heard. Her average takings for the Friday before the grand final, based on the last three years of data, are \$3500. It now being a public holiday, Sue's wages cost will be \$5000. If she opens and makes \$3500, her business will lose \$1500, and that is before rent and electricity. If the business closes that day, Sue explained that she gets no takings and still has to pay \$2000 in wages. Either way, under Labor's poor public policy Sue's business will make a loss. What advice does the Andrews government have for the tens of thousands of Victorian small businesses in exactly the same position?

**Mr DALIDAKIS** (Minister for Small Business, Innovation and Trade) — I thank Ms Fitzherbert for her question. The issue of whether business owners choose to trade on the grand final eve holiday is an issue they will have to assess themselves. I appreciate the issue the member presented to me in her question. The fact remains that whether Ms Fitzherbert, who sits on the other side of the chamber, supports the public holiday or not, the government was very clear with the Victorian public about what it was going to do. This was clearly an election commitment by the Andrews opposition, and now the Andrews government is going

about implementing it. We will do so diligently and we will do so respectfully.

I respect the example provided by the member through her question, but the fact remains that this government is not in the habit of imposing trading restrictions upon businesses. We are not in the habit of telling businesses what they should or should not do. This is a matter for them. All I can reiterate is that this government was very clear about its commitments prior to the election and it is going about diligently implementing those election commitments.

*Supplementary question*

**Ms FITZHERBERT** (Southern Metropolitan) — I thank the minister for his answer. Some of Sue’s employees are among the 273 000 casual employees in Victoria not expected to be working across the two public holidays due to Victorian businesses being closed. What advice should Victorian small businesses give those 273 000 casual employees who will not get a shift nor be paid on that day?

**Mr DALIDAKIS** (Minister for Small Business, Innovation and Trade) — Again I thank the member for her question. What I can best do is reiterate that those public holidays provide an opportunity for people to spend time with their family and loved ones or undertake other activities. For example, in Ballarat whenever there is a long weekend sales within the region increase by 60 per cent. There is a real opportunity for people to use that weekend to spend time with their friends and loved ones or go and do other things. That is what happens, but ultimately it is a matter of free will — apparently a concept the Liberal opposition has decided to dispense with.

**Aviation skills training**

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) — My question is to the Minister for Training and Skills. I refer to the Boeing 737 aircraft that was purchased by the Brumby government as a training aid for aviation skills courses in Victoria. Can the minister confirm that his department has now ordered that to be scrapped?

**Mr HERBERT** (Minister for Training and Skills) — Is it a Boeing 737 aircraft purchased for a TAFE?

*Honourable members interjecting.*

**Mr HERBERT** — I just seek a little bit of clarity. I cannot confirm that. I have not got a briefing on what

Mr Rich-Phillips is putting to me. I am happy to get a briefing on it, but I really cannot comment on it.

*Supplementary question*

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) — I thank the minister for his answer, and I take it that this would be a question taken on notice. But I ask the minister as a supplementary question: this Boeing 737 was purchased at considerable expense to taxpayers and transported to Victoria at considerable expense to taxpayers. Will he provide an assurance that it will be maintained and kept as a training aid for aero-skills courses in Victoria?

**Mr HERBERT** (Minister for Training and Skills) — I thank Mr Rich-Phillips for his supplementary question. I gather this was something that occurred under the previous government. I have not had a briefing on it.

*Honourable members interjecting.*

**Mr HERBERT** — It occurred under the Brumby government? Way back. I would have to have a good look at this. There have been some changes in aviation training. There has been a drop-off, quite frankly; whether it be in Queensland or here, there has been a bit of a drop-off in that training. A whole heap of changes have occurred in terms of how maintenance training and a range of other training is done. However, having said that, I will look into this matter. I am happy to come back on this point. I am not going to guarantee anything before I get a decent briefing on what the underlying issues that Mr Rich-Phillips is alluding to are.

**Public holidays**

**Mrs PEULICH** (South Eastern Metropolitan) — My question is to the Minister for Small Business, Innovation and Trade. I ask: given the minister’s previous answer to Ms Fitzherbert, as well as his commitment to follow in the footsteps of his predecessor, former Minister Somyurek, and implement Labor’s two new public holidays, what is the point of the 28 days of public consultation — which end today — for the regulatory impact statement (RIS) when he is committed to ignoring the content of those submissions and the concerns raised within them?

**Mr DALIDAKIS** (Minister for Small Business, Innovation and Trade) — I thank the member for the question. It is a good question. It is one that I have asked of my own department. The answer is that — —

*Honourable members interjecting.*

**Mr DALIDAKIS** — If members wish to interrupt me, I will stop. The simple answer is we are committed to going through the RIS process because that is the way in which we move forward with the gazettal of the holidays. It is a process issue, but members should be in no doubt that, irrespective of what the submissions say, we will continue to implement our election commitments because — believe it or not — that is what this government does. We implement our election commitments.

*Supplementary question*

**Mrs PEULICH** (South Eastern Metropolitan) — Perhaps the answer to my supplementary question is self-evident, but nonetheless I will ask it. Given Labor's commitment to implement the public holidays irrespective of the content of those submissions and the concerns raised within them, is this not just another example of a sham Labor consultation?

**Mr DALIDAKIS** (Minister for Small Business, Innovation and Trade) — I do not accept the characterisation in the question, but it was asked and answered in the substantive question and response anyway.

**City of Moreland councillor**

**Mr DAVIS** (Southern Metropolitan) — My question is to the Special Minister of State, the Leader of the Government. It relates to his responsibilities for sections 223A to 223C of the Local Government Act 1989. Has the minister appointed an inspector of municipal administration to examine and investigate any possible breaches of the act by City of Moreland councillor and one-time Labor Party member Michael Teti following the allegations in the *Age* of 20 July?

**Mr JENNINGS** (Special Minister of State) — No, I have not. I exercise my powers under that act on the advice of the department of local government and the Minister for Local Government, who provide me with advice about why I should exercise my responsibilities under that act to appoint inspectors, as well as providing advice to other people who may play a role in providing administrative support to councils that may be experiencing some degree of difficulty in their governance arrangements. I have not received any advice to the effect that I should take action under my responsibilities, so in fact I have not been advised of any matter that would warrant my intervention. I am very happy to have conversations with my colleague the Minister for Local Government and to receive her advice on this subject, but certainly I have not been in

receipt of any information that would warrant my taking precipitative action.

*Supplementary question*

**Mr DAVIS** (Southern Metropolitan) — Despite the minister's response and his indication that he has not been provided with advice, he is still of course responsible for those sections of the Local Government Act. Given the serious nature of the allegations — —

**An honourable member** — What allegations?

**Mr DAVIS** — The series of allegations made in the *Age* of mafia links and so on. Will he seek discussion with the Minister for Local Government or the department about whether it is appropriate that those steps under those sections be taken?

**Mr JENNINGS** (Special Minister of State) — President, you would be very aware I am sure — as in fact a former minister may be aware — that we should not blithely allege certain matters that relate to the administration of local government, which may or may not be connected to anything that may appear in the press and anything that the member chooses to run a commentary on.

I will take appropriate advice and I will deal with the appropriate structures within government to deal with those matters, and if there is something that warrants my attention on the basis of that advice, I will provide it. But until I can, I am not in an exercise of trawling the horizon for what extraneous matters may be in the newspaper about a whole aspect of — —

**Mr Davis** — So you will discuss it with the local government minister?

**Mr JENNINGS** — I have already volunteered to do that in my answer to the substantive question, but I do not accept the premise that just because there is something about a person's personal circumstances that may appear in the press, that may warrant an issue of governance of local government to be considered.

**QUESTIONS ON NOTICE**

**Answers**

**Mr JENNINGS** (Special Minister of State) — I have four answers to questions on notice: 624, 625, 769 and 799.

**QUESTIONS WITHOUT NOTICE**

**Written responses**

**The PRESIDENT** — Order! In relation to today's questions I would indicate that Mr Herbert, the Minister for Training and Skills, has undertaken to provide a response with respect to the aircraft and its use for training in the aeronautical industry. That would be in respect of both the substantive and supplementary questions. As I understand that this relates to the training area, I would expect the answer tomorrow.

I also indicate that Ms Wooldridge has raised with me a concern that a written response she received from Mr Jennings with respect to the regulatory impact statement process for the public holidays was not satisfactory in that the answer indicated when the process was starting but did not make any comment on whether or not it would be concluded by the time of the grand final eve public holiday. That was the substance of the question; it was actually a supplementary question asked on 25 June. I have sought some advice on this matter in terms of how the process works, and I concur with Ms Wooldridge that the answer is therefore not responsive to the substance of her question. I would therefore ask that that be addressed again.

**Ms Wooldridge** — On a point of order, Speaker, yesterday the Special Minister of State took on notice — and you referred to him at the conclusion of question time — a response on the cost of both the legal representation of and the investigations into the former Minister for Small Business, Innovation and Trade, Mr Somyurek. Twenty-four hours have now passed and there has been no response to those questions, so I draw to your attention the failure to respond in the time frame you specified.

**The PRESIDENT** — Order! On that one I gave two days, so that one is well within court.

**Ms Patten** — On a point of order, Speaker, my substantive question was taken on notice. I am not sure if it is on the list.

**The PRESIDENT** — Order! I did not rule on that, but the member is right. She is referring to her substantive question on the financial implications for the government in respect of concessions to religious organisations. The minister gave an undertaking that he would provide a response on that. That is certainly a two-day one. If he achieves that in two days, he is doing very well I think.

**PARLIAMENTARY COMMITTEES**

**Reports**

**The PRESIDENT** — Order! I indicate to the house at this juncture that I have asked the clerks for information on reports that have been undertaken by committees to which the government response has not yet been forthcoming. I recognise that the context of some of these reports is that they cross governments, and I understand and appreciate the difficulty that might create in terms of getting a response to a dated report. I do have the view, however, that the work that is done by committees of the Parliament is extremely important.

Members put in a lot of time, and members of the public and organisations, including a variety of stakeholders, obviously make a contribution to these reports by way of their submissions and their evidence, so I believe a government response to these committee reports is important. It is my intention therefore to write to the government — and as I said, I understand that the time period in relation to most of these reports cross governments. Nonetheless I think a corporate response is necessary, and as I said, it is my intention to write to the government in respect of the following reports.

In relation to the report of what was the Outer Suburban/Interface Services and Development Committee titled *Inquiry into Livability Options in Outer Suburban Melbourne*, there was a response due date of June 2013. There was a government response date of December 2013 for the same committee's report titled *Inquiry on Growing the Suburbs — Infrastructure and Business Development in Outer Suburban Melbourne*. The report of what was the Road Safety Committee titled *Inquiry into Serious Injury* had a response date of 28 November 2014. There was a response date of March 2015 for the report of what was the Economic Development, Infrastructure and Outer Suburban/Interface Services and Development Committee titled *Inquiry into Marine Rescue Services in Victoria* — and these all remind me I need to go to the optometrist, because this writing is very small. There was a response date of 3 March 2015 for the report of what was the Environment and Natural Resources Committee titled *Inquiry into Heritage Tourism and Ecotourism in Victoria*. Finally, there was a response date of 3 March 2015 for the report of what was the Rural and Regional Committee titled *Inquiry into the Opportunities for Increasing Exports of Goods and Services from Regional Victoria*.

I do not think I have the power to vary the response dates. I will simply be seeking the government's

support in terms of a response to these matters in due course.

**Mr JENNINGS** (Special Minister of State) — I am very happy to have a look, President, but I think you are poorly advised in relation to a number of those inquiries, because I am confident and my colleague is confident that a number of responses have been provided by the government to those inquiries. I will double-check the list, but I am pretty certain that at least one or two of those you mentioned have been responded to. Perhaps collectively we can do some work on the status of those responses.

## CONSTITUENCY QUESTIONS

### Northern Metropolitan Region

**Mr ONDARCHIE** (Northern Metropolitan) — My constituency question this afternoon is for the Minister for Public Transport, Jacinta Allan, and it concerns the Reservoir Junction railway crossing. A substantial marketing campaign has been undertaken by the government to communicate to local residents that this level crossing will be removed, yet there is no date around that and there has been no consultation with either the local community or the Darebin City Council, the municipality it sits in. This railway crossing sits right outside Ms Mikakos's office, and the government has not provided a date as to when it will be removed. The local community has been talking about this level crossing for 15 years, and local residents have now received a brochure from their local member saying that this crossing is about to be removed.

I wonder if the minister, perhaps through consultation with the local MP whose office is situated right near the crossing, could do the right thing by the local residents and provide me with the date on which this level crossing will be removed so I can advise my constituents, who have been badly advised by the local representative.

### South Eastern Metropolitan Region

**Mrs PEULICH** (South Eastern Metropolitan) — My constituency question is directed to the Minister for Education, and it relates to some challenges faced by Parkdale Secondary College and its current zoning, which excludes part of the very suburb in which the school is found — Parkdale. The school is now at capacity. The coalition government funded it well for a number of projects, but it now needs further funding for expansion and renewal of its student accommodation, as in classrooms. I ask the minister to take whatever action is necessary to address this zoning impasse,

which is affecting families, and also to look at the need for additional funding for Parkdale Secondary College to accommodate a growing student population.

### Eastern Victoria Region

**Ms BATH** (Eastern Victoria) — A second-generation family greengrocer in my electorate has concerns about parking at the new Epping market. My constituent has been travelling to the old Melbourne market in Footscray for the last 30 years delivering fresh fruit and vegetables and picking up stock to sell in the Latrobe Valley. To cater for his business he rented a semireserved parking bay, which allowed him to park his truck to unload and then reload. The parking bay was paid for three months in advance, and it gave him 24-hour access for the paid period.

My constituent has been told he will no longer have access to a semireserved parking bay at the new Epping site. This means he will be unable to reload his truck and bring produce back to the Latrobe Valley. My question is to the Minister for Agriculture, the Honourable Jaala Pulford: what is the criteria for a seller or buyer to be able to rent a semireserved parking bay at the new Epping market, particularly in the case of someone who has had access to one for over 30 years?

### Northern Victoria Region

**Ms LOVELL** (Northern Victoria) — My question is to the Minister for Public Transport, and it regards the safety and sanitary conditions of rail services on the Shepparton line. I recently hosted a community forum to hear constituents' concerns regarding all aspects of public transport across greater Shepparton. The forum highlighted a number of key priorities, including the frequency of services and the safety and sanitary conditions of the train carriages. Numerous constituents were concerned about how often and thoroughly the train carriages are cleaned, describing them as filthy and unusable. There was also a lot of anxiety about the safety and accessibility of various stations on the line, particularly Mooroopna station, which is unmanned. These concerns were also raised at the government consultation session held in Shepparton last Thursday.

The issues of safety and cleanliness are a basic duty of care and my constituents should not need to wait for the regional transport plan to be completed before they are addressed. I ask the minister to address as a priority the safety and sanitary conditions of carriages and the safety of stations on the Shepparton line.

### Western Victoria Region

**Mr RAMSAY** (Western Victoria) — My constituency question today is in support of sports clubs in Drysdale. Drysdale has a population of 12 000 people, but unfortunately it has only one sports oval. The community has developed a four-year master plan, and before the last election both Labor and the Liberal Party committed to co-funding with the City of Greater Geelong a \$7 million stage 1 project. It now seems that the City of Greater Geelong is reassessing its commitment in relation to stage 1 of the \$20 million reserve. However, the government's \$3.5 million pledge is still on the table. I ask the Minister for Sport to enter into discussions with the City of Greater Geelong to ensure that Drysdale sporting clubs have the opportunity to progress this very important infrastructure for the area, a \$20 million multipurpose sports reserve.

### Eastern Metropolitan Region

**Mr LEANE** (Eastern Metropolitan) — My constituency question is directed to Jacinta Allan, the Minister for Public Transport. It concerns level crossing removals in Bayswater — there are two that are quite close together, one on Mountain Highway and one on Scoresby Road. I understand that there has been some good work done by this government on the planning and delivery of those two particular level crossing removals in Bayswater. Councils and stakeholders in the area have the impression that the previous government did some planning work on the removal of the level crossings and actually left a boom gate on Mountain Highway to access a maintenance yard. Could the minister get back to me and inform me whether that is correct?

### Eastern Victoria Region

**Mr O'DONOHUE** (Eastern Victoria) — My constituency question is for the Minister for Public Transport, Jacinta Allan. I have been contacted by Mr Graham Cahill, a constituent of mine who lives in Pakenham, who has been a frequent user of the airport bus and V/Line services during off-peak periods for the purpose of returning to his residence in Pakenham from Melbourne Airport. The V/Line service provides many Pakenham locals like Mr Cahill with essential space for luggage as well as considerably safer services, according to Mr Cahill, resulting from the presence of a conductor on board, and it also follows a direct route to the Southern Cross railway station. The government has axed a number of services for users of Pakenham station. Mr Cahill is concerned about how he will be able to get from the airport to Pakenham using public

transport, noting the difficulty of carrying luggage on Metro Trains Melbourne services. He is unable to afford a taxi. My question for Minister Allan is: noting the slashing of these services, what will the minister do to address these concerns Mr Cahill has raised?

### Western Victoria Region

**Ms TIERNEY** (Western Victoria) — My constituency question is for the Minister for Training and Skills, and it is in relation to his visit to South West TAFE in July of this year. During his visit the minister announced an additional \$1.6 million in funding on top of the \$4 million he announced for that education facility some time ago. The sustainability and capability of South West TAFE is critical in our region because we have a youth unemployment rate of around 20 per cent and a very low education attainment rate, one of the lowest in the country. I ask the minister to inform me and my constituents in the south-west how this additional \$1.6 million will assist South West TAFE to provide education and training so young people in the region can get meaningful, long-term jobs for the future.

### Western Metropolitan Region

**Mr FINN** (Western Metropolitan) — My constituency question is to the Minister for Health. Many community health centres provide or at least facilitate early intervention programs for children with autism. These programs, as I have explained to the house before, are crucially important to the future life prospects of these children and their families. Will the minister provide to me a full summary of waiting lists for early intervention for children with autism at community health centres in Melbourne's western suburbs?

### Eastern Victoria Region

**Ms SHING** (Eastern Victoria) — I have a question for the Minister for Public Transport. It relates to overcrowding on the 4.15 p.m. and 4.58 p.m. Traralgon rail line weekday services departing from Flinders Street. Following community consultations concern has been expressed that, given the popularity of the services and with the growth in communities throughout the region, the trains remain overcrowded and people are being required to stand from Flinders Street even before the scheduled pick-ups from Richmond, Caulfield, Clayton and Dandenong occur. On that basis, I seek an answer from the minister in relation to what can be done in the immediate short term, beyond the addition of extra services and rolling stock, to alleviate the problems of overcrowding and to make sure that

service quality on the Gippsland line continues to improve following the consultations and the regional strategy for improving public transport more generally.

## PORT OF MELBOURNE LEASE

### Debate resumed.

**Mr HERBERT** (Minister for Training and Skills) — As I was saying before question time, a substantive issue that has been raised by those opposite in regard to the process and the outcomes is basically a conspiracy theory about the government having other agendas et cetera, or that we do not have the capacity to implement the lease, and a range of other red herrings.

I want to reiterate — because there was a fair bit of noise when I spoke earlier — the very simple point that before the election those opposite supported the leasing of the port of Melbourne. It was straightforward. I make the point that the financial advisers, Morgan Stanley and Flagstaff Partners, appointed by those opposite, are the same advisers the government is using so that there can be consistency in the process. I am advised that they are the best in the business. I reiterate that the advice received by those opposite in 2014 from Morgan Stanley and Flagstaff Partners, the financial advisers appointed by them to oversee the leasing arrangements for the port, is the same advice we have received.

We all want to see a good result from the port of Melbourne lease. We all want to see a good return for the Victorian public and for Victoria in terms of our shipping arrangements. The government has been consistent in having the same advisers and the same process that was started under the previous government. Let us cast all of the red herrings aside. This is what our amendment is about. It is about whether the tactics of those opposite in reviewing this matter, which we are happy to do, are about delaying the leasing arrangements until the next financial year. This would delay the financial stream coming back to the state. It would delay the implementation of work on the 50 worst level crossings in Melbourne and, incidentally, probably lead to less money coming to the state of Victoria for the lease. A delay would mean delaying or denying Victorian farmers and country Victoria receiving \$200 million. It would create havoc for Melbourne Metro and our plans for the metropolitan rail line in terms of the substantive task it has in scheduling movements on the rail network around major projects. It would create havoc in terms of our road planning.

Let us be clear on what we have before us in this debate. We are simply saying, 'Let's get on with it.

Perform the task you want to do, but report by 30 September to enable us to make the leasing arrangements for the port within this financial year'. We are talking about arrangements that have been backed up by \$100 million of fast-tracking for the grade separations; arrangements that, with our commitment to reserving 10 per cent of major project jobs for apprentices, will lead to hundreds of apprentices getting an opportunity at a time when we have massive unemployment; and arrangements that will see 4500 new jobs created on the level crossing project.

We want these arrangements to be finalised in a timely manner that coincides with the closures in our automotive manufacturing sector so that we can provide employment opportunities for hundreds, if not thousands, of engineers employed by those automotive companies who are needed on the level crossing project. We want to keep them here working on those sorts of jobs so that they do not finish up at the automotive company and then go and find work overseas so that we have to import expertise for our projects.

This is a significant issue. Some of the contributions we have heard from those on the other side have been light hearted, talking about vegemite sandwiches and the like. This is a significant issue for the state. It is a significant, congestion-busting initiative. It is significant to how the port operates, to jobs and to the need to get our public transport system upgraded and working quickly, linking with the level crossing program in a logical and consistent manner.

There are a lot of dollars on the table and I urge those opposite to get real. We can have the inquiry — we all support that — but let us finish within the time frame of 30 September. Let us have real effort put in by those opposite. We have committed on this side of the house to turn up at every meeting and make sure there are quorums. Let us see those opposite match that rhetoric with their commitment. Let us get this done by 30 September so that we can then move forward in the time frame that is critical for Victoria's future.

### Sitting suspended 12.55 p.m. until 2.05 p.m.

**Mrs PEULICH** (South Eastern Metropolitan) — I rise to speak in support of the motion moved by Mr Rich-Phillips, who has the responsibility of representing South Eastern Metropolitan Region, as I do. This motion is important not only to the whole state but also to our region. I will speak to the two amendments before going on to make some more remarks, especially given the extensive communication most of us have received from the south-east group of

councils — the bayside councils and others — on this issue as well as related issues such as the port of Hastings.

First of all, if members have a look at the motion, they will see that it is widely supported by the community. Even those who support the lease of the port want to be confident that the regulatory model and the arrangements reached are going to be the ones that will best serve the state in the short, medium and long term. Critics certainly believe this is the right way to go. The government has conceded it, and I welcome that. The Greens are supporting the motion as well.

The Special Minister of State is, let me say, a bit of a silver tongue. Mr Jennings knows how to handle ruffled feathers and concerned communities. He is an expert at that, but he is also an expert at managing the process, locking it down and neutering it. He demonstrated that in his previous portfolios. He is beginning to try to do that with the establishment of this select committee by reducing dramatically the committee's time line for reporting. Notwithstanding the fact that Mr Gordon Rich-Phillips's motion allows the government to meet its time lines in terms of its stated priorities, expecting such a volume of work to be done a month before the committee reports to this chamber is simply unrealistic.

It is an extensive amount of work, and the reduced time line would not allow stakeholders who will be presenting to the inquiry sufficient time to even move motions in some cases. Their cycles of meetings will not allow them to move motions in order to facilitate evidence being given and submissions made to the committee. Obviously local government will play a significant part in that, as will other stakeholders.

To be looking at a lease of between 50 and 70 years with compensation clauses and the potential for allowing monopoly responsibility for the port of Melbourne to the exclusion of others, such as the port of Hastings, which the south-east group of mayors and councils believes is critical to the future economic prosperity of the region, is a very serious matter. It deserves full and comprehensive consideration and perhaps consideration of amendments which could meet the government's priorities, along with allowing for what the community may consider to be acceptable. The reduced reporting time frame is just not on. Mr Jennings knows that. This is an attempt to thwart this committee without being seen to be opposing its establishment.

In terms of the quorum, it is my understanding that it is accepted by the opposition, so there is not a lot of difference. We are talking about two months of

additional time in order to undertake this comprehensive amount of work to consider a lease of 50 to 70 years. It is absolutely unbelievable that the government should try to thwart the full functioning of this committee and its consideration of the matters set out in the motion. We have heard speaker after speaker, especially Mr Mulino, say that the government knows what it is doing, that it is aiming for best practice and that you have to trust it on this.

I will not recount the territory which Mr Ondarchie covered, which was the many major projects which were Labor's mistakes for which Victorians are still paying very dearly. There was the bungled pokies option, the myki budget blowout, Labor's desalination plant, the north-south pipeline and the smart meter blowout, amongst many other examples, that we are paying dearly for.

It does not matter which government it is — whether it is one with a poor financial track record of managing major projects or whether it is a good one — we cannot allow any government to enter into a lease arrangement of this nature without full scrutiny of all of the factors that impact upon the range of issues the community considers to be important. As I have said, they run the full gamut. In terms of the financial arrangements, we know that the government has already wasted \$640 million in tearing up the east-west link contract. The government says we should trust it.

**Mr Barber** — No, they saved us \$12 billion.

**Mrs PEULICH** — They have wasted \$640 million, which could have already begun to create the jobs that the government now articulates as the reason why this bill needs to go through. This is the first time that I remember that so much money has been wasted or squandered in order to pay for something not being done. The government had of course supported the east-west link in the past. Most of the major players in the Labor Party supported the east-west link until it was no longer politically convenient for them to do so. Therefore you cannot rely on the government to be consistent in its policy positions or to be trustworthy on some of these major issues which impact on Victoria and Victorians.

There are a swag of union IOUs that need to be paid, and we know that the government is desperate for cash. The reality of it is that the government was elected on a very slender margin. I have gone through those margins here in this chamber; it was a total of about 2500 votes in a handful of critical seats across the state. Its major platform was that it had a pipeline of shovel-ready projects which were fully funded and the removal of

50 level crossings. It did not say, 'We support the removal of 50 level crossings, but it is contingent upon the lease of the port of Melbourne'. Nowhere was that link made. Those who voted for Labor accepted that its word was good and that it had a pipeline of shovel-ready projects that were fully funded. Now we find out that in actual fact they are not, and no doubt the government needs this money in order to frame next year's budget, otherwise major revision will be required.

In selling off our biggest port Labor wants to inflate the short-term price by upping the rent and also by creating a monopoly that will last for three generations — and I am very pleased to see that recent reporting is thwarting that attempt. By requiring taxpayers to pay massive compensation if a new container port is constructed in the next 70 years, the Premier hopes to squeeze a few more dollars out of the sale. After all, a new owner will pay more for a monopoly. That is hocking our future in order to pay for Mr Andrews's election promises. Labor's motivation for rushing this deal through is a \$5 billion to \$7 billion sale price for the port to fund a random grab bag of election commitments that fail to deliver a coherent vision for our great state.

We have also heard a number of speakers talk about how the level crossings selected were our most dangerous level crossings. I have not heard that the level crossings which have been selected for grade separation — and I wish all level crossings could be selected — were actually based on the safety audit of level crossings which has been undertaken. Mr Barber is shaking his head. He agrees with me that indeed it has not been based on safety considerations. We all know it is most likely to be based on electoral prospects. So we are hocking our future and the future of Victorians for the opportunity to buy votes in those critical seats so that the Labor government will have an opportunity to stay in government.

In terms of the south-east, the implications are substantial. The impact on the economy of having a significant port of Melbourne but not the port of Hastings means that there are fewer jobs in the south-east. The potential of either blasting the heads or not blasting the heads but seeing a huge volume of traffic through Port Phillip Bay will substantially impact on the environment and the amenity of the south-east and Port Phillip Bay. My vision for the bayside area is for it to become a bayside Riviera, not a Los Angeles and certainly not simply a port thoroughfare.

Congestion is a huge issue for the south-east and for all of Melbourne. The risk of congesting our major capital

city by establishing a monopoly is substantial, and I believe that if we are going to utilise better, existing infrastructure a second port is absolutely critical to our future. The suggestion is that there is a revolver at the temple and that somehow the government can bypass Parliament if it does not agree. What does this say to future investors in the port? If you cannot get the support of the Parliament, what confidence is there for an investor to proceed with this particular deal?

In terms of the future freight needs of Victoria, I think Mr Barber said we need to look at that, and I agree. Forty per cent of the freight is relevant to the south-east. We want to minimise its movements, not entrench them. We want to see pro-competitive regulation and a sensible freight transportation plan, and of course we do want to see level crossings removed, but as I said before, they were not linked as one being contingent upon the other. A number of councils have been very supportive of the port of Hastings in the south-east — I am speaking here as a local member. The City of Casey passed a motion on 7 July saying:

That with the recent plea by the Leader of the Opposition, the Honourable Matthew Guy, MP, to save Port Phillip Bay from the state government's plan to scrap the port of Hastings and replace it with a Port Phillip Bay option (only) and refusing to rule out 'blasting' the heads of Port Phillip Bay Heads, council agree to:

reaffirm Casey council's support for the port of Hastings, due to its suitable geographic location, its known minimal impact on the environment and its opportunity to expand employment and other opportunities in the south-east and in particular Casey;

write to the South East Melbourne ... group of councils seeking their continued support and a public statement from them as to their position for the port of Hastings to remain ...

In a dot point further down it says:

write to the Premier, the opposition leader, the minister and shadow Minister for Ports, the minister and shadow minister for the environment, in conjunction with South East Melbourne ... outlining this council's concern in regards to the port of Hastings not progressing and requesting a meeting with them to discuss further ...

So the City of Casey has a vested interest in making sure there is not a monopoly. Future opportunities for job generation for the south-east are critical to our region.

The City of Frankston has had a leading role in this debate under the stewardship of the mayor, Cr Sandra Mayer, who was in the gallery for a large part of the debate this morning and will return when the report comes back to the chamber. She is also the chair of the South Eastern Metropolitan Group of Councils. A press

release from Frankston City Council dated Friday, 29 May, reports:

Frankston city mayor Sandra Mayer has responded to the state government's recent commitment to expand the port of Melbourne, effectively sidelining the planned port of Hastings expansion which would have generated jobs for the Frankston and Mornington Peninsula region.

It goes on to report her as saying:

Around 40 per cent of cargo ends up in Melbourne's south-east, so the port of Hastings expansion makes sense, would provide a much-needed economic boost to our region and help us tackle the serious issue of unemployment, which is only getting worse.

As an aside, I was speaking to her just a few moments ago. The Frankston unemployment rate continues to go up under this government; it is currently at 8.3 per cent and is on the increase. Cr Mayer wants to know what the government is doing to respond to that. Securing an arrangement with the prospect of developing the port of Hastings is critical to the future of the south-east group of councils, including Frankston. The press release goes on to report her as saying:

A Bay West option or port of Melbourne expansion will require further devastating dredging at the Port Phillip Heads.

It then explains the environmental concerns shared by the members of the community. They have won award after award for the state of their beaches and natural environment. That is something they prize very highly.

Another press release, of 10 July, reports Cr Mayer seeking assistance and support from Legislative Council members, asking them:

... to block the state government's bill for a long-term lease of the port of Melbourne in a show of support for the environment and Melbourne's outer south-east.

It goes on to state:

Mayor Sandra Mayer said council understands the state government wants to fund rail crossing removal, which is 'commendable', but it should not come at the expense of the south-east and in particular Frankston city.

A long-term lease will effectively kill off the port of Hastings expansion for the foreseeable future, and that means killing off a major employment boost in our region ...

It goes on to report her as saying:

In addition, if the port of Melbourne remains our state's only major port, further destructive dredging will be necessary at the Port Phillip Heads to cater for larger container ships, potentially having a serious impact on the Mornington Peninsula tourism industry.

Given the Mornington Peninsula region was recently voted one of the world's top 20 destinations by *National*

*Geographic*, anything that jeopardises our local environment would be grossly irresponsible.

It concludes by stating:

The mayor said Frankston City Council wants to see the wheels back in motion for the port of Hastings expansion.

That is the reason we need closer scrutiny of this legislation — to make sure that the future of the south-east metropolitan region and the Mornington Peninsula is not sold to the highest bidder.

In a letter Cr Mayer has sent to all Legislative Council members about the port of Hastings she outlines chapter and verse the reasons why this option is so important to the south-east. It commences:

The Victorian government has introduced legislation for a long-term lease of the port of Melbourne. It plans to use the proceeds of the lease to fund infrastructure projects including the removal of 50 worst level crossings.

I am not sure if 'worst' is accurate. It continues:

This lease has a condition that precludes a second port being established.

She went on to talk about why this is bad policy for the south-east. This also goes to the question: what happened to the money that was allocated by the Napthine government for advancing the port of Hastings plans? There was \$110 million set aside; \$30 million has been spent and \$80 million has disappeared. The council wants to know what has happened to that \$80 million. Perhaps the committee will enable us to track the money and find out where it has gone.

Further she said:

Victoria needs to maintain its eastern state seaboard status in order to ensure our economy grows and as a result jobs are created. The decision to abandon the port of Hastings places this status in peril, and council believes that every effort needs to be made to have the project reinstated.

If shipping companies bypass Melbourne because they cannot access a suitable port, this will be detrimental not only to the south-east region, but the whole of the state of Victoria.

The port of Hastings is superior in every way to any other alternative, and given a chance to be assessed this fact would become clearly evident. It was estimated that over the next 30-year period, a total of 15 200 jobs would be created as a result of the port of Hastings project. These jobs would have been spread right across the south-east region, which would have further strengthened our worth to the Victorian economy.

She concludes by saying:

Council would welcome the opportunity to personally brief you on the benefits of the port of Hastings project, and my office will contact you shortly to arrange an appointment.

I certainly hope the City of Frankston will make a submission and present to the inquiry.

A number of other councils also support this position but were not able to get their communication to me in time. We did receive correspondence from the Mornington Peninsula Shire Council, which has called for an urgent meeting with the state government to discuss plans for the future development of the port of Hastings and the long-term lease of the port of Melbourne. According to a newspaper article, at a recent council meeting it moved and supported an urgent item of business as a three-part motion, stating:

1. Mornington Peninsula Shire Council calls for an urgent meeting with the state government regarding the long-term lease of the port of Melbourne and the consequences to the development of the port of Hastings.
2. The Mornington Peninsula Shire Council is strongly opposed to any future deepening or widening of the shipping channels and the heads in Port Phillip.
3. The port of Hastings not be excluded as an option for further expansion as a direct result of the Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015, or any subsequent contract of sale for the port of Melbourne.

The article continues:

Mayor Cr Bev Colomb said council was concerned about the social and economic impacts on the Mornington Peninsula if the port of Hastings development does not proceed.

She then raised concerns about the peninsula's environmental, social and economic fabric and protecting all of this and enhancing it for future generations.

In conclusion, the inquiry is absolutely critical to make sure we get the best possible deal for all of Victoria and in particular for those who are directly impacted, such as those in the South Eastern Metropolitan Region. It will give these stakeholders an opportunity to raise their concerns and have those concerns addressed or resolved. It may well be that the government comes out with amendments which make it a lot more palatable and supportable. Nonetheless, I would welcome the opportunity for these concerns to be scrutinised and for this chamber to act as a house of review.

I bemoan Mr Jennings's outrageous one-month time line to consider the magnitude of issues listed in the

motion, when he knows full well that some councils meet only once in a month. They can call for an extraordinary meeting, but the cycles of meetings do not facilitate their active involvement. This is just a ruse by Mr Jennings, who is a very clever politician. He has a bit of a silver tongue in this chamber. He knows how to manage conflict and how to appear — it is a bit of a mirage — as if he is facilitating a process that will resolve these issues and tensions and this conflict, but he is indeed sabotaging it by trying to impose a time line which is unrealistic for the amount of work that is required with this motion and for the stakeholders who will need to prepare and be a part of the inquiry.

Mr Ondarchie pointed out the inconsistency of having a nine-month reporting time line on the proposed return of the lunchbreak to the Legislative Assembly yet a one-month time line for an inquiry of this significance to all of the state of Victoria and in particular the south-east. I hope Mr Jennings sees some common sense and withdraws that amendment to the motion.

**Ms SYMES** (Northern Victoria) — I rise to add my contribution to the debate on the motion that has been put forward today by the opposition, which effectively seeks to establish a select committee on the port of Melbourne lease, or, as some are calling it, a desperate attempt by a frustrated opposition unable to grasp that it has lost power and is therefore manipulating Parliament in the hope that it can govern by default. Having said that, the government has indicated that it does not oppose the motion, and it has proposed very reasonable amendments to ensure the effective and efficient operation of the committee.

The port is a fundamental pillar of economic activity and viability in this state. There is not a producer or consumer throughout Victoria who is not impacted by the operations of this vital piece of infrastructure. Container ships arrive daily, bringing to us furniture, consumer electronics and clothes. If you look around your house, you have pretty much obtained something that has come through the port. As anyone from rural and regional Victoria would know, the port also plays a vital part in the other direction, ensuring that products from our farms and factories make their way to consumers in the export markets upon which our producers rely for their livelihood. Our food and fibre exports are valued at \$11.4 billion, and we in Victoria are Australia's largest exporter in this sector. Be it meat, dairy, grains, or, my favourite, wine, we have markets in China, Japan and the US, and they are all yet to reach their capacity. There is also so much of the rest of the world which lies untapped by Australian offerings.

At present there are almost 180 000 people employed in food and fibre production and manufacturing across Victoria. I, for one, during my time as a representative for Northern Victoria Region intend to grow that number — significantly in fact — and ensure that our regions are vibrant and that our young people are afforded all the benefits and opportunities that a satisfying, financially rewarding career brings. The port of Melbourne is critical to this as it increases our capacity to succeed as a community and as a state.

On Sunday the Premier and the Minister for Agriculture joined Ms Shing, the Victorian Farmers Federation (VFF), farmers and several cows to announce that a new \$200 million Agriculture Infrastructure and Jobs Fund will be established once the port of Melbourne lease legislation passes through the Parliament. This announcement has been met with much support — support that has emanated from the far pockets of my electorate of Northern Victoria Region. I am sure I will be met with a consensus when I say that we absolutely must grow the capacity of our port to maximise the opportunities for our agriculture and farming sectors to achieve their full potential and capitalise on the enormous possibilities that exist in the marketplaces of our Asian neighbours.

The mantra of saying one thing before an election and doing something else after is now very much a catchphrase of conservative politicians. When in government the coalition widely supported the leasehold of the port of Melbourne; indeed it took the lead from Daniel Andrews, now the Premier, and followed his announcement by making a firm commitment to the voters of Victoria to deliver on this. This was a commitment from the now Andrews government before the 2014 election and which it now has a mandate to deliver. The voices of the voters were resoundingly clear.

I find it interesting how we often talk about mandates. Something will go through and everyone agrees and says, 'Yes, there is a mandate'. But sometimes the mandate is questioned. The actual definition of 'mandate' is often unclear in this chamber. Even last night when Mr Davis was talking on the Planning and Environment Amendment (Recognising Objectors) Bill 2015 he indicated his view of a mandate when he said:

The opposition will not oppose the bill because the government claims that it is part of its pre-election commitment and its election mandate.

On one hand less than 24 hours ago an opposition member was saying, 'You have a mandate; therefore we won't stand in the way', but on the other hand today opposition members are saying, 'You have a

mandate, but we don't agree with that mandate'. I am just questioning the mandate. Is there a mandate or not? How do we treat mandates? The facts in relation to this matter — —

**Mrs Peulich** interjected.

**Ms SYMES** — I am just questioning the mandate. The facts in relation to the port are straightforward. Only the port's commercial operations will be leased. The Victorian and commonwealth governments will retain responsibility for regulating the port's safety, security and environmental functions. The leaseholder will be responsible for maintaining and improving the port's operations, as well as for delivering efficiencies, boosting competitiveness and ensuring that future port development is not compromised. The Agriculture Infrastructure and Jobs Fund that I mentioned earlier is to be paid for via proceeds from the lease, which has strong, confirmed support from the VFF. I note that this is very frustrating to many of members of The Nationals, but the VFF is firm in its commitment, and I applaud it for that. We also have support from employer groups, including the Victorian Employers Chamber of Commerce and Industry, which supports the lease. Its CEO, Mark Stone, is calling for a timely resolution to the lease legislation.

Victoria will need a second port, and the port of Melbourne lease transaction will not preclude this from happening. Infrastructure Victoria will provide independent advice to the government on the best location and timing for a second, complementary port. Victoria's independent economic regulator, the Essential Services Commission, will oversee an enhanced pricing structure for port users. Annual tariff increases will be capped at CPI for a minimum of 15 years. This will protect Victorian producers, manufacturers, other exporters and importers and of course consumers. Once legislation has passed, the lease transaction's joint financial advisers, Morgan Stanley and Flagstaff Partners, will call for expressions of interest on behalf of the state. Those are the facts. They are not in dispute. This is an election commitment. It is transparent and open. It is a proposal that is both viable and necessary.

I just want to touch briefly on the reasonable amendments the government is proposing. One is in relation to the time line. As I have indicated, the government is not opposing the establishment of a select committee on this topic, but government members are of the firm view that the committee should report much earlier so we can get on with delivering what we have promised to the Victorian people. We would like to see a more reasonable time

frame for the committee to report back. We need to provide certainty to Victorians and businesses, and it would be a shame to lose that opportunity. We would like to see a reporting date of 30 September 2015. I cannot stress this enough: we really cannot afford to lose this opportunity to provide certainty to the market, to bidders and to Victorians.

The other amendment put forward by the Leader of the Government is in relation to quorums. Paragraph (2) of the motion before the house proposes that the committee consist of three members from the government, three members from the opposition, one member from the Greens and one member from the crossbenches. Hence the committee would comprise eight people. In paragraph (6) the motion proposes that one-half of the members appointed constitute a quorum of the committee. The concept of making half the members — obviously in this case it is four — a quorum is actually unprecedented. The standing orders concerning the appointment of members to standing committees in the Council specify that the number of members be eight. Standing order 23.04(1) states:

Five members of each committee will constitute a quorum ...

With respect to select committees, the appointment of members is not specifically prescribed, but the standing orders provide that the committee must consist of 'not less than 5 nor, without leave of the Council, more than 10 members'. A quorum for a select committee, as per standing order 23.12, is to 'be fixed at the time of appointing such committee'.

In the 56th Parliament the then coalition opposition set up three select committees — one on gaming, one on public land and one on train services. Each of these committees had seven members and the quorum was set at four, representing a majority of members. In the same Parliament the Standing Committee on Finance and Public Administration, the one which handled the Windsor Hotel inquiry, also had seven members and the quorum was four. It is the case that all previous committees, whether they be joint committees, standing committees or select committees, have respected the principle that a quorum is a majority of members of that committee. I would urge members to stick with the custom and practice of the house and not create rules that are unprecedented and plainly not in the spirit of Parliament.

In conclusion, I am hoping that the Parliament is going to do the right thing in relation to this. We need to do the right thing by our constituents, by industry, by primary producers and for the working families and young people whose chance to thrive and succeed in

life rests with a successful and thriving port of Melbourne.

**Mr MELHEM** (Western Metropolitan) — Again we have the opposition moving a motion to refer a very important matter to a committee. About two or three weeks before the last election the then Labor opposition announced its intention to lease the port. A few weeks later the then government got a bit upset about it and said, 'Oh, guys, someone's stolen our idea, but we want to do it too', so it announced the same policy: 'We want to lease the port'.

At the election on 29 November 2014 the coalition government lost office and the Andrews Labor government was formed. We as a government made the decision to honour our commitments. The Premier said he would be a Premier who would honour the commitment he made to the Victorian people to implement every single promise made prior to the election. That is exactly what the Premier and the government have done. We just want to honour our commitments. We said before the election that we would lease out the port and that the proceeds from that lease would be allocated to remove the 50 most dangerous level crossings in the state.

The elimination of these railway crossings is really important for a number of reasons, including safety. Far too many people have been killed, maimed or seriously injured on railway crossings over the years. People get stuck in traffic taking their kids to school, going to work or going about their daily lives. With the lease of the port we said, 'It's not just going to go to general revenue; this is where the money's going to go'. That is what Victorians voted for.

As the Leader of the Government and previous speakers on our side have indicated, we are quite okay with the idea that a committee should look into that. I do not think there was any disagreement with that. Two problems were raised — —

**Mr Barber** — Stop talking so we can get on with it. The sooner you stop talking, the sooner we can start working.

**Mr MELHEM** — Mr Barber should not call the kettle black. He sounds like a parrot because he likes to look at himself talking and to look at yourself in the mirror. The only thing that he can do and that the Greens have done for a number of years is talk — all care and no responsibility. That is the only thing they have been doing for years and that is the only thing they can do for many years to come: talk. Because guess what? They take no responsibility for their actions

because they are not accountable for anything because they do not have to deliver anything. Mr Barber should not lecture me about talking and how long I should talk.

I go back to the two matters: the quorum for the committee — and in my understanding that is something that can be worked through — and the most important one, how long the committee should take to report back to Parliament.

As I said earlier, we went to the election with a clear mandate to lease the port and to proceed with that in this financial year in order to honour our commitment to Victorians. The previous government made a commitment to do exactly the same thing, so if the opposition is fair dinkum about honouring its commitments, which it went to the election with last year, it should listen to what the government is saying. We have agreed to refer the bill to a select committee, but we have asked for two things — that is, to address the matter of a quorum and to bring the reporting date of 30 November forward to 30 September, or to work out a compromise. Then we will report to this house so we can get the legislation through and get on with what Victorians want us to do, which is to lease the port.

There has been talk about a lease term of 70 years and about why it is 50 years and why we are giving another 20-year option. It is very simple. The contract says 50 years, but the government at that time — I will not be around, and probably no-one here will be around — will have the option to extend it. It will look around the new port, and if there is a requirement to extend the lease by 5, 10 years or up to 20 years, it can be done. I think that is a very responsible thing to do.

I say to the coalition of the willing — the Greens, the Liberal Party and The Nationals now in informal coalition on this issue and on many other issues — look at the two common-sense amendments proposed by the Leader of the Government this morning. If the opposition agrees to the two amendments, it will get the full cooperation of the government in relation to the committee's work, and we might come up with an outcome that everyone is happy with. The opposition can have its two bob's worth in relation to what it is trying to achieve, and the Greens, including Mr Barber, can keep jumping up and down and talking. Then we might come up with a workable solution that everyone is comfortable with.

There is a challenge for the opposition to accept the amendments moved by the government to fast-track this process and to provide all the necessary resources to make sure that the work is done. No-one can tell me that three or four months will be needed to get the work

done. The committee knows who to talk to, and the government will make available all the resources the committee needs. I am sure that the people in the private sector, the maritime industry and warehousing and all the people who use the port, including farming communities and everybody else, will make themselves available. Every Victorian wants to make sure that they get the best possible outcome for the lease arrangement. The longer we delay this process, the longer we are doing damage to the potential outcome for taxpayers. I do not hear the coalition saying, 'We're going to block the sale'. I know what the Greens are saying.

If we agree on the principle, then let us maximise the outcome for Victorian taxpayers. We can remove the 50 level crossings and make sure that farming communities are looked after with a \$200 million investment. Other investments might be required to make sure that our produce is delivered to the port on time and delivered to China. Mr Ondarchie talked about the China free trade agreement, and hopefully the Chinese will buy more of our farming product. It is great product, and hopefully we can charge good prices for it.

That is what we need to focus on instead of playing grubby politics, which is what this motion is about. It is basically to frustrate the mandate given to this government by Victorians in relation to the lease of the port. I will finish by saying I support the Leader of the Government's amendments, and I hope the house will support Mr Rich-Phillips's motion 141 with the two government amendments so we can get the legislation passed and get the lease arrangements put in place in order to maximise the sale price. We can then get on with our lives and make sure that we deliver for Victorians. With those words I commend the motion, as amended, to the house.

**Mr LEANE** (Eastern Metropolitan) — I am happy to speak on the motion that calls for a select committee inquiry. In the previous term of government not one successful motion was moved for a select committee to be formed. The reason none was successful was that the previous government continually used rule 21-19. It had no respect for any democratic process in this chamber. It was an arrogant government that refused to let anything be examined by this house in the form of a committee.

Here we are in a new world where the Liberal Party and The Nationals have embraced democracy to the point where we have three very active upper house committees with a number of references. When I think about the history of the previous government, I cannot remember too many — there might have been two or

three — references from the house that were accepted by the government under rule 21-19. That is democracy — —

**Mr Ondarchie** — That doesn't mean democracy.

**Mr LEANE** — It is not a healthy democracy when an arrogant government continues to use its numbers and, when it finds itself in opposition, its members preach that the Parliament is above the government and that the Parliament has the right to examine the executive. All of a sudden it has been on the road to Damascus. In the last term of government every reference that was put up in this place was rejected by the government under rule 21-19. Every upper house committee was denied by the then government.

**Mr Dalidakis** interjected.

**Mr LEANE** — Absolutely. Every upper house committee was denied to the point where only one committee would meet on a Wednesday evening, because the other government MPs wanted to go home.

Here we are with a select committee on top of the three very active upper house committees in a structure that was set up by the Labor government in 2006. This upper house structure was supposed to work this way — maybe not to the point that the opposition wants to use it: to examine the executive. This government is happy with that but is saying, 'All right. Set up your select committee, but for us to get on with our agenda all we ask is for the time frame to be tightened'. It will be interesting to see if the opposition accepts the government's amendments.

Getting back to the lease of the port, people would probably not be surprised to know that I am quite a student of the Westminster system. I am quite a student of the democracy that came out of the United Kingdom. Recently we had the 800th anniversary of the Magna Carta, a document which set up the democratic structure. The house may be surprised to know that the UK does not have a constitution; it relies on this 800-year-old document. But what it has is years and years of convention.

This is the system we find ourselves under. We hear these arguments from those opposite that we are working under the Westminster system and certain rules should apply, when the reality is that all there is is convention. The UK sticks to its conventions. When a government wins an election in the UK, what we call a mandate is called a manifesto. Whatever the make-up of Parliament — even if it is 21 to 19 — the opposition parties wave through the manifesto the government took to the electorate, because they believe in

democracy. This is not in the constitution; it is convention, and it has never been broken.

Here we have a situation where the government clearly took the lease of the port to the electorate and clearly indicated the advantages the electorate would receive from that sale, as in removing 50 level crossings and being able to do other beneficial things. It was so good a position that the Labor Party took the people of Victoria — —

**Mr Dalidakis** interjected.

**Mr LEANE** — Yes, they voted for it, and the Liberal Party mirrored it. Here we have a party that just does not believe in democracy. It showed that in the last term. It only believes in democracy when it suits it. It does not believe the Parliament is here to look into the executive, except when it chooses and only when it suits its political ends. If the opposition was fair dinkum about democracy and what was taken to the people of Victoria and what they voted for, it would accept the amendments as this side of the house accepts the motion.

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) — I am pleased to rise briefly at the conclusion of this debate to thank members for their contributions and indicate that we appreciate the support of other members of the house for the establishment of this select committee. I expect the committee will undertake serious discovery in respect of the matters that have been outlined this morning and this afternoon in relation to some pretty critical issues around the lease of the port of Melbourne and the future of that port as a key infrastructure asset for the state of Victoria.

Mr Jennings has moved two amendments. The first is an amendment to set the quorum for the committee at five members, and the opposition is happy to accept that amendment. The second amendment goes to the time frame. It seeks to require the committee to report by no later than 30 September this year, which is some seven weeks away. It is the position of the coalition in moving to establish this committee that the work it is to undertake — the breadth of the terms of reference that the committee is being asked to inquire into — requires proper and judicious consideration by the committee. There is an extensive range of complex issues, and they are all critically important to the future of the port of Melbourne and the future of the transport and logistics sector in this state.

It is not our intention to support the second amendment proposed by Mr Jennings. The existing terms of

reference will require the committee to report by no later than 30 November. I expect that with the goodwill of members of the committee and the government this inquiry can be undertaken in an expeditious way. If the government is willing to cooperate with the committee and provide evidence and witnesses as required, to ensure — —

**Mr Leane** interjected.

**Mr RICH-PHILLIPS** — Mr Leane asks who will be the arbiter of that. It will ultimately be the committee. If the committee is able to achieve what it wants to achieve, get the information it wants to get and put the report together, then it will be able to conclude its business. If it is obstructed by the government, as has occurred with previous select committees, then that process will take longer. We believe that acting with goodwill, consistent with the expression of goodwill in this place, this matter can be dealt with. As I said, this is a complex and detailed inquiry. It is appropriate — —

**Mr Dalidakis** interjected.

**Mr RICH-PHILLIPS** — Minister Dalidakis interjects that two months is enough. This is an interjection from a member of a government that wants seven months to look at standing orders in the lower house and whether it changes the lunchbreak but is suggesting that an inquiry into the future of the port of Melbourne should be concluded in seven weeks. It is the view of this side of the house that an appropriate time frame has been set. If the operations of the committee allow that to be truncated, then I am sure that will be the intention of the committee. This is an important and serious issue, and I urge members of the house to support the motion and support the original time frame.

**The ACTING PRESIDENT (Mr Morris)** — Order! The question is that Mr Jennings's amendment 1 be agreed to.

**Amendment 1 agreed to.**

**Amendment 2**

**House divided on amendment:**

*Ayes, 16*

Carling-Jenkins, Dr	Mikakos, Ms
Dalidakis, Mr	Mulino, Mr
Eideh, Mr	Patten, Ms
Elasmar, Mr ( <i>Teller</i> )	Pulford, Ms
Herbert, Mr	Shing, Ms
Jennings, Mr	Somyurek, Mr
Leane, Mr	Symes, Ms
Melhem, Mr ( <i>Teller</i> )	Tierney, Ms

*Noes, 24*

Atkinson, Mr	Lovell, Ms
Barber, Mr	Morris, Mr
Bath, Ms ( <i>Teller</i> )	O'Donohue, Mr
Bourman, Mr	Ondarchie, Mr
Crozier, Ms	Pennicuik, Ms
Dalla-Riva, Mr	Peulich, Ms
Davis, Mr	Purcell, Mr ( <i>Teller</i> )
Drum, Mr	Ramsay, Mr
Dunn, Ms	Rich-Phillips, Mr
Finn, Mr	Springle, Ms
Fitzherbert, Ms	Wooldridge, Ms
Hartland, Ms	Young, Mr

**Amendment negated.**

**Amended motion agreed to.**

### ALCOA (PORTLAND ALUMINIUM SMELTER) (AMENDMENT) ACT AMENDMENT BILL 2015

*Second reading*

**Debate resumed from 27 May; motion of Mr BARBER (Northern Metropolitan).**

**Mr MELHEM** (Western Metropolitan) — I rise to speak on the Alcoa (Portland Smelter) (Amendment) Act Amendment Bill 2015. I welcome the Greens' interest in being open and transparent with the Victorian public, but unfortunately for the Greens the government is way ahead of them on this issue. On 26 May the government fulfilled its election commitment to reopen the Hazelwood mine fire inquiry, which includes matters relating to the Anglesea coalmine and generator. So basically that is something we have already started in relation to what the Greens are trying to achieve.

My understanding is that their initial proposed amending bill was to look at an exemption from freedom of information laws in relation to the whole legislation which relates to Alcoa, Portland, Point Henry and Anglesea. I think something similar was proposed by the Greens party some years ago. Unfortunately the Greens basically hate anything to do with Alcoa and aluminium workers and they are trying to muddy that with concerns about the environment and health and safety.

In relation to the health and safety and wellbeing of Victorians and the environment, I think we can agree that anything to be done to the Anglesea mine and the Point Henry site needs to be done properly. There is no disagreement on that. But make no mistake: what drives the Greens — which is what concerns me — is a campaign that has been going on for a number of years.

In my previous job I had the pleasure of representing Alcoa workers at both Point Henry and at Portland. They are decent workers. They are doing some fantastic work. Alcoa used to be the largest exporter in Victoria, but unfortunately with the downturn in the aluminium sector and the sad news that the Point Henry smelter was being closed down — and therefore also the mine at Anglesea — has resulted in the loss of hundreds of jobs; I think it is somewhere around 2000 jobs if we add in the contractors and subcontractors. This has been a major blow to workers in Geelong and the surrounding region.

What concerns me is that, if the Greens get their way, they will probably do the same thing to Portland. For this bill to pass, the Greens may need sympathy from the coalition. The Greens introduced an amendment this morning to exempt Portland, but I will come back to that issue later.

My understanding is that through this bill the Greens want to ensure that the cleaning up of the Anglesea mine site and the Point Henry site are done in a way that is environmentally appropriate and that the health, safety and wellbeing of Victorians, and in particular residents in the Geelong region, are taken into account. That is exactly what this government is trying to do. It wants to achieve this aim. That is why it asked the Hazelwood mine inquiry, headed by the Honourable Bernard Teague, to thoroughly scrutinise all documents and provide a detailed assessment of Alcoa's plans for fire management and rehabilitation at Anglesea. That inquiry has already fast-tracked consideration of these issues following Alcoa's decision to cease its operation at Anglesea at the end of August.

As I said earlier, this government agrees that local residents should be involved in the consultation process around mine site rehabilitation. We will make sure that that happens. As a matter of fact, the Hazelwood mine fire inquiry held community consultations at Anglesea on 28 June followed by public hearings on 30 and 31 July. The government is actually doing things. We do not need a piece of legislation introduced by the Greens to make sure that happens. We know what the Greens' real intention was, although that intention was shifted this morning. The work has commenced to make sure that Alcoa meets its legal obligations.

As far as I am aware, freedom of information plays no part in that process. The freedom of information exemptions given to Alcoa relate to trade secrets — the commercial arrangements between Alcoa and the state of Victoria at the time of the introduction of the 1984 bill, which is when Alcoa commenced construction of

its Portland smelter. That is when the whole thing started. Therefore amending the current bill does not have any impact on the Greens' concerns about the health, safety and wellbeing of residents and effects on the environment. These things can be dealt with under the current legislation. The Alcoa (Portland Aluminium Smelter) Amendment Act 1984 does not need to be amended.

The Greens also said, 'We don't want to have any new documentation prior to whenever the bill is being amended or has come into operation. We now exempt Portland'. Then what is the point of the bill? Look at the amendment this morning. I do not see a point in the bill going forward; therefore we will definitely be voting against it. If the main point of the bill relates to health and safety and the environment, as the Greens are saying, then the current inquiry is addressing those concerns, and the government has given a commitment to address them.

Further to that, on 4 August the Andrews government introduced a bill to improve the way our resource sector operates, including the introduction of world's best practice, risk management plans, new public reporting requirements and increased penalties for non-compliance. So we already have a bill before the house to deal with how the resource sector should be operating. We are already trying to improve the standards and introduce world's best practice.

The government will never compromise the health and safety of local residents in the name of rampant development. That is the other argument. What are we going to do with Anglesea? The mine has gone. It is never going to be reopened, full stop. That is obviously bad news for workers, but it is good news for the community. Workers have accepted their fate and accepted that Alcoa could not continue operating that mine and generating electricity there. The workers have also accepted that no-one else was interested in buying the power station and continuing the operation of the mine. There is a general acceptance that no licence will be issued to reopen that mine, therefore it is a win for the local communities in the Anglesea region.

The site will be rehabilitated. Hopefully it will be restored to the state it was in prior to the start of the mine's operations in the 1960s. That work will be undertaken in consultation with local communities and with the involvement of the EPA and various other agencies. Alcoa has given a commitment to the government and the people of Geelong and Anglesea that it will invest to make sure that work is done properly to rehabilitate the site and, as I said earlier, to

take it back to pre-mine conditions. The same thing will be attempted at Point Henry.

Ms Tierney, as a local member for the region, raised an adjournment matter in this house on 10 June. She asked the Minister for Environment, Climate Change and Water:

... to inform me on the process that will be put in place for the protection of Anglesea Heath now that Alcoa has announced the closure of the power station and indeed what the full rehabilitation of the site will involve.

The minister has responded to Ms Tierney, and her response confirms some of the things I have mentioned in my contribution. It states:

The government is working to support workers affected by Alcoa's closure as its first priority.

Work to incorporate areas of the Alcoa Anglesea coal mine lease which are not subject to rehabilitation into the Great Otway National Park has commenced. This requires legislative change and will take some time to complete. Regardless, the management agreement between Alcoa and the Victorian government will continue to ensure ongoing protection for the environmental values in these areas.

Alcoa has not announced any plans for the future management of the Alcoa-owned freehold land portion.

Alcoa is focused on preparing technical plans for the safe closure of the mine and power station. Once complete, it will then prepare a rehabilitation plan with input from all stakeholders. Alcoa will work with Department of Economic Development, Jobs, Transport and Resources on both. The time frame for this work is yet to be established.

Alcoa has committed to meeting all requirements regarding closure and rehabilitation of the Anglesea coal mine and power station. There will be major, long-term remediation and revegetation needed at the site and, at this stage, the future use of the former mine site is not known. The Andrews government is committed to providing opportunities for community and stakeholder input and will be working with the Anglesea community, Surf Coast council and other stakeholders around future uses and needs for the region.

I will repeat the comments I made earlier in relation to the point of proceeding with this bill. Initially the bill was intended to abolish section 14 of the principal act completely, including the operation of the Portland smelter. It has been changed, and it now legislates for a prospective date rather than a retrospective date. The question is whether there is a need for debate on this bill. Is there any need for the bill to be passed? As far as I am concerned, debate on this bill is useless unless there is a different agenda at play, which I believe is the case because simply put the Greens have a fixation with the aluminium industry. The industry consumes a lot of electricity with a high base load, and therefore it needs to be closed. Once the Greens get that, the next step is to continue their merry campaign to see the end of

Portland, and then maybe they can shut down the power stations in the Latrobe Valley so there is no more coal being burnt.

They are forgetting one thing, and that is that we are talking about people. We are talking about jobs. We are talking about workers who are contributing to this economy. We are talking about families who have built their lives around Alcoa and around their town of Portland. Imagine if Alcoa in Portland disappears. Geelong was lucky that it is close enough to Melbourne that the city was able to absorb the big shocks of the Ford and Alcoa closures, but if Alcoa disappeared from Portland, there would not be many people staying there. It would be total devastation.

The Greens would have to come clean, because I for one have never heard them say that they support jobs and job security for Alcoa workers in Portland. I know they would be advocating for the opposite. They would like to see Alcoa shut down in Portland. They were rejoicing when Alcoa made the decision to shut down its operation at Point Henry. I was not rejoicing; I knew a lot of those workers. I worked with them for many years, and it was not a pretty sight. Some of these people are still looking for work today. I call on the Greens to see the light, to withdraw this bill and to focus on the real issue.

If the Greens are truly concerned about making sure that Alcoa is held to account for fully rehabilitating the site to its previous condition and for ensuring the safety and wellbeing of the community of Anglesea and Point Henry, they are welcome to work with the community, work with the inquiry, work with the government and work with the Environment Protection Authority Victoria to make sure that we get the right result. We do not need a piece of paper to deliver that because the Andrews Labor government will make sure that Alcoa lives up to the commitment it made to the people of Geelong and Victoria that it will invest the necessary amount to make sure that the site is fully rehabilitated and that all of the safety requirements and environmental requirements are met. As a government we will make sure that Alcoa is held to delivering on this.

I also want to send a message that I for one — and I am sure my colleagues in the Victorian government stand with me — support the ongoing operation of Alcoa in Portland, because we stand for jobs and we will protect these jobs at any cost. With these comments, I urge the house and I urge our coalition colleagues on the other side of the house — and I am looking at Mr Ramsay, who I hope is on the speakers' list because I know he is

a bit passionate about protecting jobs — to support the protection of Alcoa jobs and vote against this bill.

**Greens amendments circulated by Ms DUNN (Eastern Metropolitan) pursuant to standing orders.**

**Ms DUNN** (Eastern Metropolitan) — I rise to notify the house that the Greens have amendments to the Alcoa (Portland Aluminium Smelter) (Amendment) Act Amendment Bill 2015. The amendments have the effect of removing the special exemptions of freedom of information law for matters affecting or relating to the Alcoa smelter at Point Henry and Anglesea only and do not apply to Portland. The new clause refers specifically to an exemption for documents created on or before the day on which the Alcoa (Portland Aluminium Smelter) (Amendment) Amendment Act 2015 comes into operation, so it applies to documents created after that date and into the future and is not retrospective.

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) — I am pleased to rise on behalf of the coalition to make a few remarks on the Alcoa (Portland Aluminium Smelter) (Amendment) Act Amendment Bill 2015, which has been moved by Mr Barber and subsequently has had amendments tabled by Ms Dunn.

The intent of the bill as drafted was to remove an exemption from FOI disclosure of documents that were created in respect of the Portland and Point Henry aluminium smelters. As currently drafted in the bill, that provision would apply retrospectively and would remove the exemption that is currently in the 1984 principal act and would apply to any document that was thus created. However, Ms Dunn has proposed amendments which change that intent of the legislation, so that if Ms Dunn's amendments were to be agreed to along with Mr Barber's bill, the effect of the bill would be to remove the FOI exemption only on documents which relate to the Point Henry smelter and matters related to the Point Henry smelter and only to documents which are created after the act is proclaimed.

It is the view of the coalition that those provisions as amended with Ms Dunn's proposed amendment are not unreasonable for documents that will be created prospectively from proclamation and which will relate only to the Point Henry smelter, which of course is being — —

**Mr Barber** — And coalmine.

**Mr RICH-PHILLIPS** — And as Mr Barber points out, the associated Anglesea coalmine, which is part of the associated infrastructure of Point Henry as defined

in the 1984 act. The coalition's view is that it is not unreasonable for prospective documents that will be created in relation to that facility, which is now being decommissioned, to be subject to the FOI act, and accordingly the coalition will support Ms Dunn's amendment. If that amendment is successful, we will subsequently not oppose the bill.

**Mr RAMSAY** (Western Victoria) — I am pleased to be able to add a contribution to the debate on the Alcoa (Portland Aluminium Smelter) (Amendment) Act Amendment Bill 2015 and confirm with Mr Rich-Phillips that the opposition supports the amendment and, if that is passed, Mr Barber's bill.

I do so firstly because the two Alcoa sites in question in the bill — at Point Henry and at Anglesea — fall directly in my region of Western Victoria. On that basis I am well aware of the importance of the facilities at those sites and the jobs that were created out of the activities of the coalmine, the power station and the smelter works that Mr Melhem referred to, and obviously the economic value that the operations at Alcoa had to the greater Geelong region.

Over a period of time, as has been said, dating back to the 1960s the operations of both those sites and also the activities down at Portland have created job opportunities for both the Geelong region and the Portland region and economic wealth has been generated from the activities of the smelter plant.

I am pleased to see that the proposed amendments specify that we are only talking about the facility sites at Anglesea and Point Henry, and that if the amendments are supported and Mr Barber's bill is supported there will be no retrospectivity in relation to the exemption removal and the communities of the two respective sites will have at least some opportunity to be able to see the process of rehabilitation being transparent at those two sites.

In Anglesea the township has grown around the coalmine and power station, and for many years there have been concerns about both air and water quality. I commend the federal member for Corangamite, Sarah Henderson, who has strongly advocated for new technologies in those plants to be able to give those communities some comfort that Alcoa is meeting appropriate standards for air and water pollution.

I am surprised that Mr Melhem has stood up on behalf of the government and opposed both the amendments and, I assume, the motion, given the strength of concern and conviction of the communities around those two sites — that is, they want to have the opportunity to be

more involved in the rehabilitation process of those sites. On that basis I am happy to support the amendments.

I also refer to Mr Melhem's reference to jobs. As Mr Melhem will know, Geelong has been going through a transitional process for a number of years, with Alcoa indicating that it was going to stop operations in both Point Henry and Anglesea. The company has given plenty of time to allow a transition process for workers at those two sites. I hope that the 81 workers who worked at Anglesea are being appropriately retrained and skilled through the opportunities that the previous government gave them, such as through the Skilling the Bay projects and other tertiary opportunities. I am hoping that Mr Melhem has been active in urging his government to allow these workers to be able to be retrained and to find new job opportunities. These amendments and the bill itself proposed by Mr Barber will have no impact on the potential opportunities for those workers, who unfortunately will have to be retrained or realigned to new jobs. I do not understand that argument at all.

On that basis, given the amendments and what Mr Gordon Rich-Phillips has said, I am happy to support on this side of the chamber the amendments, and we will see what happens from thereon in relation to Mr Barber's original motion.

**Ms SHING** (Eastern Victoria) — I rise to speak on the Greens' proposed amendment to the Alcoa (Portland Aluminium Smelter) (Amendment) Act Amendment Bill 2015 to remove the specific exemption from the Freedom of Information Act 1982. From hereon in I will refer to freedom of information as FOI.

As we know, the Alcoa act covers the establishment and operation of the Portland and Point Henry aluminium smelters and sites, and the proposed amendments would remove the exemption for documents created after a specific date, being 1 August 2014, and the date upon which the Point Henry aluminium smelter closed.

As I understand it the Greens have revised their proposed amendments to exclude the Portland smelter, which is still operating and will be commercially disadvantaged through a removal of the FOI exemption. The Greens do so ostensibly with the rationale that the closure of the Point Henry smelter and the Anglesea mine would make their continued exemption from FOI unnecessary. They argue that on the basis that the existing provisions have been used in the past to prevent the community from accessing

certain information about health consequences and impacts of the Anglesea coalmine and power generator that may have had a bearing on issues being addressed by the community in the course of inquiries, proceedings or other matters, and that the removal of those provisions would provide a level of transparency around the site rehabilitation process.

As has already been ventilated in the course of other members' contributions to the debate this afternoon, the rehabilitation and closure plan for Alcoa is not something that has been developed in a vacuum, nor will it be implemented in that way. It is occurring within the context of extensive consultation with government agencies, including the Environment Protection Authority (EPA) Victoria — we all know there are differing views about the way the EPA discharges its statutory and other obligations — the Earth Resources Regulator and the community. Despite the most earnest protestations from those around the chamber, this is not happening in secret. It is not happening in a vacuum. It is not occurring in a way that would seek to deny or have the effect of denying access to information relevant to the effect of the operation on the broader community.

Apposite to this issue is the work currently being conducted by the Hazelwood mine fire board of inquiry. This issue is of key importance to a large part of the area I represent. Unlike the Greens, who travel down from the city from time to time to prognosticate about the future of the valley and how we should be managing primary resources and the consequences of living in an area that produces coal-fired power, I have been involved in the inquiry itself at a community level. The work of the inquiry directly affects the communities and individuals with whom I work and with whom I share my community.

One of the key things that has arisen in the course of discussion with the community is that an inquiry which is equipped to inform itself as it sees fit and to request and obtain information relevant to its terms of reference is in a good position in terms of consultation with the community and ensuring a transparent process to address the causes and effects of and response to the mine fire that occurred in the Latrobe Valley last year, blanketing a very special part of the state in toxic smoke and dust for a number of weeks. It is also in a good position to deal with the second tranche of the investigation — for which submissions close on 10 August — relating to the health impacts of the fire and the period between 2012 and 2015 insofar as they may or may not have contributed to deaths in the immediate surrounds of the Hazelwood mine.

The inquiry's final report and recommendations as they relate to Anglesea and as they relate to rehabilitation and reparation will be delivered on 31 August 2015. These matters will have a significant bearing on the community because they will take into consideration a variety of community opinions, stakeholder views and the product of an earnest and sincere consultation that has been undertaken in good faith. Jaded as those adjacent to the government in the chamber may be, these processes are important, and they have been conducted in a rigorous and transparent fashion.

Whilst Alcoa's FOI exemption relates specifically to commercial confidentiality, FOI exemptions do in fact occur across other legislation, including the Mental Health Act 2014 and the Ombudsman Act 1973. The additional exemption from FOI delivers a higher level of protection for information than is otherwise provided by the Freedom of Information Act 1982. The act itself — the FOI act, to clarify for those opposite who seem to have trouble understanding — includes provisions to exempt certain classes of document from release, namely, documents that relate to trade secrets or other matters of business and documents that are commercial, personal or financial in nature where the disclosure of information would be likely to create unreasonable disadvantage. That last bit is particularly important: where the disclosure of the information would be likely to create unreasonable disadvantage.

This is a balancing act. It is a process whereby the competing interests of parties about whom an FOI application is made must put a case as to whether documents should be released and whether such release is, on balance, likely or not likely to create unreasonable disadvantage. This FOI act's exemption from disclosure is not absolute and would provide a lesser degree of protection than the specific exemption provided for under the Alcoa act.

The specific FOI exemption was incorporated into the act during negotiations for the Portland joint venture in which the state government took an equity interest in the smelter which was subsequently sold. It occurred as a consequence of the way negotiations had been undertaken between government and the operator at the time. In this regard, and I believe a previous speaker may have taken account of this, the second-reading speech notes:

During the negotiations leading to the joint venture, the government gained access to trade secrets of Alcoa and other parties and other information which could not be made public without commercial disadvantages to the bodies involved. In the normal course of events, documents containing such information would be claimed to be exempt documents for the purposes of the Freedom of Information Act.

Due to the nature and importance of the joint venture, the government proposes that the documents have exempt status and that this exempt status be declared.

That is from the second-reading speech for the principal act as published in *Hansard* of 6 September 1984.

**Mr Barber** — You are quoting John Cain from 1984.

**Ms SHING** — It is unfortunate that Mr Barber has not been listening, because I have in fact just attributed that extract from *Hansard* to the date and context.

**Mr Ramsay** — When?

**Ms SHING** — If Mr Ramsay had been listening as well, he would have picked up that I just indicated it was from the second-reading speech for the principal act as published in *Hansard* for 6 September 1984. I can say it again for a third time for the benefit of those who have still not picked it up, if members would like me to.

I note that the Greens and those opposite have indicated that they take a position other than that proposed by the government, namely, they oppose this particular amendment. To that end I would confirm my support for the opposition to this bill which would provide an FOI exemption in the terms proposed. On that basis, I have no further remarks.

**Motion agreed to.**

**Read second time.**

**Committed.**

*Committee*

**The ACTING PRESIDENT (Mr Elasmarr)** — Order! My understanding is that Ms Dunn has circulated amendments to the bill which aim to amend section 14 of the act rather than to repeal this section. I call Ms Dunn to move her amendment 1, which is a test for her further amendments 2 and 3.

**Clause 1**

**Ms DUNN** (Eastern Metropolitan) — I move:

(1) Clause 1, line 2, omit "repeal" and insert "amend".

**Mr BARBER** (Northern Metropolitan) — Obviously I will be supporting the amendment. It is an amendment put forward by the Greens to our own bill. During the second-reading debate there was a certain amount of confusion about the mechanics of the bill, never mind the confusion about how Labor is actually

voting on this bill. It was stated during the debate that this bill does nothing because the existing provisions in the Freedom of Information Act 1982 protect commercial-in-confidence matters and trade secrets. We need to be very clear about this. The special exemption for Alcoa that exists is as follows:

A document relating to the establishment, operation or carrying on of the smelter or affecting or relating to the smelter site or anything done or to be done on or in relation to the smelter site is an exempt document for the purposes of the Freedom of Information Act 1982.

Now that is an extraordinarily wide, in fact an all-encompassing, FOI exemption. If our bill were to pass both houses of the Parliament, Alcoa would still be able to claim that documents may have commercial-in-confidence or trade secrets because the ordinary provisions as they apply to every other commercial entity in Victoria would also apply to Alcoa in the normal way. Given that we have now narrowed the scope of the bill to relate only to documents that would be created and held by the public sector after the act comes into force, and given that we have narrowed it to relate only to the Point Henry smelter site, but in reality to the connected elements to that — which is the now closed power plant and the now to be rehabilitated coalmine — it really is a set of very narrow matters that will be freed up to be subject to FOI.

We also heard some bland assurances that the government has an inquiry underway and that we will learn everything we need to know from that. Let me make it very clear that the operation of this provision as it exists in law prior to today is a very real provision. When I sought a copy of the health risk assessment prepared by Alcoa and provided to the Environment Protection Authority, I was refused under FOI quoting the section that we are ready to eliminate from the statute book if we can. So it needs to be understood that this exemption as it exists now is absolute and that any piece of paper or document that has anything at all to do with the former and now closed Point Henry smelter, the mine and the coal-fired power plant — and it does not matter if it is do with health, rehabilitation, the condition of the site or the quality of the revegetation — as long as it is connected in a way that the current provision describes, it has an absolutely unbreakable exemption from the Freedom of Information Act 1982.

Therefore it is really quite important for the community and anybody with an interest in the future rehabilitation of the site to have this provision passed, without which they will not be able to see one single skerrick of paper that passes between these various government

departments and between the government and Alcoa as they seek to determine what is the proper method for rehabilitating this site. We need to bear in mind that it has been many decades since we have rehabilitated a coalmine in Victoria and the job could be tricky and expensive, and that whatever is left when Alcoa packs up will be a legacy for the people of Victoria to look after and manage for centuries to come. We have to get this absolutely right. In the normal practices, if it was any company other than Alcoa, we would have access to the government's deliberations through the FOI act.

**Amendment agreed to; amended clause agreed to; clause 2 agreed to.**

#### New clause

**Ms DUNN** (Eastern Metropolitan) — I move:

2. Insert the following New Clause to follow clause 2—

#### “A Section 14 amended

- (1) In section 14(2) of the **Alcoa (Portland Aluminium Smelter) (Amendment) Act 1984**—
  - (a) in the definition of *Smelter*, omit “or the smelter at Point Henry”; and
  - (b) in the definition of *Smelter site*, omit “or the smelter site at Point Henry”.
- (2) After section 14(2) of the **Alcoa (Portland Aluminium Smelter) (Amendment) Act 1984** insert —
  - (3) A document created on or before the day on which the **Alcoa (Portland Aluminium Smelter) (Amendment) Act Amendment Act 2015** comes into operation and relating to the establishment, operation or carrying on of the smelter at Point Henry or affecting or relating to the smelter site at Point Henry or anything done or to be done on or in relation to the smelter site at Point Henry is an exempt document for the purposes of the **Freedom of Information Act 1982**.”

The proposed new clause seeks to clarify that this matter relates only to the Point Henry smelter and site, and also clarifies that it relates to future documents and is not retrospective in its application.

**New clause agreed to.**

#### Clause 3

**The ACTING PRESIDENT (Mr Elasmr)** — Order! Ms Dunn's amendment 3 invites the committee to vote against clause 3.

**Ms SHING** (Eastern Victoria) — In relation to clause 3, which seeks to repeal section 14 of the act, I note that the explanatory memorandum states:

This has the effect of removing special exemptions to freedom of information law for matters affecting or relating to the Alcoa smelters at Portland and Port Henry.

I would like to take Mr Barber to his earlier comments around the issue of a request for documentation provided from, I believe he said, the Environment Protection Authority and another government agency concerning health, and to his comments around the production of documentation around health issues, rehabilitation or the quality of vegetation. I ask him to explain whether these documents, or documents which are capable of including subject matter around health, rehabilitation and quality of vegetation, are in fact capable of being subpoenaed or sought for production by the inquiry which is currently constituted in its second iteration around Hazelwood reparation, rehabilitation and the mine fire as well as the other mines around the state.

**Mr BARBER** (Northern Metropolitan) — In relation to the first matter, Ms Shing referred to the explanatory memorandum which uses the word 'Portland'. Of course we have moved on now and proposed an amendment so that we are no longer talking about Portland. In terms of the powers of the restarted inquiry into Hazelwood, it is my understanding that it having been established under the Inquiries Act 2014 it is a royal commission in all but name. Like Ms Shing, I also followed closely the hearings and the deliberations and report of the committee, but if a royal commission has the power to seek documents, to demand them from persons, in the same way that this house does, then yes, it is entirely possible. In fact I am sure everybody participating in that committee would hope that it has access to all the documents that it needs.

**Ms SHING** (Eastern Victoria) — If I understand Mr Barber correctly, he is confirming that the inquiry would have the capacity to obtain documents relating to the issues he has referred to — namely, health, rehabilitation and quality of vegetation — notwithstanding the concerns that he expressed in his initial comments to the committee around the amendment being sought.

**Mr BARBER** (Northern Metropolitan) — This is a committee stage in relation to a bill that amends different acts. I am not here to be an expert on what the powers of that particular committee are under the Inquiries Act.

**Ms SHING** (Eastern Victoria) — No-one is seeking that Mr Barber has an expert view, despite the fact that he has just indicated on the record that he has taken a very keen interest in the hearings of the inquiry, which, as he stated, is a royal commission in all but name, and that he would hope it has the powers to compel. That might be something he can provide by way of additional information if any conclusion can be drawn that that information can be sought, subpoenaed or otherwise summonsed, through evidence in the course of the inquiry that has been concluded and resulted in the first Teague report, or indeed in the second inquiry which is due to report later this year.

With that in mind, I will move on to my second question. How will the amendment being sought differ from or improve upon the information already being provided through the course of the reopened Hazelwood inquiry?

**Mr BARBER** (Northern Metropolitan) — I do not believe we have been provided with any information about what the government is requiring of Alcoa by way of rehabilitation at the Anglesea site, and yet there are of course a huge number of questions to be asked about how that rehabilitation will move forward.

**Ms SHING** (Eastern Victoria) — In the course of indicating that there are a huge number of questions to be asked about that and that this is in fact the second tranche of an inquiry which resulted in 22 recommendations, all of which were adopted by the government, and in the course of the process of investigation and of providing a degree of sunlight, scrutiny analysis and recommendation around the health and other impacts of the mine fire as well as the rehabilitation issues as they affect operators around the state, I draw Mr Barber's attention to the apparent inconsistency of his earlier views and comments around documents which are not readily available, which are — to quote an earlier interjection in the chamber — part of a secret process and which have in fact allowed the transparency which is being sought and obtained in the course of the inquiry itself.

**Clause negatived.**

**Clause 4 agreed to.**

**Reported to house with amendments.**

**Report adopted.**

*Third reading*

**Mr BARBER** (Northern Metropolitan) — I move:

That the bill be now read a third time.

I thank members for their participation in the debate.

**The ACTING PRESIDENT (Mr Morris)** — Order! The question is:

That the bill be now read a third time and do pass.

**House divided on question:**

*Ayes, 22*

Atkinson, Mr	Lovell, Ms
Barber, Mr	Morris, Mr ( <i>Teller</i> )
Bath, Ms	O'Donohue, Mr
Crozier, Ms	Ondarchie, Mr
Dalla-Riva, Mr	Patten, Ms
Davis, Mr	Pennicuik, Ms
Drum, Mr	Peulich, Mrs
Dunn, Ms	Ramsay, Mr
Finn, Mr	Rich-Phillips, Mr
Fitzherbert, Ms	Springle, Ms ( <i>Teller</i> )
Hartland, Ms	Wooldridge, Ms

*Noes, 18*

Bourman, Mr ( <i>Teller</i> )	Mikakos, Ms
Carling-Jenkins, Dr	Mulino, Mr
Dalidakis, Mr	Pulford, Ms
Eideh, Mr	Purcell, Mr
Elasmar, Mr	Shing, Ms
Herbert, Mr	Somyurek, Mr
Jennings, Mr	Symes, Ms
Leane, Mr	Tierney, Ms
Melhem, Mr ( <i>Teller</i> )	Young, Mr

**Question agreed to.**

**Read third time.**

**PRODUCTION OF DOCUMENTS**

**Ms WOOLDRIDGE** (Eastern Metropolitan) — I move:

That in accordance with standing order 11.01 there be provided to the Council, by noon on Monday immediately preceding the next sitting Tuesday following the adoption of this resolution, a copy of all documents in relation to the establishment of the Peter Mac Private hospital on the site of the Victorian Comprehensive Cancer Centre (VCCC) including, but not limited to —

- (1) the business case;
- (2) presentations and/or documents prepared for the Peter MacCallum Cancer Centre (PMCC) board or subcommittees;
- (3) a copy of the agreement (be it a contract, MOU, heads of agreement or any other agreement relating to the relationship between PMCC and the private provider

selected), or the most recent draft, together with working papers relating to this agreement between PMCC and the private provider selected to operate the private hospital on the 13th floor of the VCCC;

- (4) the state government contract with the Plenary Group to lease the 13th floor of the VCCC, or if there is no such contract, any document constituting or evidencing a commitment to Plenary by or on behalf of the state to take up a lease of that floor, any subsequent agreements (draft or otherwise) for PMCC to sublease this space from the state and any document recording the cost to the state of that lease;
- (5) information (not already covered by (1)–(4)) provided to the Department of Health and Human Services by PMCC in relation to the business case for the establishment of Peter Mac Private; and
- (6) documents provided to the Department of Health and Human Services from the VCCC proposing future use of the 13th floor.

This is a very important documents motion. I am very pleased we are able to debate it today, and I certainly hope that it can be dealt with expeditiously in the hour we have remaining so that this motion can be at least considered, and hopefully passed, by this house and ultimately so the documents can be provided to bring to light the details behind the thinking, the logic, the economics, the business case and the subsequent agreements that sat alongside that for the establishment of Peter Mac Private.

The Victorian Comprehensive Cancer Centre is an infrastructure development that is widely supported across the Parliament by both sides of the house and, I am sure, many others as well. It is widely supported in the community — definitely in the health community — and by members of the Victorian public as well. It is an important project for our state. It has been supported by a number of governments and continues to get that wideranging support. The fact is, though, that in the last term of government the tendering process for the building of the facility needed to be undertaken, and through the good work of the former Minister for Health, the former government, those involved through the Victorian Comprehensive Cancer Centre committees and the various partners an excellent process was undertaken, the result of which was that an extra floor was delivered in addition to what had been anticipated when the project was first articulated and the funding provided. That put a 13th floor on top of the Victorian cancer centre at no cost to the taxpayer — a wonderful outcome through good negotiations and good outcomes.

The Peter MacCallum Cancer Centre and the Victorian Comprehensive Cancer Centre partners were then involved in discussions, but particularly led by Peter

Mac, on determining what should be done with that extra floor. It was determined that the best use of that additional space that had not been anticipated — in addition to the 160 public beds, the 42 critical care beds, the 110 same-day places, the 8 operating theatres, the 2 day procedure units and any other parts of the Victorian Comprehensive Cancer Centre — would be to bring in a private operator so that extra beds and extra operation theatres could be provided under the private structure, which would also bring in extra income from a private provider for services already being provided at the Victorian Comprehensive Cancer Centre, like pharmacy, radiology and so on.

After an extensive process to work out the best use of the additional space that had been provided at no cost to the taxpayer, it was determined that undertaking a tender process to provide services on the extra floor would be the best outcome. In order to do that the state agreed and took out a lease with Plenary Health — a large healthcare organisation and the public-private partnership partner in the building of the VCCC — for the 13th floor, which would enable Peter Mac to run a tender process for the use of that space. A commitment was made by the state to lease that extra floor, to pay to have access to that floor, so that it could then be subleased to the ultimately successful private provider. A tender was then run for the provision of those private services on the 13th floor.

The logic that was articulated very clearly — not just from Peter Mac private but from the government, the VCCC partners and many who were involved — was that there would be substantial benefits to the Victorian community by having the private provider there. First and foremost among those was the ability to treat more patients, with 42 extra beds enabling treatment to up to thousands of potential patients every year who would have access to the expertise that was being provided at the VCCC. But in doing that it was also providing patients with choice. The fact is that at the moment about 40 per cent of all the patients at Peter Mac are private — they are just accessing public beds to access the world-class treatment that Peter Mac provides in terms of their cancer care. We were adding 42 extra beds. In many cases that would mean that patients who have private health insurance who are currently occupying a public bed would come out of that bed and go into a privately provided bed, freeing up that space for more public patients. Not only was it about access for private patients but it was also potentially expanding access for public patients as well.

It was also going to help to attract the best and brightest clinicians and researchers. There is no doubt we have top-class medical staff and medical professionals across

the board. Around the world, including in Melbourne, the capacity to offer both private and public facilities on the one site adds an extra attraction — and that is the model that is being developed and delivered at some of the top-class centres right across the world. But even here at our own Royal Women's Hospital, with the capacity for its new facility to be built with Frances Perry House taking two floors on the same site, having a private facility and a public facility together is a model that had been supported by the previous Labor government. This is a model that is not unfamiliar and one that would help to attract the best and brightest because of the capacity to do everything on one site and not have to travel. Obviously there are other considerations, but it is an element that has been articulated as a benefit of having the two together. With more patients it would also mean that more clinical trials could be conducted, so the research element was going to be expanded as well. There are very clear benefits of utilising the extra floor for an additional 42 private beds for the Victorian community across the board.

The tender process was underway, a short list was made and ultimately a private provider was selected. Peter Mac, having gone through that year-long process, then came back to the state government, which was at that point a new state government, to get the final sign-off on the entire process — and hit a roadblock. The roadblock was a very clear letter from the Minister for Health, Jill Hennessy, saying:

The proposed establishment of a private hospital in shell space located on level 13 of the new VCCC in Parkville is not a strategic priority of this government ...

'Not a strategic priority of this government'. Here were an extra 42 beds, extra capacity, more patient choice and greater clinical trials, all being provided at no additional cost to the taxpayer, with no detrimental impact on the public being able to access services — and in fact expanding those services — and after an extensive process undertaken over more than a year the message back from the Andrews Labor government is this 'is not a strategic priority'. This is very, very disappointing, understandably, for the board, a capable group of individuals who have spent a lot of time thinking about the best outcomes with the full support of the VCCC partners and the broader community as well.

No expansion was provided. There will be no additional income from subletting the space or from utilisation of pharmacy services, radiology and so on. Something of great concern that has been articulated to me, as well as more broadly, is that some philanthropic support for the VCCC that was contingent on private

facilities being available has been withdrawn. That was not to fund the private facilities but to fund the VCCC itself, because part of the deal was that there were philanthropic funds going into the overall \$1 billion that needs to be raised not only to build the facility but also to fit it out and make sure it is effective.

That same letter from the minister talks about scope reduction from the failure to raise the full amount of philanthropic funding. Presumably if the philanthropic commitments that were made but which were contingent on the private beds were withdrawn, there would be further scope reduction in relation to the services that are provided to the Victorian community by the VCCC.

Unfortunately the chair of the board, Wendy Harris, was so outraged that she resigned, effectively due to the lack of respect from the Labor government for the board's considered and detailed opinion about what needs to happen in this space. Interestingly the new chair to replace Wendy Harris is Maxine Morand, who is a former ALP minister. While I mean no disrespect to Maxine, presumably the government and the minister must have a great level of confidence that what the government wants will be delivered by putting in one of its own to ensure that these issues are not raised in a way that gives transparency of the decision-making of government to the Victorian community into the future. That is very concerning all round.

Given that process, this documents motion is vitally important. It seeks the information that sits behind the recommendations of the board. It is about, for example, the business case and the negotiations subsequent to the business case that were originally provided — that is, the presentations and documents that are outlined — that enabled the department, the board and others to make decisions about what the best model was and the details about the agreement between Peter Mac Private hospital and the private providers selected. What was going to be provided on the 13th floor in the space available at no cost to taxpayers? What are the details of the lease? There are costs incurred by the government by agreeing to release the space on the 13th floor without the offsetting income from the private provider that was going to provide the Peter Mac Private beds and services. Presumably others may now lease that space, depending on what the government determines, but it is important to know what the contract is with Plenary and the costs to the state of the agreement that has already been made. Are there further details that need to be provided?

As a result of the Labor government's refusal to support Peter Mac Private being established on the 13th floor,

the board and others, including the VCCC, were asked to come back with their second-best choice. That exercise was done, and the decision was made that a private facility was the best option. Having rejected that idea, now they have been asked to come up with other ideas for how that space could be used. What is the consolation prize, and what are the alternatives? It is important for us to understand the recommendations made by the VCCC as to how that space should be used in the future. We have had no announcements yet from the government in relation to what its conclusions are. I am sure that at some stage we will hear what they are. That is important as government considers what to do with the space.

We consider this to be very much a lost opportunity for the Victorian public to have access to more cancer beds in a specialist treatment environment that will be the Victorian Comprehensive Cancer Centre. It is a decision that has been canvassed widely in the media, with a range of comments and headlines ranging from 'Labor gets it wrong, again', 'Fury as Andrew axes ... hospital', 'cancer centre in stoush with Andrews government over branding' to — jump to the left — 'Labor does the time warp again' and so on. In all cases there has been no explanation other than the priorities of the government, an ideological position rejecting the notion of private facilities in the Victorian Comprehensive Cancer Centre and the political decision for it not to go ahead. In fact, astoundingly, on 3 April the Premier said there would be no greedy profit-making in the Victorian Comprehensive Cancer Centre.

As I have said, Frances Perry House is co-located with the Royal Women's Hospital. It operates very effectively and delivers wonderful services for the Victorian community with the public-private model coordinated and all on the one site.

This documents motion is important for the Victorian community. It is important in order to understand the thinking, the logic and the decision-making in relation to the need for the private facility and the cost to the state of the lease that has been entered into. Given the Andrews Labor government's decision not to proceed with the private facility, what are the alternative options for the use of that space? On that basis I commend the motion to the house as we seek to understand why such an astounding decision can be made, one that is purely motivated by politics and ideology rather than by focusing on priority needs and outcomes to be delivered to the Victorian community.

**Ms HARTLAND** (Western Metropolitan) — I will be quite brief in my contribution. While the Greens will support the motion, because we believe documents motions are an important process of this Parliament, I need to make it quite clear that the Greens do not support the privatisation of public health. We are not convinced that what Ms Wooldridge has put forward is an appropriate way to deal with the Peter MacCallum Cancer Centre. We believe everybody should be entitled to care, no matter their income. While it will be very interesting to see what the documents reveal, I am not convinced that the donations spoken about will be withdrawn, because people make these kinds of donations to hospitals on the basis of the hospital itself and not on whether it has a private wing.

On the issue of Maxine Morand, I found Ms Wooldridge's comments somewhat offensive. When you look at the appointments of various chairs of hospital boards, you see they have been bipartisan. As I understand it, Robert Doyle was appointed by a Labor government and Bronwyn Pike was appointed to Western Health in the previous government's term. Maxine Morand is known to us in this house and in the other house. I believe she is independent, and I do not believe she will do the bidding of the government; she is far too intelligent for that.

As I have said, while we support this documents motion there is very little in Ms Wooldridge's speech that I agree with. But it will be very interesting to see what the documents reveal.

**Mr LEANE** (Eastern Metropolitan) — The government will not be opposing Ms Wooldridge's motion.

**Mr Melhem** interjected.

**Mr LEANE** — Yes, we are quite accommodating today, Mr Melhem. In saying that we are accommodating these motions, we have had a solid and consistent position for the last three terms of government. Even in opposition we stated that of course the chamber has a right to call for paperwork. But the rider on the government's handing over of the paperwork is whether it is commercial in confidence or cabinet in confidence and would therefore be detrimental to the people we represent if they were released.

Ms Wooldridge's contribution concentrated on a small part of the Victorian Comprehensive Cancer Centre that was never envisaged when the now Premier was the Minister for Health and he secured \$1 billion in funding for this project. This project, which I am sure is

important to us all, is for what will be a public hospital and a world-class comprehensive cancer centre. It will treat more patients while providing them with a much better experience and better outcomes and be more cost effective.

I am sure we all hope this centre will drive some breakthroughs in finding cures, remedies and relief for cancer patients. People of the age group of those in this chamber will have friends, family and the like who have been affected by serious forms of cancer. Only in recent days someone very close to me has had a serious operation, a serious procedure, to treat a serious form of cancer. One thing we can all agree on is that we hope and pray this centre can deliver what we all want it to.

**Ms FITZHERBERT** (Southern Metropolitan) — I am pleased to speak on this motion because, as Mr Leane just said, it concerns an enormously important subject close to the hearts of many of us. The Victorian Comprehensive Cancer Centre (VCCC) has been subject to a huge amount of change over the lifetime of the project. That has been due to changes of government, new opportunities, the benefit of shared wisdom and changes on the board — in short, the sort of collaboration you would hope to see in a major and important project of this kind — but what concerns me and I think others on this side of the house is that some of the changes that have been made in recent times have been unclear and poorly explained. They need to be held up to scrutiny with the benefit of documents that back that scrutiny so we can ascertain what the situation really is.

We have been told things about this project that I fear are at best unclear and at worst may be suspected of being misleading, so it is reasonable that we are able to see some of the documents that will shed more light on the key policy and infrastructure decisions of the current government that were not fleshed out in detail before the election. I note that there is plenty of time under the terms of this motion for the documents to be provided. It is not a short time frame; it is a reasonable and workable time frame. In the event that this motion is passed, we hope that with the generous time requirements this motion will be complied with.

I am happy to put on the record that I had some involvement on the periphery of the VCCC project in a previous life. As a former chair of the board of the Royal Women's Hospital, I have been privy to some of the shared issues that concern both the Women's and the Peter MacCallum Cancer Centre. For example, I was involved in signing off on the clinical model that the VCCC will use in the future. The various partners in the VCCC are working their way through the practical

issues regarding how they will work together in what will not only be a new shared facility but a new shared body which we all hope will be better than the sum of the parts.

I do not want to repeat what Ms Wooldridge has said, although I agree with many of the points she made. She talked about the benefits of the public-private partnership model and about inconsistencies in how this model is being applied at Peter Mac compared to other successful examples in the sector. She talked about the history of the VCCC over the last two governments and about the philanthropic support the VCCC has attracted, and I want to return to that in more detail later.

She also made some reasonable comments about the chairmanship of Peter Mac and in particular the contribution of Wendy Harris, the previous independent chair of Peter Mac, who has frankly done what she should do and what she is obliged to do in that position as an independent board chair — that is, to speak up to support and defend her organisation in a situation which was clearly of great concern to her. Wendy Harris came to that role following an outstanding legal career, and in my view she was treated very shabbily and in quite a public way by the government because she took the right path by speaking up to defend her organisation and to highlight some of the great problems that were arising with this project from her perspective.

I want to address a comment that was made by Ms Hartland. We are not talking about what she called privatisation of public health; that is not what this is. As Ms Wooldridge said, when the building was first planned floor 13 — and I see the irony of it being floor 13; I have often thought of that when I have heard it referred to — was to be vacant. It was literally intended to simply be a concrete shell. It was not even a recognisable room or floor of a public hospital as we would see it. There was never intended to be any public health activity on that floor, and in fact there was no budget allocated for fitting it out and turning it into anything that was fit for purpose to be used for research or for a hospital, to treat patients or whatever.

The solution that the VCCC and the Peter Mac board came up with was that that floor could and should be used for private patients. These would be additional beds above and beyond what was planned as part of the original scope of the facility, so in no way was this privatisation. In my view it would have brought a great benefit to the public health patients within that organisation for a couple of reasons. One is that, as Ms Wooldridge said, it would have been an additional

drawcard to have some of the best and brightest surgeons, oncologists, radiologists et cetera able to maintain their private practices as well as treat public patients in the same building. I have seen firsthand how well this works within the Royal Women's Hospital. I have seen that as a board chair; I have seen it as a birthing mother. It works very well from both perspectives, I can tell you. It was exactly this that was sought.

The other benefit that it brings — and Ms Wooldridge spoke about this — is the income stream. A private provider was to be taking over that floor, fitting it out at its expense, therefore providing a space that would, under the terms of that agreement, revert to the state after, I believe, 25 years. There would be a tangible benefit from that rather than any detraction from public health. Another thing it would do is bring in an income stream in terms of renting out that space to another organisation. This is something that public health is looking at all over Melbourne and all over this state: how does it work with the private sector and generate more income from the increasing patient load that all services have?

Ms Hartland also raised the issue of donations. I want to address those comments, as well as those made by Mr Leane. I took note of one of Mr Leane's comments. He said that a previous Labor Premier secured \$1 billion towards this hospital. With respect, I need to correct Mr Leane on that point. It is a \$1 billion project. I believe it was Premier Brumby whose government decided that it would put \$950 million towards it, and that \$50 million was going to have to be found through philanthropic donations. That \$50 million in donations was — as Ms Wooldridge also said — going towards the public facility; it was not going towards anything private. This is the money that we are talking about.

At a recent health event I ran into someone from the VCCC. I wish to clarify that this person had nothing to do with Peter Mac. The person I spoke to is very close to the VCCC project. He informed me that \$10 million has already been lost and that additional funds remain seriously at risk. This is something that I would like to see evidence and some explanation of in the documents that we are seeking. It is at the heart of the business case. It was part of the business case that was publicly articulated by the Brumby government when it was putting forward its initial vision for the VCCC. It always intended that there would be \$50 million worth of private donations going into this public facility. I suppose it had a choice to fully fund it from the public purse; it chose not to. The government would have had its own reasons for doing that. Nonetheless this is the situation that we have ended up with.

One of the issues that is strongly in contention in all of this is the status of the donations. This was part of the public dispute between the previous chair of Peter Mac, Wendy Harris, and the Premier, when Wendy Harris said some \$20 million was at risk through doing away with the private hospital facility within Peter Mac and the Premier — from memory — said on Good Friday that that was simply wrong. He said publicly that that was simply wrong. If that was wrong — and that is not what I was told by a person who is in a position to know through the VCCC — then I would like to see the evidence of that, and this motion is the government’s opportunity to show that.

I briefly want to return to one other aspect of the motion, and that is part 6. We have referred to the proposed future use of the 13th floor. This is something that I was looking out for in the recent state budget. I am aware that there are some suggestions as to how this space should be used. It would be useful to know where that is up to, what is its status and importantly what is the proposed cost that will now be borne by the taxpayer. I will be very keen to see that when these documents appear.

There is one last point I would like to make about this. Again, I want to see some evidence of this issue when the documents appear — that is, why it is that in terms of public-private partnerships the VCCC for some reason is put into a separate category quite different to that of other public health providers, other major hospitals and other specialist hospitals, which is what the Royal Women’s Hospital is, which have a totally different approach endorsed by this government. I do not think this argument or reason has been clearly articulated by the government. I am hoping there will be some clues in the documents.

I think the words used by the Minister for Health were that to have a private hospital component within the VCCC was not in ‘the heart and soul’ of what it was about. That is a nice soft and fluffy sounding sentiment, but it does not really make a lot of practical sense to me. It has a little aspect of *The Castle*’s ‘the vibe’ about it; it simply does not make sense.

I appreciate very strongly, and from quite a personal point of view, that cancer treatment is a very important and critical health challenge in our community, one that we all regard as special and in need of particular attention and support, but I do not see that losing an opportunity to provide additional beds for Victorians who are unwell is doing the best thing by patients at quite a critical moment in their lives as they face a very serious health challenge.

Frankly, I think it is incumbent on the government to explain exactly why it is that it has chosen to put the VCCC in a different category. To say ‘It was not part of our original model or vision’ is really not good enough. As I said at the start of my contribution today, I appreciate that over time projects change. You have the benefit of fresh sets of eyes, new insights, new people coming into projects, governments changing et cetera. I understand that things change as they move along, but to simply say ‘That is not what we ever envisaged for this’ does not make sense, particularly when, as Ms Wooldridge said, we already have significant numbers of private patients at Peter Mac.

In closing, I would like to say that I strongly support this motion. I think it would be a very useful thing for this house to have close scrutiny of the documents and what they reveal about the decision-making of this government on a critical infrastructure and health resource for this state.

**Motion agreed to.**

**PRODUCTION OF DOCUMENTS**

**Mr RICH-PHILLIPS** (South Eastern Metropolitan) — I move:

That in accordance with standing order 11.01 there be provided to the Council, by noon on the Monday immediately preceding the next sitting Tuesday following the adoption of this resolution, any reports, briefings, presentations or analysis provided to the Department of Economic Development, Jobs, Transport and Resources pursuant to the following contracts as identified on the tenders.vic.gov.au website —

- (1) contract 338524 with The Boston Consulting Group Pty Ltd; and
- (2) contract 335886 with KPMG.

The documents relating to these two contracts sought by this motion are matters which were raised through the course of the inquiry into machinery of government changes undertaken by the Standing Committee on Legal and Social Issues of the Legislative Council. These documents became apparent following a search of the tenders.vic.gov.au website in preparation for that hearing, and they relate to activities undertaken by the new Department of Economic Development, Jobs, Transport and Resources around policy development for the government.

These are both substantial pieces of work that were commissioned by the government. The piece of work undertaken by Boston Consulting Group cost in the order of \$2 million, and the work undertaken by KPMG cost in the order of \$1.2 million. The advice received in

the course of that hearing from the secretary of that department, Mr Richard Bolt, was that the piece of work undertaken by KPMG related to achieving maximum impact in delivering government policies within the groups of the department. I would put to the house that to engage KPMG at a cost of \$1.2 million to tell the bureaucracy how to deliver maximum impact with respect to government policy is a fairly extraordinary engagement for that new department to have undertaken. For that reason I am seeking the presentation to the house of the documents that were created by KPMG for that \$1.2 million consultancy around how to maximise delivery of government policy.

**Mr Barber** — Because we would all like to know.

**Mr RICH-PHILLIPS** — As Mr Barber says, we would all like to know. The second set of documents I am seeking relates to another consultancy with the same department, which was also the subject of discussion at the machinery of government hearings — an engagement with the Boston Consulting Group, the magnitude of which, from recollection, was around \$2 million and which was to scope out the government's policy platform. The government went into the election saying it had six priority sectors, and my understanding from that hearing is that Boston Consulting was engaged to tell the department why those six sectors are priority sectors and what activities the government should undertake in respect of those six sectors.

**Mr Barber** — Is climate change one of them?

**Mr RICH-PHILLIPS** — I don't think it is, Mr Barber.

Again, a \$2 million engagement to tell the department how it should implement government policy, given the government has identified the six sectors as a priority, seems an extraordinary engagement. For that reason, through this motion, I am seeking the presentation to the house of documents and reports that have been presented to the new industry department in respect of that consultation. I think it is reasonable, given that more than \$3 million of expenditure has been incurred in less than six months through KPMG and Boston Consulting, that the Parliament and ultimately the Victorian taxpayer understand exactly what has been procured for that very extensive expenditure of public money in such a short period of time.

**Debate adjourned on motion of Ms SYMES (Northern Victoria).**

**Debated adjourned until later this day.**

**Business interrupted pursuant to standing orders.**

## STATEMENTS ON REPORTS AND PAPERS

### Law Reform, Drugs and Crime Prevention Committee: supply and use of methamphetamines, particularly ice, in Victoria

**Mr RAMSAY** (Western Victoria) — My statement is on the government's response to the report on the supply and use of methamphetamines, particularly ice, in Victoria. I want to say at the outset that in regard to a report that is just over 1000 pages long and comprising 2 volumes, 36 chapters and 54 recommendations, the government's response takes up one page and four lines. Obviously I am disappointed in the lack of detail in the government's response. In fact it did not even respond to the recommendations individually. It just made some consolidated comments in relation to the report as a whole.

It is timely that I make some comments about the government's response, particularly when we are seeing an escalation in the use of crystal methamphetamine across Victoria and indeed Australia. This is a national problem. The Abbott government has seen fit to view it as a high health and social priority for the nation and consequently has implemented the National Ice Taskforce, chaired by Ken Lay. A joint federal parliamentary committee is also conducting an inquiry into the use and harms of methamphetamine in Australia, which is chaired by Craig Kelly, MP, the federal member for Hughes. The Victorian Parliament's report on the supply and use of methamphetamines has been submitted to the National Ice Taskforce and the federal parliamentary inquiry as a submission. So it is surprising, as I said at the outset, that the government's response to a 1000-page report is merely 2 pages and does not deal with any of the recommendations individually.

I was somewhat frustrated by this, so I took the opportunity over the winter break to go to South-East Asia to see if I could follow some of the supply and distribution lines through the Asian continent and back to Australia, where I felt that not enough emphasis was given to the supply side. On that basis I visited the United Nations Office on Drugs and Crime for South-East Asia and the Pacific, based in Bangkok. I also took the opportunity to visit the Australian embassy and meet with the Australian Federal Police, who are responsible in part for working with the Thai police on drug distribution into Australia and New Zealand.

Whilst methamphetamines continue to dominate the synthetic drugs market in East and South-East Asia, and usually this involves the less pure and cheaper tablet form for domestic consumption, crystal meth is designed for countries that demand a higher purity and have a greater capacity to pay. Earnings from the expansion of the methamphetamine market in South-East Asia have increased from 10 per cent of gross national product (GNP) to 30 per cent, which is about \$28 trillion, so we can see that it is a very profitable market.

The point of giving this background is to note the enormous amount of money being generated by the drug trade, which invariably attracts organised crime and crime networks to become major players in the drug trade's profiteering and distribution areas. Much of the supply is coming from West Africa, Laos, Vietnam and China, through Thailand to countries like Australia. The point I want to make here is about the activity of organised crime and in particular chapters of the outlaw motorbike clubs that are active in Thailand and networked in Australia for distribution. What is disturbing and of interest is that there are emerging synthetic drug derivatives known as new psychoactive substances, which are not controlled by the international drug conventions but mimic the effects of substances under international control.

While I have digressed somewhat, I am indebted to the United Nations secretariat through Mr Soe and Mr Nice, to the manager of border control and the Australian Federal Police at the Australian embassy, and to the Thai police, who have filled in the holes in the supply of methamphetamine to South-East Asia and have notified us of the emerging new psychoactive substance derivative drugs.

Most importantly, and this is the point I make in reply to the government's response, is the role of the outlaw motorcycle club chapters that are distributing the drugs from China, West Africa, Laos, Vietnam and Cambodia through Thailand and to Australia, and they are doing it online and through Australia Post via the ports. They are very organised and are using their international chapters to distribute the drugs from those countries through Thailand and into Australia and New Zealand, countries with a particular propensity to demand a purer crystal meth and with the capacity to pay for it.

It is this area that I would like the government to concentrate on in its ongoing response to drugs in Australia, because there is a well-oiled network in South-East Asia that is bringing the drugs to the country from Thailand in both its precursor and fully manufactured forms. I do not see any reference to the

work the government is doing in relation to organised crime and the outlaw motorcycle clubs that are heavily networked in those areas.

### **Auditor-General: *Technical and Further Education Institutes — 2014 Audit Snapshot***

**Mr MELHEM** (Western Metropolitan) — I rise to speak on the Auditor-General's report entitled *Technical and Further Education Institutes — 2014 Audit Snapshot*, and what a depressing snapshot it is of a TAFE system in decline in the last year of the coalition government. The 10 TAFEs whose financial reports were finalised and commented on in the report registered a deficit totalling \$84.3 million last year following a combined sector deficit of \$15 million from 2013. The Auditor-General notes that this stems from revenue collapse rather than a blowout in expenditure. Six TAFEs have been found to have high financial sustainability risks with short-term challenges that need to be addressed, while nine TAFEs were found to have long-term financial sustainability risks in terms of paying for the renewal and replacement of their assets.

The Auditor-General found that the Labor government's first state budget is already beginning to slow the decline, as we said at last year's election we would do with our TAFE Rescue Fund. The report finds that Labor's additional \$56.8 million of capital funding in the 2016–17 budget:

... should reduce the risk that TAFE assets may eventually cease to be fit for purpose if they are not renewed or replaced as required.

Finally, the report notes that TAFE risk registers are not adequately covering financial sustainability risks and other risks arising from the changing operating and funding environments, which is code for the upheaval caused by the fluctuations in and the collapse of government TAFE funding. This points to only one thing — that is, the Liberal Party being the only threat to the public funding of technical and further education in this state.

I also note that the government has responded to the various recommendations outlined in the report through the various departments, including the Department of Education and Training and the Department of Treasury and Finance, which have accepted the recommendations relevant to them. These departments have outlined implementation time lines, which are listed in appendix F of the report. I commend the Andrews Labor government for its quick response to the Auditor-General's findings and its acceptance of his recommendations so that we can have the improved TAFE system Victorian kids deserve. We need a

vibrant system that is able to provide training opportunities for our young kids and our displaced workers to enable them to find better employment opportunities. I commend the report to the house.

### **Cancer Council Victoria: annual review 2014**

**Mr EIDEH** (Western Metropolitan) — I rise to speak on the Cancer Council Victoria 2014 annual review. I congratulate chief executive officer Todd Harper and president Professor Margaret Hamilton, AO, for their work during the year. I also acknowledge the staff and dedicated volunteers who play such an important role in supporting the hundreds of Victorians fighting cancer.

Each and every person in this Parliament knows or has known someone who has suffered cancer at some point in their life. I am certain of that fact because the report highlights that more than 29 500 Victorians are diagnosed with cancer each year. Sadly, more than 11 000 Victorians die from cancer each year. These are incredibly high figures, but recent figures indicate that between 1988 and 2012 the five-year survival rate increased by 19 per cent, from 48 per cent to 67 per cent. The number of new cases diagnosed is expected to double over the next decade, which is why it is more important than ever that we support the development of infrastructure and programs required to support Victorians through their cancer journeys, from their initial diagnosis right through their treatment and beyond.

Cancer Council Victoria continues to work proactively with its awareness campaigns, including Quit Victoria, SunSmart and LiveLighter, to highlight the risks involved in particular behaviours. These have been beneficial in bringing important health information to Victorians and in encouraging them to make the right choices to protect themselves from cancer.

Fundraising is an important component not only in raising much-needed money but also in raising awareness and creating an environment of support for sufferers. During 2014–15 fundraising played an important role in the cancer council, in particular through the Relay For Life, Australia's Biggest Morning Tea, Girls' Night In, Daffodil Day and Pink Ribbon Day.

I have been told by many survivors that being diagnosed with cancer changes many important things in your life, including things that you never considered before that moment, which is why the cancer council is so critical in providing care and support to sufferers.

The cancer council has established 165 support groups across the state, and in 2014–15 a total of 241 wigs were fitted by the council's wig service to support people who are going through the very confronting experience of losing their hair.

In addition the cancer council trained 131 Cancer Connect volunteers to provide telephone support to Victorians who are battling cancer, and those people worked with 26 agencies to provide over 1400 people with financial assistance totalling \$232 560.

The cancer council continued its dedicated research programs to investigate the roles that genes, lifestyle and environment play in the development of cancer and other diseases. These highlights are just a very small proportion of the milestones the cancer council has reached during the 2012–15 period.

Each year I am very delighted to speak on behalf of this organisation as the work that it does is outstanding. Its dedication to Victorians fighting cancer is second to none. I congratulate all those who were a part of the past productive year for the cancer council and thank them. I commend this report to the house.

### **Law Reform, Drugs and Crime Prevention Committee: supply and use of methamphetamines, particularly ice, in Victoria**

**Ms CROZIER** (Southern Metropolitan) — I am pleased to rise to speak to the former Law Reform, Drugs and Crime Prevention Committee's report on its inquiry into the supply and use of methamphetamines in Victoria, and particularly to the government's response to that very important parliamentary inquiry.

At the outset I congratulate the members of the committee who worked on this extensive and comprehensive report. Unfortunately I was not in the chamber to hear Mr Ramsay's contribution on this report, but I believe he also spoke on this very issue — the issue of ice and what is happening in neighbouring countries as well as what is happening here locally at home. A number of the MPs who served on that committee during its inquiry are still in this house, but I note that Mr Scheffer is no longer with us and that his contribution was significant.

This report demonstrates a comprehensive undertaking by the Parliament to investigate a significant problem faced by our community, and it is one that is being faced throughout the country. As we know, the Prime Minister has established a national task force which is headed by former Victorian Chief Commissioner of

Police Ken Lay, who did a tremendous job in his role as police commissioner in Victoria and is now undertaking this very important work.

I note from various reports I have read that that task force is looking at the issue of ice from a national perspective and that it wants to work with the states and territories towards understanding the issues and determining what needs to be undertaken to address this scourge which is impacting upon so many of our young people and families.

What is interesting in this report is the evidence that the committee heard in relation to some of those issues. I will read a couple of points from the report in relation to areas affecting families. Page 4 of the executive summary of the report states:

Particular concerns have been expressed that methamphetamine is having a serious impact on families and the extended community, including in rural and regional areas of Victoria and in Aboriginal communities.

The report goes on to say that:

Although people of many age groups use ice, those aged 20–29 are the most frequent users and most in this age group are male.

There are many issues I would like to speak to with this report, but I will focus not only on what is affecting the community, in particular the increased crime rates, but also on the increasing rates of family violence. Although ice cannot be attributed as the sole cause of family violence, it certainly appears to be a contributing factor.

I am very pleased that the government's response to this report outlines a number of areas that the committee wants to be addressed, including a focus on prevention and early intervention; reducing the supply, manufacture and distribution of ice; the important element that I will be looking to ensure that the government does follow through with, which is reducing the impact of ice on individuals, families and communities through support for early intervention and drug treatment services, information and support for families; effective justice responses to ice-related crime; and initiatives to protect the community from drug driving and ice-related violence.

I hope the government undertakes that comprehensive task, because they are very significant issues that many individuals and families are being affected by. In terms of the destruction that ice causes and the health impacts, this report goes on to talk about the physiological implications of this drug use, and they are truly quite horrific.

I know of people who have been ice users, and it certainly has destroyed their families. I think it is a concern of many people in this place that ice use is becoming far too prevalent across our communities. It is not assigned to any one particular demographic; it is right across our communities and does not discriminate. That is why we need to take a very strong stance on this.

In the remaining time that I have I again congratulate the committee on its comprehensive report and the recommendations it has made. I hope the government follows through on the response that it has outlined to the Parliament.

### **Auditor-General: *Early Intervention Services for Vulnerable Children and Families***

**Ms TIERNEY** (Western Victoria) — I rise to make a statement on the Auditor-General's report *Early Intervention Services for Vulnerable Children and Families*. At the outset I will say that this is an alarming report. It looks at whether vulnerable families can access early intervention services through the child and family information, referral and support teams, commonly known as Child FIRSTs, and integrated family services.

This report deals with services for the most vulnerable people in our society: children who have no say in their circumstances. Children and families are affected by a whole range of issues, from mental health and homelessness to financial stress and family violence. These are the people who governments in a civilised society have an obligation to protect and help. It is basic humanity. It also benefits the state, as the costs of later intervention are always greater both in human and in financial terms.

Figure 1A on page 1 of the report outlines that reports to child protection have doubled in less than a decade, from a little under 40 000 to over 80 000 a year. This has put early intervention services under pressure, and they are facing more cases of greater complexity. This means that lower risk families are missing the early intervention that could be most beneficial to them.

Quite disturbingly, on top of this huge workload there are no assurances on the effectiveness of services provided. These problems are compounded by inadequate demand planning. The department is slow to respond to emerging issues, and the effectiveness of local demand strategies is not evaluated. The information gap is so large that providers delivered \$5.3 million of services above funding, but it is not

known if these resulted from goodwill, inefficiencies or cross-subsidies.

The Auditor-General has said that the department needs to undertake a comprehensive and urgent review of its funding model to answer these questions. It was also found that there were weak partnerships and governance issues throughout the sector. The department needs to better communicate operational and strategic issues to the sector.

Probably the most shocking finding was that the department does not monitor outcomes. There is monitoring of contractual outputs but not of critical aspects such as timeliness or engagement. The limited and unreliable service data means that there is little analysis of systems performance. The old truism, 'If you can't measure it, you can't manage it' applies here. The systemic failure is profound.

We cannot just stand by and abandon those most in need. It is not right that families with low to moderate needs are missing out on early intervention from which they could benefit because the system is swamped or because there is a lack of planning and data. The Auditor-General has made 10 recommendations. I note that he has welcomed the department's detailed actions in response to his recommendations and its willingness to openly and constructively engage with the audit team throughout the audit process. I am pleased that unlike the Liberal-Nationals coalition government, which failed to increase funding for our most vulnerable families and children, the Andrews Labor government is meeting the challenge head on.

The state budget put \$48.1 million into early intervention services. Labor has funded 110 new child protection workers to help those already in the system and has provided \$93.3 million to improve out-of-home care for those who cannot live safely with their immediate families. This is all part of a \$283 million package focusing on vulnerable families and their children. The government has accepted the Auditor-General's recommendations and recognises that our most vulnerable families and their children need a helping hand.

With 1 in 37 Australian children in child protection services, good intentions are not good enough. The Andrews government has backed the sector with the resources to improve services to vulnerable families and children, and that needs to be acknowledged. It is the least we can do for our most vulnerable citizens. They deserve that. I commend this report to the house.

### **Standing Committee on Legal and Social Issues: Children, Youth and Families Amendment (Restrictions on the Making of Protection Orders) Bill 2015**

**Ms SPRINGLE** (South Eastern Metropolitan) — I rise to speak to the report of the Standing Committee on Legal and Social Issues on the inquiry into the Children, Youth and Families Amendment (Restrictions on the Making of Protection Orders) Bill 2015, which was tabled yesterday. Firstly, I would like to offer sincere thanks to Lilian Topic, secretary of the legal and social issues committee — —

**Mr Davis** — A very good secretary.

**Ms SPRINGLE** — I concur wholeheartedly; she is a very good secretary. I also thank Anthony Walsh, the research and legislation officer. Both Lilian and Anthony are to be commended on their support, patience and hard work on this inquiry and the production of this report in such a limited time frame.

This chamber will be asked to vote on the bill as early as tomorrow and will also be asked to consider a number of amendments. I should say at the outset that I sat on the committee that produced this report. The report is good, but it is not perfect. I acknowledge that it would have been far more effective with a list of specific recommendations or at least an effective conclusion. It is my hope that future reports produced by this committee will include these elements.

What this report does, however, is draw attention to the many concerns that stakeholders have about the version of the Children, Youth and Families Act that will come into effect on 1 March next year as a result of amendments made to that act in 2014 by the Napthine government. As the report indicates, the stakeholder consultations that the then Department of Human Services claimed to have engaged in last year were inadequate. A number of organisations have gone on the record about this. The report also records that many organisations have explicitly challenged the department's claim that all of the 2014 amendments were based on the 2012 Cummins report, produced by the Protecting Victoria's Vulnerable Children Inquiry.

Not one of the written submissions support this claim by the department, and no less than 10 submissions explicitly or implicitly contradict it. Not one of the written submissions to the inquiry expressed support for the imposition of arbitrary 12-month time limits on efforts at family reunification or for the proposition that these time limits will have the intended effect of improving permanency outcomes for children. Some

submissions indicated concern that they will have the opposite effect.

Not one of the written submissions expressed support for reducing the oversight powers of the Children's Court or for limiting with legislation the number of times children in the child protection system can have contact with their parents. This report clearly sets the evidence given by the department against the views held by many other stakeholders. The stakeholders who contributed evidence to this inquiry are not people and organisations who have no experience in child protection. They are organisations like Berry Street, which works extensively with children in or at risk of going into the child protection system; the Victorian Aboriginal Child Care Agency, which has 39 years of experience working to protect the rights of vulnerable Aboriginal children and families; the Aboriginal Family Violence Prevention and Legal Service Victoria; the Association of Relinquishing Mothers; the Australian Psychological Society; the Victorian Office of the Public Advocate; the South Eastern Centre Against Sexual Assault; and Emeritus Professor Terry Carney, author of the original Carney report in 1984.

Based on the overwhelming concerns raised with the inquiry and reflected in the report tomorrow I will be moving amendments to the bill that is currently before the Council. Those amendments will restore some of the Children's Court's powers, such as its power to order contact between a child and her or his parent if that is in the child's best interests. This was a significant inquiry because it was the first that allowed the Parliament to hear from stakeholders since the 2014 amendments were rushed through Parliament without proper consultation. The amendments are supported by an overwhelming majority of stakeholders who know far better than anyone in this place the likely effect on vulnerable children should those amendments not be adopted. I urge members to consider this report and the submissions and to then consider the impact on vulnerable children.

### **Budget update: report 2014–15**

**Mr DAVIS** (Southern Metropolitan) — My statements on reports today relate the Cancer Council Victoria 2014 report, on which Mr Eideh has made a statement, and also to the 2014–15 Victorian budget update. I want to raise a number of points with respect to these items, the first being a matter around primary industries and issues around yabby farms. I know a number of members in this place have been contacted by Stephen Chara from Moora Moora Pty Ltd, which trades as Otway Yabbies. I know members of the Shooters and Fishers Party are very keen on the work

done there. The point is that issues around aquaculture and yabby farming need to be more thoroughly examined.

Stephen raises legitimate points that will require further examination by government. Southern Rural Water or other water authorities need to come up with a fair system that enables the protection of water supply more generally but also allows aquaculture to proceed with a reasonable level of security, as Stephen has outlined to many in this chamber.

I also want to draw attention to the announcements made today by the government regarding tunnelling under the Yarra River. It is not clear whether this is the government's business case for the Melbourne Metro. What is increasingly clear, however, is that the Cranbourne-Pakenham line aspect that connects to the Melbourne Metro will sail on past South Yarra. If you are at the South Yarra station wanting to head east or south-east on the Cranbourne-Pakenham line, how will that work? How will you get on the train under the government's new proposal with Melbourne Metro? I have been scratching my head to work out how you would get on the train. It seems to me that you would have to take a tram to another station or catch a train back to a connecting station. This does not seem to advantage people who may wish to travel east from the Prahran electorate — from Stonnington, for example — in the vicinity of the South Yarra station.

There are a lot of questions here for the transport minister to answer. Will there in fact be a tunnel under the Yarra? How will it be constructed? Will it be by the tunnelling machine shown in the video clip today, a clip which effectively claims that tunnelling has already begun? If you look at the tunnelling machine in the video clip shown today, you could be forgiven for thinking that it is working now. Of course there is no tunnelling machine. The project has not been paid for. It is not even clear how this will occur. This little video clip that will have come through in people's emails today is really in the way of a fantasy, of science fiction.

### **Cancer Council Victoria: annual review 2014**

**Mr DAVIS** — My other contribution relates to Mr Eideh's decision to speak on the Cancer Council Victoria annual review 2014. It is a very important annual report, one which I believe I might have even tabled in this chamber myself. It points to the ongoing need to see the push against cancer go forward. That means primary prevention and it means preventive efforts in terms of education and other public health measures, but it also means the tertiary efforts of our

major hospitals and in particular the Peter MacCallum Cancer Centre, which is our pre-eminent cancer service of which we should all be proud.

The Victorian Comprehensive Cancer Centre that is now being built on the corner of Grattan Street and Royal Parade is a comprehensive cancer centre funded by more than \$1 billion of federal and state government's expenditure and will deliver for all Victorians. The great pity is that the current government has chosen to rip out the additional floor that had been planned for that cancer centre. The decision to add the extra floor was made after the project had begun. The state took on that role. This would have added additional, private beds and would have meant that our cancer service could provide better treatment for all Victorians. Daniel Andrews has outrageously taken that away.

**Auditor-General: *Delivering Services to Citizens and Consumers via Devices of Personal Choice — Phase 1***

**Mr ELASMAR** (Northern Metropolitan) — I rise to speak to the Auditor-General's interim report entitled *Delivering Services to Citizens and Consumers via Devices of Personal Choice — Phase 1*. Today many Victorians regularly access the information sites of government agencies. However, many do not, often preferring to receive their information in the old-fashioned way, on hard paper. But make no mistake: the digital race is on. In all probability proper emphasis on providing fast, effective digital services has not been given appropriate importance or priority to date. At present there is inadequate control of monitoring or even the establishment of mechanisms to oversee quantifiable results. That being said, there is ongoing recognition by government agencies that digital service delivery is the way of the future.

As we all know, technology is extremely costly; it is usually the most expensive item in any departmental budget. It requires ongoing buckets of money and expert personnel to establish and maintain systems that will eventually provide satisfactory digital services to the people of Victoria. Digital services are now accessible via smart phones, tablets, iPads and Android devices. Stationary offices with housebound personal computers do not cut it anymore — people are on the move and their technology moves with them.

The report contains a series of recommendations that we as a government will take seriously. A whole-of-government approach, together with strategies aimed at ensuring effective, sustainable delivery of digital services to all Victorians, is essential.

This will empower us and enable us to be at the forefront of the digital age we live in. The Auditor-General's office, as always, can see the solutions to governance problems and provide quality advice to Parliament and executive government. However, it is in our power to take action and put in place recommendations that are practical and achievable.

The Department of Premier and Cabinet will soon launch Services Victoria, whose task will be to commence planning for our new whole-of-public sector service capability. Strong leadership and ownership by agencies must also be instilled, and the way forward needs to be mapped out for future generations of technologically smart Victorians. I take seriously the motto that 'Technology waits for no-one'. We need to ensure that our capability systems are up to date and effective in this modern age. I recommend the report.

**DELIVERING VICTORIAN  
INFRASTRUCTURE (PORT OF  
MELBOURNE LEASE TRANSACTION)  
BILL 2015**

*Second reading*

**Debate resumed from 4 August; motion of  
Ms MIKAKOS (Minister for Families and  
Children).**

**Mr MULINO** (Eastern Victoria) — I am very pleased to speak today in support of the Delivering Victorian Infrastructure (Port of Melbourne Lease Transaction) Bill 2015. I will not speak at length on this bill because the issues it raises have been discussed at length today by members on both sides of the chamber. I discussed the key elements of this bill in outlining my position on the motion we debated this morning. All I will do at this point is briefly outline why it is that I support this bill.

The government sees investment in our transport networks as fundamentally critical for our economic development. The port is one of the key elements of our transport network. This bill will do a few things. One is that it will lease the land and dispose of certain assets of the Port of Melbourne Corporation, and transfer the operation of services as a result. It will also establish a regulatory regime for aspects of the port's operation and establish the Victorian Transport Fund, which will support projects such as the removal of 50 of our worst level crossings, and a \$200 million Agriculture Infrastructure and Jobs Fund.

At the heart of this is asset recycling. That will allow for private operation of the port of Melbourne in a way that will strengthen the capacity of that critical piece of infrastructure to support the overall state economy, and freeing up that capital will allow the state to invest in other projects that the government must invest in.

The port of Melbourne is the largest container port in Australia. It is visited by more than 3000 ships a year. Under the lease arrangements, which include comprehensive and rigorous economic regulation arrangements, the position of the port in terms of its absolute productivity and its relative position within Australia's freight and logistics will be strengthened.

The government has set up a regime which includes a lease term and a regulatory framework that it believes, based upon expert commercial and legal advice, will put this state in the best possible position. It will reinforce Melbourne's position as the freight and logistics capital of Australia.

It is critical to link the lease of the port of Melbourne with the Victorian Transport Fund. This was discussed at length this morning. We cannot talk about this transaction without highlighting the fact that it will support the funding of the removal of 50 level crossings. This will improve the interaction of different transport modes within our city, improve the interaction between our rail network and road network, improve productivity, generate time savings, generate safety improvements and create thousands of jobs. In addition, the proceeds from the lease of the port of Melbourne will contribute to the Agriculture Infrastructure and Jobs Fund. This \$200 million fund will improve access to markets for our critical regional industries.

It is that broad context that I would like to reinforce. What we have here is a transaction that is first and foremost about improving the operation of the port by enabling the private sector to operate the port in a manner that increases innovation, brings in private sector expertise and increases productivity, under the umbrella of a regulatory regime that will include best practice pricing regulation. That will generate long-term certainty along with the lease term that will improve the prospects of the private sector operator investing in such a way that the port continues to support Australia's, and indeed our state's, freight and logistics industry. This transaction will support critical investment by the government in level crossings and regional access to our port.

As I said, we discussed this transaction at length this morning. I simply wanted to highlight and reinforce the key elements of this bill and this transaction that the

government stands behind. I hope very much that when this bill comes to the vote all sides of the chamber will support it.

**Ms LOVELL** (Northern Victoria) — I move:

That debate on this bill be adjourned until the select committee on the port of Melbourne presents its report to the Council.

**Motion agreed to.**

## ADJOURNMENT

**Mr HERBERT** (Minister for Training and Skills) — I move:

That the house do now adjourn.

### **Nagambie ambulance services**

**Ms LOVELL** (Northern Victoria) — My adjournment matter is for the Minister for Ambulance Services, and it is regarding the urgent need for Nagambie to have a permanent ambulance presence located in the town. The action I seek from the minister is for her to commit to providing a permanent ambulance presence in Nagambie for the safety and benefit of Nagambie and the surrounding area and community.

As the minister is well aware, Nagambie is without a permanent ambulance presence. It is currently serviced by ambulances from other regions — predominantly Murchison, but also Shepparton, Seymour, Kyabram and Bendigo — which can result in delays of many hours for a response. The volunteer community emergency response team (CERT) is the front-line response for Nagambie. While the CERT volunteers have done a fantastic job, the ongoing and ever-increasing demand for these services makes it untenable for a voluntary service to be the primary response service. Further, CERT was always intended to be an interim measure to precede a permanent and formal ambulance presence.

As the Nagambie Ambulance Service Community Alliance (NASCA) has highlighted, it is not just Nagambie that is exposed in the catchment area; the townships of Avenel, Longwood, Graytown, Goulburn Weir and Kirwans Bridge are also left vulnerable. NASCA has described a unique set of circumstances leading to a perfect storm, noting that increased major events and high-risk recreational activities mean it is only a matter of time before the current resources will not adequately cope.

This perfect storm may come as early as this summer. With Goulburn-Murray Water warning that we have entered another El Niño, the water levels at Lake Eildon will once again begin to reduce. It is at times like these that tourists flock to Lake Nagambie, which has a guaranteed water level. This means increased numbers of swimmers, rowers, powerboats, waterskiers, Sea-Doos and other water activities.

A permanent ambulance service for Nagambie has consistently been listed as a priority by the ambulance union in its budget submissions. Prior to the election the Liberal government promised \$2.1 million to locate professional ambulance paramedics at Nagambie for the first time, by way of two full-time paramedics and an ambulance community support officer. Unfortunately Labor neither matched the election commitment nor made any funding announcement in the state budget.

NASCA attempted to meet with the minister regarding the serious concerns the community holds. The minister has yet to meet with the group, but in May the Parliamentary Secretary for Health, the member for Macedon in the other place, attended a public forum and met with NASCA. Yet here we are, two months later, and nothing has been said by either the parliamentary secretary or the minister.

The Premier has promised an expansion of the ambulance system and said he does 'hope communities like Nagambie will see stronger services'. The minister has said she shares the community desire 'to have an ambulance system that responds appropriately to the needs of patients and the community'.

The action I seek from the minister is for her to commit to providing a permanent ambulance presence in Nagambie for the safety and benefit of Nagambie and the surrounding area.

### **Truck curfews**

**Mr MELHEM** (Western Metropolitan) — My adjournment matter is for the Minister for Roads and Road Safety, the Honourable Luke Donnellan. My electorate of Western Metropolitan Region covers some of the major freight and trucking arteries between factories, depots and the port of Melbourne.

*Honourable members interjecting.*

**Mr MELHEM** — Some people like to hear the sound of their own voice. Unfortunately these arteries often run through residential streets in suburban areas such as Yarraville.

During the last term of Parliament I was approached by many concerned constituents and community groups about the problems this was causing for local residents. Noise pollution, air pollution and traffic congestion were just some of the problems identified by local residents in my constituency.

I understand that since the election of the Andrews Labor government truck curfews have been introduced in parts of Melbourne's inner west. The action I am seeking is for Minister Donnellan to update me on the progress of these curfews and give an indication as to their scope, effectiveness and success or otherwise.

### **Gippsland Carers Association**

**Ms BATH** (Eastern Victoria) — My adjournment matter this evening is about the funding of a part-time administration officer for the Gippsland Carers Association, and it is directed to the Minister for Families and Children, the Honourable Jenny Mikakos. The Gippsland Carers Association was founded in 1997 to improve the lives of unpaid carers and those for whom they care. Unpaid family carers provide a significant and irreplaceable contribution to the welfare and wellbeing of their family members, children and adults with dependent disabilities. Statistically carers have been found to have the lowest health ratings and the highest rates of depression and to be more vulnerable to heart attacks than people in any other sector of the community.

In Gippsland the coalition funded a part-time administration officer for the Gippsland Carers Association to the tune of \$25 000 a year for four years. However, the funding ran out at the end of this financial year, and the Labor government has not renewed it. This funding paid for an administration officer to work 19 hours a week, which allowed the carer mentor to be out on the road helping our carers. This is an important position in our community. Without an administration officer the carer mentor has to sit in the office and divide her time between being out in the community where she is needed and being back in the office doing administration. This drastically reduces the carer mentor's face-to-face time. It is important that she be able to be out in the field.

The carer mentor provides support to the carer by looking after the carer's loved ones in their home and supporting the carer. This results in huge savings for government because it reduces the amount of time that people needing care spent in nursing homes and respite centres, as well as reducing the drain on the public hospital system. Without the funds to support the administration officer the Gippsland Carers Association

is left facing a difficult decision: either to cut back on direct face-to-face support for carers or to cut back on other initiatives to help fund the part-time administration officer. I call on the minister to match the commitment of the previous coalition government and guarantee the Gippsland Carers Association funding of the small amount of \$25 000 per year for the next four years so it is able to continue this great work.

### **Caulfield–Dandenong rail corridor**

**Ms DUNN** (Eastern Metropolitan) — My adjournment matter is for the Minister for Public Transport. I refer to the commencement of work on level crossing removals on the Caulfield–Dandenong rail corridor. It may appear obvious to many members, but the commitment to build expensive infrastructure must include an assessment of future needs. It may also appear obvious that the design of the level crossing removals will lock in rail capacity into the future. In particular the design of the level crossing removal will forever limit the number of railway lines that can travel through a particular level crossing.

The action I request is for the level crossing removals on the Caulfield–Dandenong corridor to be designed to include capacity for an additional two railway lines, thereby ensuring future flexibility on our rail network.

### **Route 8 tram**

**Mr DAVIS** (Southern Metropolitan) — My matter is for the Minister for Tourism and Major Events, and it concerns the axing of tram route 8, which is under active contemplation by the government at the moment. I indicate to the chamber that I have met with many residents and also many traders groups in the Prahran electorate. The Melbourne South Yarra Residents Group, the Toorak Village Residents Action Group, the Toorak Village Traders Association, the Toorak Road South Yarra Business Association, the Chapel Street Precinct Association and other similar organisations are all concerned about the government's decision to axe route 8 trams.

If the tram route is axed, as the government is proposing, it will not only impact on residents, and particularly older residents, in the city of Stonnington and along tram route 8 — which, for the benefit of the house, has been in operation since 1927 as an electric tram service and, I am told, since before 1900 as a cable tram service, heading along Toorak Road, up St Kilda Road, up through Swanston Street and on towards the University of Melbourne and beyond — but it will also hit tourism and many of the traders group in that particular area.

It is clear that those people who would seek to stay in accommodation, whether it be at Como House or other iconic tourism venues, will be directly impacted upon by this. Como House is an important tourism destination, and there are other similar tourism destinations along the route, including the iconic Chapel Street strip and locations along Toorak Road and in Toorak Village itself. It is marketed heavily to international and interstate tourists that you simply need to get on a route 8 tram. It is a single-tram service; you do not need to hop backwards and forwards and change at various locations. It is a simple service that enables people to undertake those tourism activities that are important for the state's identity and also for the economy and employment.

The government needs to reconsider this decision to axe tram route 8. It needs to consider the economic consequences for our iconic brands, such as Chapel Street. It needs to consider the impact on employment. It needs to consider the impact on those traders who have their sole investment in their businesses along that route. I call on the Minister for Tourism and Major Events to look at this issue and look at the tourism aspects of the Minister for Public Transport's proposal to axe route 8 trams — —

**The PRESIDENT** — Time!

### **Family violence**

**Ms PATTEN** (Northern Metropolitan) — My adjournment matter is for the Minister for the Prevention of Family Violence. On Friday, 31 July, I hosted a White Ribbon fundraiser to support the White Ribbon campaign. Although anyone can commit family violence, men are drastically over-represented as offenders in this area. During that time, I was able to present a submission to the inquiry into family violence, which covered the notions of relationship education, body safety and support for the LGBTI community.

Men are drastically over-represented as offenders in this area — thus White Ribbon's focus on men's violence against women. That allows the foundation to advocate for men to be the solution to family violence rather than just the problem. In Northern Metropolitan Region family violence incidents rose from 9861 to 10 721. That is an increase of 8.7 per cent, which is well above the Victorian average. In 2013–14 family violence was the reason for exactly half of all assaults, 52 per cent of all abductions and kidnaps and 57 per cent of all harassment offences in Northern Metropolitan Region. More than a third of all rapes and 27 per cent of all sex offences were perpetrated in the

context of family violence. Three women were murdered in Northern Metropolitan Region in the context of family violence in that period.

Darebin and Whittlesea saw the second-largest increases of 12 per cent, but the worst was Hume, which saw an increase of 14 per cent. Neither Hume nor Whittlesea is in the catchment for some of the current men's behaviour change programs. These programs can allow men to undertake counselling and receive support in altering violent and damaging behaviour, leading to better outcomes for women, children and families as a whole.

I call on the minister to add gazetted postcodes for court-ordered counselling and men's behaviour change programs to include the cities of Hume and Whittlesea. Additionally, I call on every member of Parliament to consider taking the White Ribbon oath in recognition of the responsibility of every single one of us to help combat family violence.

### **Sunbury municipality**

**Mr FINN** (Western Metropolitan) — I wish to raise a matter this evening for the attention of the Minister for Local Government. The matter follows a public meeting I attended at the memorial hall in Sunbury just a few short weeks ago. It was a meeting held under the auspices of the auditors who are apparently reviewing the decision by the previous government to remove Sunbury from the City of Hume, and I am delighted to be able to tell the house that Sunbury still knows how to hold a public meeting. The place was packed to the rafters, and there was plenty of give and take and good old-fashioned heckling. It was like going back to a bygone era, but very good indeed.

I was not surprised to see that there was a sizeable delegation from the Australian Services Union (ASU) at that meeting, given that the Australian Services Union has been very active in spreading misinformation and opposing the decision by the previous government to set up the Sunbury city council, even though, it has to be said, a good number of those ASU members would have needed a GPS to get to Sunbury, and I am sure they would have used one. As I heard one say after a particularly heavy downpour outside the meeting, 'We don't have rain like this in Broadie', which pretty much sums up the feeling they had.

Outside I was told by one of these ASU folk — I think he may have been a union organiser in fact — in no uncertain terms, 'The Sunbury council is dead, brother'. There is no way that a Labor government will allow

this to go ahead'. That is what he said to me. These people clearly have a significant influence on the current government. Inside the meeting, listening to the auditor, I agreed almost immediately that this will not happen, because there is an old saying in politics that if you want a certain result, you appoint the people you want to a committee, and on this occasion it appears the government has done that.

The Leader of the Opposition in the Assembly, Matthew Guy, has called this a farce, which it clearly is, and not for the first time has Labor betrayed us, it would seem. I am hoping against hope that the government will be serious in this regard. I ask the minister to give a guarantee that the government is serious about establishing the Sunbury council because, quite frankly, nobody in Sunbury believes it is.

### **Southern Cross Firearms**

**Mr BOURMAN** (Eastern Victoria) — My adjournment matter is for the newly minted Minister for Small Business, Innovation and Trade. Southern Cross Firearms is a small business run by Chris Moore that is trying to get off the ground. It is an indoor range out Pakenham way. It is a facility sadly lacking, but as well as a range it will have a store and a cafe and will create jobs in an area that is kind of hurting. This is an opportunity for the government to support a small business in a growing sector. Some people may not like the fact that there are a lot of shooters in this country, but there are, and there is a need for this. I call on the minister to assist Mr Moore in any way possible to get this facility off the ground.

### **Casey-Cardinia Library Corporation**

**Mrs PEULICH** (South Eastern Metropolitan) — The matter I wish to raise is for the attention of the Minister for Local Government, the Honourable Natalie Hutchins, and it is in relation to a letter that I and other members of Parliament have received from the board of the Casey-Cardinia Library Corporation. More specifically, the letter was written by Peter Carter, the chief executive officer, to register concern about the recent allocation of public libraries grants to the library corporation.

The corporation is the fourth-largest library service in the state and serves the city of Casey, which falls within my region, and the Cardinia Shire Council. They are local government authorities with a joint population of over 370 000. Both councils are high-growth areas with all of the pressures and demands that interface councils face. Casey City Council, in the area I predominantly represent, is the third fastest growing municipality in

Victoria. Cardinia's population is increasing at 3.5 per cent per annum, and Pakenham, a suburb mentioned by the previous member, is Australia's fastest growing inland town.

The member councils have shown themselves to be very positive supporters of library services for their communities, and they have made significant investments in buildings and services over the past 5 to 10 years. The community has shown that it values library services by making 1.3 million visits and 2.8 million loans per year at the library corporation branches.

The board is expressing concern over the funding allocation to the corporation from the public libraries funding program. The board considered the 2015–16 grant allocation at its meeting on 24 June and has requested that I communicate its comments and concerns. A government press release of 6 May notes:

The Labor government has also delivered a record \$40.51 million in 2015–16 to support ongoing library services for councils, regional libraries and Vision Australia through the public libraries funding program.

The record increased grant funding delivered primarily through population growth represents a 2.5 per cent increase in overall grant funding compared to the previous financial year, but the board notes its concerns and disappointment that the commensurate grant increase for the Casey-Cardinia Library Corporation is only 2.38 per cent. That might sound paltry; however, it does not reach the state average grant increase or the state government's CPI figures, leaving the corporation and, by extension, the member councils to find further funding for themselves. This represents a reduction of approximately \$18 500 on per capita allocations. I ask the minister to look at this injustice, which is clearly out of kilter with population growth and the government's public statements, and have the shortfall found and adjusted accordingly.

### Responses

**Mr HERBERT** (Minister for Training and Skills) — Ms Lovell raised a matter for the Minister for Ambulance Services regarding ambulance services in Nagambie.

Mr Melhem raised a matter for the Minister for Roads and Road Safety requesting an update on the impact of road curfews in Yarraville.

Ms Bath raised a matter for the Minister for Families and Children asking for a part-time administrative officer for the Gippsland Carers Association.

Ms Dunn made a request of the Minister for Public Transport to consider capacity for two additional lines as part of the Caulfield–Dandenong rail corridor project.

Mr Davis raised a matter for the Minister for Tourism and Major Events requesting that he consider the tourism impact of trams on businesses around Toorak and advocate to reconsider the cancelling of the no. 8 tram.

Ms Patten made a request of the Minister for Prevention of Family Violence to have Hume and Whittlesea councils added to the gazetted postcodes for men's counselling programs.

Mr Finn raised a matter for the Minister for Local Government requesting that he give a guarantee that the government is serious about Sunbury council.

**Mr Finn** — Even you couldn't keep a straight face.

**Mr HERBERT** — To be perfectly honest I was trying to work out what Mr Finn was asking.

Mr Bourman made a request of the Minister for Small Business, Innovation and Trade for assistance in any way, shape or form for the establishment of Southern Cross Firearms.

Mrs Peulich made a request of the Minister for Local Government for more public library funding for councils in her electorate, particularly in the growth areas of Cardinia and Casey. I will pass all those requests on to the relevant ministers.

I have written responses to adjournment debate matters raised by Ms Lovell on 28 May, Mr Drum on 24 June, and Ms Dunn and Ms Symes on 25 June.

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

**House adjourned 5.57 p.m.**