

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Wednesday, 14 March 2012

(Extract from book 5)

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By authority of the Victorian Government Printer

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The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

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Cabinet Secretary	Mr D. J. Hodgett, MP

Legislative Council committees

Privileges Committee — Ms Darveniza, Mr D. M. Davis, Mr P. R. Davis, Mr Hall, Ms Lovell, Ms Pennicuik and Mr Scheffer.

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

Legislative Council standing committees

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

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

Environment and Planning Legislation Committee — Mr Elsbury, #Mr Finn, #Ms Hartland, Mrs Kronberg, Mr Ondarchie, Ms Pennicuik, #Mrs Petrovich, Mrs Peulich, Mr Scheffer, #Mr Tarlamis, Mr Tee and Ms Tierney.

Environment and Planning References Committee — Mr Elsbury, #Mr Finn, #Ms Hartland, Mrs Kronberg, Mr Ondarchie, Ms Pennicuik, #Mrs Petrovich, Mrs Peulich, Mr Scheffer, Mr Tee and Ms Tierney.

Legal and Social Issues Legislation Committee — Ms Crozier, Mr Elasmr, #Mr Elsbury, Ms Hartland, Ms Mikakos, Mr O'Brien, Mr O'Donohue, Mrs Petrovich, #Mr Ramsay and Mr Viney.

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

Participating member

Joint committees

Dispute Resolution Committee — (*Council*): Mr D. Davis, Mr Hall, Mr Lenders, Ms Lovell and Ms Pennicuik. (*Assembly*): Ms Allan, Mr Clark, Ms Hennessy, Mr Holding, Mr McIntosh, Dr Napthine and Mr Walsh.

Drugs and Crime Prevention Committee — (*Council*): Mr Leane, Mr Ramsay and Mr Scheffer. (*Assembly*): Mr Battin and Mr McCurdy.

Economic Development and Infrastructure Committee — (*Council*): Mrs Peulich. (*Assembly*): Mr Burgess, Mr Foley, Mr Noonan and Mr Shaw.

Education and Training Committee — (*Council*): Mr Elasmr and Ms Tierney. (*Assembly*): Mr Crisp, Ms Miller and Mr Southwick.

Electoral Matters Committee — (*Council*): Mr Finn, Mr Somyurek and Mr Tarlamis. (*Assembly*): Ms Ryall and Mrs Victoria.

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

Family and Community Development Committee — (*Council*): Mrs Coote and Ms Crozier. (*Assembly*): Mrs Bauer, Ms Halfpenny, Mr McGuire and Mr Wakeling.

House Committee — (*Council*): The President (*ex officio*) Mr Drum, Mr Eideh, Mr Finn, Ms Hartland, and Mr P. Davis. (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Ms Campbell, Mrs Fyffe, Ms Graley, Mr Wakeling and Mr Weller.

Law Reform Committee — (*Council*): Mrs Petrovich. (*Assembly*): Mr Carbines, Ms Garrett, Mr Newton-Brown and Mr Northe.

Outer Suburban/Interface Services and Development Committee — (*Council*): Mrs Kronberg and Mr Ondarchie. (*Assembly*): Ms Graley, Ms Hutchins and Ms McLeish.

Public Accounts and Estimates Committee — (*Council*): Mr P. Davis, Mr O'Brien and Mr Pakula. (*Assembly*): Mr Angus, Ms Hennessey, Mr Morris and Mr Scott.

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

Rural and Regional Committee — (*Council*): Mr Drum. (*Assembly*): Mr Howard, Mr Katos, Mr Trezise and Mr Weller.

Scrutiny of Acts and Regulations Committee — (*Council*): Mr O'Brien and Mr O'Donohue. (*Assembly*): Mr Brooks, Ms Campbell, Mr Gidley, Mr Nardella and Mr Watt.

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Mr P. Lochert

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

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Deputy Leader of the Government:

The Hon. W. A. LOVELL

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Mr J. LENDERS

Deputy Leader of the Opposition:

Mr G. JENNINGS

Leader of The Nationals:

The Hon. P. R. HALL

Deputy Leader of The Nationals:

Mr D. DRUM

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

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Wednesday, 14 March 2012

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

The PRESIDENT — Order! I inform the house that I have been advised that the Legal and Social Issues References Committee and the Economy and Infrastructure Legislation Committee and References Committee are meeting this day following the conclusion of the sitting of the Council.

PETITIONS

Following petition presented to house:

Blackburn Primary School: funding

To the Legislative Council of Victoria:

The petition of certain citizens of the state of Victoria and of Blackburn Primary School community members and/or residents draws to the attention of the house that the Blackburn Primary School funding for its modernisation project be increased to incorporate our special factors that have been approved in principle at a recent design development cost plan briefing at Treasury Place. The initial funding was \$3 848 415 but now falls short to include our approved special factors required to successfully complete the building project.

The petitioners therefore request that the subsequent realistic cost assessment of the project (inclusive of all the special factors now approved in principle to the value of \$1 012 979) bringing the total funds required to \$4 861 394.

**By Mrs KRONBERG (Eastern Metropolitan)
(86 signatures).**

Laid on table.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Review of Auditor-General's reports January–June 2009 and follow-up of Public Accounts and Estimates Committee reports 82, 86 and 91

**Mr P. DAVIS (Eastern Victoria) presented report,
including appendix.**

Laid on table.

Ordered to be printed.

Mr P. DAVIS (Eastern Victoria) — I move:

That the Council take note of the report.

In so doing I make some remarks on this, the ninth report of the Public Accounts and Estimates Committee (PAEC) in the 57th Parliament. Under its functions and powers set out in sections 14 and 33 of the Parliamentary Committees Act 2003, the Public Accounts and Estimates Committee follows up the status of findings and recommendations made in a selection of audit reports tabled in the Parliament by the Victorian Auditor-General.

During 2011 the committee reviewed the audit reports tabled by the Auditor-General between January and June 2009 and prioritised six audits for follow-up by the committee. Two of the audits were the subject of public hearings, the findings of which have been presented to Parliament in previous reports. This report includes the committee's findings and recommendations in relation to the remaining four audit reports: *Management of School Funds, Withdrawal of Infringement Notices, Connecting Courts — The Integrated Courts Management System and Implementing Victoria Police's Code of Practice for the Investigation of Family Violence*. These are Auditor-General's reports that have been previously tabled.

Chapter 5 of this report also includes a review of the status of recommendations made by the committee in three of its previous reports, including: *Review of the Findings and Recommendations of the Auditor-General's Reports Tabled July 2006–February 2007*, the 82nd report of PAEC; *Review of the Findings and Recommendations of the Auditor-General's Reports — 2007*, the 86th report of PAEC; and *Review of the Findings and Recommendations of the Auditor-General's Reports 2007–2008*, the 91st report of PAEC. As a result of this review, the committee has sought to identify issues and recommendations that have been satisfactorily actioned by the relevant entities and has also highlighted instances where original responses provided to the committee have not been followed through or where limited action has been taken to address the committee's recommendations.

In undertaking this review the committee sought the responses of relevant agencies on the status of the committee's recommendations and any previously foreshadowed actions. The committee's review found that a significant proportion of the committee's past recommendations have been satisfactorily actioned by agencies. However, there were a couple of notable exceptions. These are the subject of further recommendations by the committee that it is hoped will be given more serious consideration by the responsible agencies in the future.

The main areas that require further attention are recommendations made in relation to: the asset management of public sector residential aged-care facilities, managed through the Department of Health — PAEC's 82nd report; the planning, implementation and monitoring of health promotion programs and initiatives, managed through the Department of Health and the Department of Education and Early Childhood Development — PAEC's 86th report; and the monitoring and review of agricultural science research investment, managed by the Department of Primary Industries — PAEC's 91st report. It is hoped that the follow-up of responses made by public sector agencies to the committee's previous recommendations signal to all agencies that the actions detailed in their responses are subject to serious scrutiny by the committee and that in the future they need to give greater attention in a more timely fashion to addressing the matters raised.

It is quite evident that the work of PAEC is assisted by the contribution and cooperation of government agencies and departments, and although PAEC's role is to bring a high level of scrutiny to the performance of government agencies it is generally a reflection that agencies largely cooperate with the work of PAEC. This assists the government in ensuring that the programs it articulates and funds are actually implemented by the departments in accordance with government policy.

I also wish to acknowledge the efforts of the secretariat and thank its members. The PAEC secretariat undertakes detailed scrutiny functions to assist the committee to draft, write and table its reports in a very comprehensive fashion with a high level of professionalism. I thank the staff of the secretariat for their endeavours.

I also again acknowledge the cooperative approach of members of the committee, and I urge members to continue to work cooperatively throughout the 57th Parliament.

Hon. M. P. PAKULA (Western Metropolitan) — I will begin where Mr Philip Davis, the chair of the committee, ended by also acknowledging that in the compilation of the report that has been tabled today the committee has worked cooperatively. Like Mr Davis, I look forward to that cooperation continuing, and I particularly look forward to his assistance in ensuring that the committee is able to properly fulfil its charter of scrutinising government vigorously during the budget estimates process, and I know that in that I could have no better ally than him.

I also want to thank members of the secretariat for the enormous amount of work they do in assisting the committee to compile reports such as these. It is right to say that there is no other committee of the Parliament, with the possible exception of the Scrutiny of Acts and Regulations Committee, that needs to do so much follow-up work and present so many reports to the Parliament. I hope the presiding officers bear that in mind when considering the relative allocation of resources to parliamentary committees.

In pulling out one small aspect of the report on page 76, I would like again to remind the house that the committee has been required to acknowledge that the government advertising review panel that was reaffirmed by the Premier during last year's budget estimates process remains uncreated. I was somewhat surprised to note in some correspondence that the Secretary of the Department of Treasury and Finance, Mr Hehir, indicated that a government advertising review panel had been established within the Department of Premier and Cabinet to review government advertising campaigns. I do not think that was what was promised or what was expected.

Mr O'BRIEN (Western Victoria) — I also wish to briefly lend my support to the comments made by Mr Philip Davis, the chair of the Public Accounts and Estimates Committee, in relation to a report of the committee of which I am a member. I join with the comments of the deputy chair of the committee and acknowledge the assistance of the secretariat. I wish to take up the last point made by the deputy chair in relation to government advertising. This issue was referred to in the debate yesterday on the Independent Broad-based Anti-corruption Commission Amendment (Investigative Functions) Bill 2011. In his report the Auditor-General acknowledged that in its last four years of administration the previous government spent \$1 billion on what was in effect self-promoting spin. This government has sought to reduce government advertising and is producing a series of important reforms that will place substance over spin and be a vast change to the integrity system in this state.

Motion agreed to.

PAPERS

Laid on table by Clerk:

Auditor-General's Reports on —

Agricultural Food Safety, March 2012.

Melbourne Markets Redevelopment, March 2012.

Confiscation Act 1997 — Report, 2010–11, from the Chief Commissioner of Police pursuant to section 139A of the Act.

Evidence (Miscellaneous Provisions) Act 1958 — Report, 2010–11, from the Chief Commissioner of Police pursuant to section 42BI of the Act.

Parliamentary Committees Act 2003 —

Government Response to the Public Accounts and Estimates Committee's Report on the 2011–12 Budget Estimates — Part Three.

Government Response to the Scrutiny of Acts and Regulations Committee's Report on the Review of the Charter of Human Rights and Responsibilities Act 2006.

NOTICES OF MOTION

Notices of motion given.

Ms TIERNEY having given notice of motion:

The PRESIDENT — Order! I might have a look at that motion because I am a little concerned about the way Ms Tierney incorporated the quotes. I understand and accept the substance of the motion but might just have a look at the wording. Has it been past the clerks?

Ms TIERNEY — Yes.

The PRESIDENT — Then it should be all right.

STANDING COMMITTEES

Membership

Mr BARBER (Northern Metropolitan) — By leave, I move:

That Ms Hartland be a participating member of the Economy and Infrastructure Legislation Committee.

For the benefit of members, this is for the purpose of allowing Ms Hartland to be substituted in my place during the inquiry into the Road Safety Amendment (Car Doors) Bill 2012, as it is going to be reviewing my proposed legislation. I think it is appropriate and practical that I not be member of that committee for the purposes of that investigation.

Motion agreed to.

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

That Mr Leane be a participating member of the Economy and Infrastructure Legislation Committee and the Economy and Infrastructure References Committee.

This was flagged with the Government Whip yesterday, and it is just to give flexibility. There are three Labor Party members on these two committees and there are references now being given to them, so it will give them flexibility over the next period of time.

Motion agreed to.

MEMBERS STATEMENTS

Shrine of Remembrance: parliamentary visit

Mr EIDEH (Western Metropolitan) — On 9 March, along with a few colleagues from both houses and all political parties, I had the pleasure of attending the Shrine of Remembrance for a visit. This visit was one that was very precious to me, as many of the visits to the shrine are. It stands as a symbol for peace while reminding us all of the brutality of war. I take great pride in what it represents and the cultural and social significance it has for Victorians and Australians.

I attended to symbolise its importance, a view I share with many others on this side of the house, and to pay my respects to the many fallen soldiers who made the ultimate sacrifice for our great country. This is why I, like many others, am so proud to call myself a friend of the Shrine of Remembrance and offer my support to ensure their legacy.

I would like to acknowledge Air Vice-Marshal Chris Spence, AO, the chairman of the board of trustees. It is through his work and that of the nine other loyal persons who make up the shrine's trustees that all Victorians can be assured that the care, maintenance, management and preservation of the Shrine of Remembrance will continue at an optimum level. I would also like to acknowledge Denis Baguley, the chief executive of the Shrine of Remembrance Foundation, who works hard on the management and corporate side of this very special landmark.

Several years ago I visited the Australian war graves in Libya and commented on how well they were cared for. It truly saddens me to now learn that many of those war graves have been desecrated — which is why paying our respects to the deceased is so important. I hope Australians will never see such condemned, cowardly acts played out again. I am very grateful to the President, the Honourable Bruce Atkinson, and the Speaker, the Honourable Ken Smith, for putting together this visit.

GippsTAFE: Auslan program

Hon. P. R. HALL (Minister for Higher Education and Skills) — Last night in the adjournment debate in the Assembly I noticed that the member for Eltham, Mr Herbert, let off a bit of steam when he commented on the issue of the decision by GippsTAFE to not continue with the diploma of Auslan instruction this year. He blamed that decision on what he described as ‘savage funding cuts to TAFEs’ inflicted by this government.

I want to remind Mr Herbert of a few facts of this matter. First of all, since July 2009 in Victoria we have had a demand-driven market system for training in this state. This is a system which I have inherited as minister but which was implemented by the then Labor government. Under a market-driven system programs are subject to market forces, and if a program has a very small number of enrolments, the market forces determine the fact that particular training providers have to make decisions about whether or not to continue with it. What the Labor government did not leave in place was provision for special assistance to run some of these very small programs; it simply ignored this possibility when it introduced a market-driven system.

In terms of what Mr Herbert said last night, he cannot blame the government for ‘savage funding cuts to TAFEs’ — there have been no such cuts; he should blame himself because a market-driven system was introduced by a Labor government.

Cultural Diversity Week

Mr TARLAMIS (South Eastern Metropolitan) — Next week Victoria will celebrate its 10th Cultural Diversity Week. Cultural Diversity Week provides an opportunity for all Victorians to celebrate our cultural, linguistic and religious diversity, with a variety of events and activities across the state. Harmony Day and the United Nations International Day for the Elimination of Racial Discrimination are also celebrated during this week, on 21 March.

The United Nations day for the elimination of racism affirms our belief in the right of all Victorians to live without fear of racial and religious discrimination, and is celebrated on the anniversary of the 1960 shooting of 69 anti-apartheid protesters. It is a reminder to continue breaking down all forms of racism and racial discrimination. Harmony Day is an opportunity to reflect on what makes Australia a multicultural country, including the acknowledgement of the traditional owners of this land.

Cultural Diversity Week is an opportunity for Victorians to come together and celebrate the benefits that multiculturalism brings to this state. Victoria leads the way when it comes to people from different faiths and cultures living side by side in harmony, thanks to a range of initiatives. Through the Labor government’s investment in enhancing community harmony it instituted a range of initiatives to support multifaith activities and promote respect and understanding of different faiths and cultures.

Victoria’s diversity is continually enriched by the presence of a significant population of people from refugee backgrounds. While the number of arrivals may vary from time to time, Victoria continues to welcome people from a refugee background who have sought refuge as a result of conflict and social upheaval.

I am proud to represent the South Eastern Metropolitan Region, which boasts a diverse multicultural community, and I encourage all Victorians to participate in the week’s events and continue to work together to encourage participation, inclusiveness and respect for all community members.

Country Women’s Association: Castlemaine branch

Mrs PETROVICH (Northern Victoria) — The member for Bendigo West in the other place, Maree Edwards, has been distributing misleading information in the Bendigo West electorate, particularly in relation to the Country Women’s Association issue. A publication was distributed by Ms Edwards. I wish to register from the outset that I am not criticising the CWA in any way and have the utmost respect for this organisation and these hardworking women. I am concerned, however, that the facts be put on the record.

Ms Edwards said she was staggered to hear the group had suddenly been slugged for rent by the council. If Ms Edwards had inquired with the council, she would have found that there was no ‘suddenly’ about it. A number of meetings were held with the CWA branch in 2011 and again in 2012 about the discounted community rate of \$2000 or more applying for its use of the facility based on the increased hours it proposed to use the facility. The council had discontinued the previous fee waiver, and the charge by the council was to ensure equity with other community groups.

Ms Edwards claimed to have a letter from the CEO of the Shire of Mount Alexander which says no rent would be charged in the future. The shire has advised me that it has no knowledge of this letter. She said that the shire needs to explain why the CWA has now been

slugged with this enormous bill when it had never before been charged for the use of the Ray Bradfield rooms. The CWA has previously been charged for the use of the rooms. Ms Edwards issued a press release saying she had requested a meeting with the shire president and the chief executive officer and would argue for a total withdrawal of the CWA's hire fee. She then admitted that she did not approach the shire before issuing the release because, in her own words, the CWA had had repeated meetings with the shire to no avail. Ms Edwards claimed success for the result, but it is important to note that the basic fee is for agreed standard hours only. Using the CWA as a cheap political football is tasteless and undermines its standing in the community; however, it serves Ms Edwards to use the CWA to enhance her own profile.

Wind farms: job losses

Mr TEE (Eastern Metropolitan) — Tomorrow the government's wind farm provisions start to bite. Many wind farms with permits are required to commence development. Some conservative estimates are that this deadline will itself be responsible for the loss of more than 600 jobs in regional Victoria.

People often ask me why we have this madness, why the government is hell-bent on closing down a green industry, an industry of the future and an industry that is about regional jobs and regional families and indeed regional communities.

It is clear that the rationale for this irrationality has never been spelt out. I was pleased to see that that has all changed. Finally the reason for this madness has been revealed. The Minister for Public Transport, Mr Mulder, in a candid interview with the *Colac Herald* on 7 March, said that wind farms are damaging our roads. In effect he said, 'We have to get rid of this environmentally friendly, job-creating source of clean power because these monsters — like Martians from outer space — are eating up our roads'. On the upside, the Baillieu government finally has a plan to fix the roads — by getting rid of wind farms. As we know the Premier has in no uncertain terms given the Baillieu family royal salute to wind farms, so, according to Mr Mulder's rationale, Victoria will soon have the best roads in the country.

William Dunn

Mr ONDARCHIE (Northern Metropolitan) — It is with sadness that I advise the house of the passing of William George Dunn, otherwise known as Bill Dunn.

Bill passed away on 7 March this year at 66 years of age.

Bill was a really strong advocate for his community in St Andrews and in fact came from generations of Dunn families who lived in Youngs Road. He was a great bloke. He was a strong advocate for his local community. He ran a water-tank-making business and quite often gave young people in the district an apprenticeship; even though he did not need them, he gave them a job.

He became pretty much the bushfire patron after the tragic bushfires. He was known up and down the mountain around St Andrews, Kinglake and Kinglake West for his advocacy for and standing up, with his heart of gold, for the people who needed his support. He had strong opinions. He was inquisitive. He was often seen in his yellow polo shirt smoking a cigarette and interviewing people to find out exactly what value they could add to his local community. Indeed, if you have ever been interviewed by Bill Dunn, you would know that it makes media interviews seem so much easier.

For me he was a bit of a mentor. He gave me some advice, he gave me some concerns and he gave me some direction about the sorts of things I should be thinking about. Even in his last days I found him standing up for other people in the community, ahead of himself.

Our love, prayers and thoughts go to Beryl and the family, because we are going to miss Bill Dunn up the mountain. I farewell him. My heart and the thoughts of the community and my family go to Beryl and his family.

Japan: tsunami anniversary

Ms PENNICUIK (Southern Metropolitan) — On 11 March I attended the commemoration ceremony hosted by Japanese for Peace to remember the 19 000 people who were killed or are missing as a result of the earthquakes, tsunami and meltdown of the Fukushima Daiichi nuclear facility. One hundred and fifty thousand people are still suffering as a result of displacement, the loss of family and home, and the closure of businesses, agriculture and fisheries. The Fukushima disaster has resulted in profound misery, physical and mental issues, suicides, financial ruin and the stigmatisation of evacuees.

Hundreds of commemorative ceremonies were held around the world. At the ceremony in Perth Greens Senator Scott Ludlam released the fourth edition of *Let*

the Facts Speak — An Indictment of the Nuclear Industry, which was started by ALP Senator Ruth Coleman in 1983. The first edition was published by Jo Vallentine in 1991, it was re-released by Greens Senator Rachel Siewert in 2006 and, as I said, the fourth edition was recently released by Senator Scott Ludlam. This document is a litany of frightening accidents and near misses, failure to learn from past accidents, theft of nuclear material, attacks on nuclear facilities, cover-ups and falsification of data, government ineptitude and capture by the industry, cost cutting and safety breaches. That is why nuclear power should never be pursued.

International Women's Day

Mrs COOTE (Southern Metropolitan) — Last week was international women's week. We had International Women's Day, but it is such a great celebration of women that it went on for the entire week. The Minister for Women's Affairs, Mary Wooldridge, inducted an additional 20 women onto the Victorian Honour Roll of Women. As she said:

Our 2012 inductees have demonstrated exceptional leadership across a breadth of fields, including health, science, politics, community services, advocacy and social justice.

I was privileged to chair this committee, and I agree with the sentiments expressed by the minister. It was an extremely large field; we had the largest ever number of nominees this year, and I commend everyone in this chamber who nominated people from their electorates, because there was a very broad range of women, all very successful in all sorts of fields.

The inductees were Lyn Allison, Elizabeth Austin, Susan Barton, Hope Black, Walda Blow, Wesa Wai-Sum Chau, Elizabeth Crowther, Sylvia Gelman, Jean Hailes, Amara Hamid, Shirley Harlock, Yvonne Jennings, Wendy Rose, Jane Rowe, Delys Sargeant, Fiona Smith, Helena Teede, Gaye Tripodi, Judith Troeth and Carolyn Worth. I congratulate each and every one of them. Many of them were from the Southern Metropolitan Region, and I particularly congratulate Jean Hailes, Lyn Allison, Jane Rowe, Wesa Wai-Sum Chau and Sylvia Gelman. It was a great celebration of women. It is very important. There are a number of young women amongst the inductees and women from the past. It was an excellent day.

Jim Melbourne

Ms TIERNEY (Western Victoria) — I take this opportunity to congratulate our most recent Stawell Citizen of the Year, Jim Melbourne, who was awarded this great honour on Australia Day this year. Jim

Melbourne is a long-time resident of Stawell with a particular passion for history. Under Jim's guidance the Stawell Historical Society is now considered to be the best managed historical society in the state, gaining re-accreditation to the Museum Victoria register.

For 12 years Jim has worked at the historical society, where at present he devotes around 25 hours per week to the group, assisting visitors as well as dealing with correspondence and general inquiries. Jim's love for history and the township of Stawell also prompted him to publish his first book, titled *Farms and Fairways*, which commemorates 100 years of the Stawell Golf Club. After his first book was published in 1988, Jim wrote five more books on the histories of other Stawell organisations and has just finished his latest, which is the history of the Stawell Football Club to be launched at Easter this year. Again I congratulate Jim on the honour of being named Stawell Citizen of the Year, a title which is absolutely befitting a man who works tirelessly for his community with such passion and enthusiasm.

It would be remiss of me not to mention Wendy Melbourne, Jim's wife, who also does an enormous amount of work for the historical society. They are an amazing team who work tirelessly for the local community. I also take this opportunity to thank all the volunteers at the Stawell Historical Society for their hard work, in particular Mrs Joyce Dowsett and Mrs Marie van Leeuwen.

Australian Year of the Farmer

Ms TIERNEY — In the time remaining I would like to urge people to get involved in the Australian Year of the Farmer.

Abigroup: diversity forum

Ms CROZIER (Southern Metropolitan) — Last Thursday I had the honour of representing the Minister for Women's Affairs, Mary Wooldridge, with an address to the Abigroup diversity forum. Abigroup works within the construction and engineering sector — historically a male-dominated industry. Abigroup has taken a leadership role in recognising the importance of encouraging greater diversity in its workforce and addressing issues such as gender inequity and industrial segregation. The work that Abigroup is undertaking in this area was particularly relevant last Thursday, which was International Women's Day. I know that many people in this chamber attended many different functions and events in celebration of International Women's Day, as was highlighted by Mrs Coote.

In Australia women make up just over half the population and around 45 per cent of the labour force. However, there still remain many barriers for women to take on leadership and senior executive roles. In saying that, I do not believe that increasing participation at that level should be done by quotas. I am a firm believer that women should attain those roles by merit and capacity. There are many examples of women in Australia who have taken on corporate responsibilities and at times combined that with family responsibilities. Those women should be commended for the choices they have made and for their contribution to Australian businesses and organisations — no matter the size or industry sector.

To ensure that there are enough women to take on leadership and executive roles, businesses of all sizes in all sectors should hire more women, ensure workplace processes support their retention and development, and promote and mentor women in their careers. Abigroup is an example of an organisation undertaking this progressive stance and should be commended for its leadership in doing so.

Western Victoria Region: flood mitigation

Ms PULFORD (Western Victoria) — There are many people in northern Victoria, and indeed in New South Wales and Queensland, who are facing significant challenges due to flooding. I would like to take this opportunity to call on the Baillieu-Ryan government to fund flood mitigation works in my electorate of Western Victoria Region. Two projects in particular require an upgrade of railway line culverts to triple their size. One of these is a \$3 million project, which the Pyrenees Shire Council is able to support to the tune of \$800 000. Funds may be forthcoming from the Regional Growth Fund, but this is contingent on \$1.1 million funding from the Department of Transport's transport solutions program. This funding is urgently required, and the government must take action now to deliver the funding. In a 1-in-100-year flood, 214 properties would be affected.

The second project is in Creswick, which is in the Hepburn shire. The Hepburn Shire Council, together with the North Central Catchment Management Authority, the Department of Sustainability and Environment and consultants Water Technology, has recently completed a Creswick flood mitigation and urban drainage plan report. This report is a significant body of work and details almost \$1.5 million worth of projects to provide greater protection from flooding for the people of Creswick. I believe this report is now with the government, and I hope that the Baillieu-Ryan government will soon respond with the funding that is

required to mitigate the threat to Creswick in the event of any future flood events.

Rail: Cardinia Road and Lynbrook stations

Mr O'DONOHUE (Eastern Victoria) — I welcome the announcement by the Minister for Public Transport, Mr Mulder, about the new timetable operating from 22 April and also the news that the Lynbrook and Cardinia Road railway stations will be operating on the network for the first time. The community has long agitated for the construction and opening of the Cardinia Road station. I congratulate Mr Jack Mitchell, the former president of the Lakeside Community Development Forum, and Ms Kathy Burgstahler, the current president of the Lakeside Community Development Forum, on their advocacy of this most important project.

Until public pressure was brought to bear on the previous government, its timetable for the construction of the Cardinia Road railway station was 2016 — which is too far away. The community in Cardinia is growing at a rapid rate. I congratulate Minister Mulder on tackling the problems left behind by Mr Pakula, the former Minister for Public Transport, principally the failure to provide enough power for trains to stop and take off again at Cardinia Road — a gross oversight by Mr Pakula. Minister Mulder has rectified this issue to enable the station to operate by 22 April. It will be a fantastic piece of community infrastructure, and I congratulate the government on this change.

I am also pleased to see that the new timetable change will deliver yet more services on the metropolitan network, resulting in a 7.3 per cent increase in the number of services compared with the number that operated under the previous government. It is a great initiative for a great station.

Western suburbs: federal government policies

Mr FINN (Western Metropolitan) — As one week fades into another, it is hard to believe just how many new and varied ways in which the Gillard-Brown federal government finds to whack Melbourne's west. We all remember the \$2.5 billion that federal Labor ripped out of regional rail, endangering a project absolutely vital to the west of Melbourne. Thank the Lord that Victoria now has a state government that actually cares about the western suburbs and would not allow the federal government's assassination attempt on regional rail to succeed.

Then, of course, the prime ministerial duo gave Australia the tax we were told we would never have —

and a tax we most certainly do not want. Labor's carbon tax has already started to rip the heart out of Melbourne's west. Months before the wretched thing physically hits us — and it will hit us hard — companies are preparing for the impact by shedding jobs and cutting back projects. The carbon tax is not just an attack on the economic health of Melbourne's west, it is an all-out frontal assault on the social wellbeing of working families. Unemployment, bankruptcy, homelessness, marriage breakdown, poverty and human misery will all be the legacy of the tax the Prime Minister solemnly promised she would never introduce.

Just when we thought our less than beloved federal government could kick us no harder, word came through that it had delivered contracts overseas, threatening hundreds of shipbuilding jobs in Williamstown. Minister Dalla-Riva blew the whistle on it over the weekend, leaving the entire suburb of Williamstown in shock. If that is what Labor does to its friends, what does it do to its enemies? Blow after blow has been landed on the good people of the western suburbs by a party that has the arrogance to call Melbourne's west its own. Labor is a sell-out.

PRODUCTION OF DOCUMENTS

Mr TEE (Eastern Metropolitan) — I move:

That this house requires the Minister for Planning to table in the Legislative Council by 12 noon on Tuesday, 27 March 2012, a copy of the Ports and Environs Advisory Committee report that, according to the Department of Planning and Community Development website, was submitted on 1 November 2010.

It is curious that there is a lack of clarity around much to do with this report, including how long the government has had it. The minister has previously indicated that he had it in May last year. In a letter dated April last year he said he had it. The Department of Planning and Community Development website now says the report was submitted on 1 November 2010, although it has also said 29 October 2010, so it is very difficult to understand exactly how long the government has had this report.

The point is that the report has been with the government for at least as long as it has been in government. This motion asks that this very important report be made public. That is because it deals with a very important issue, which is achieving a balance between residential and commercial development and the protection of Melbourne's ports, particularly the port of Melbourne.

The port of Melbourne takes up a large pocket of land, and not just around Webb Dock. There are also a number of piers where there are tugboat facilities, such as at Point Gellibrand. There is a significant amount of vacant land near Webb Dock which has been scheduled for a major expansion. The number of containers expected to go through the port is expected to expand fourfold. We have a port which takes up a large area, but it is to be significantly expanded, and decisions are being made right now — in fact today — about the future of the port and its expansion.

As we have seen at Docklands, the area around the port is ripe for inner urban residential development, and the question is: how do we get the balance right between those two competing interests — the interests of the port and the interests of residents? Certainly the port is very concerned to make sure there are appropriate buffers between it and residents. There need to be appropriate buffers because of the nature of the work that is involved. There are trucks, there are lights, there is noise and dust and there are a number of visual impacts around the activities that occur at the port.

It is worth reminding the house that the port of Melbourne is the largest container port in Australia. It services not just Melbourne and Victoria but also south-eastern Australia. The efficiency and throughput of the port is a major advantage for Victorian exports. It is particularly critical to rural and regional Victoria and to the exports that come out of rural and regional Victoria, and it is particularly critical that the long-term viability of the port is maintained because ultimately it comes back to jobs. The port is an industry in itself. Not only does it facilitate other industries but it is a significant employer. We have seen what can go wrong when there is encroachment. We have seen what happens in Sydney, where you have an airport that does not operate 24 hours a day but where there is significant residential encroachment and continual pressures on that airport in terms of curfews. Melbourne Airport, is the only 24-hour airport in Australia. We want to make sure that we get the same degree of protection for Melbourne's port as for Melbourne's airport.

It is a critical time. There is increased pressure from the port to expand, and it is important that the future of the port be protected, but equally there is increasing pressure coming the other way from residential development. In particular, if you look at the government's interest in Fishermans Bend, there is clearly a conflict between development at Fishermans Bend and the long-term viability of the port. There is a concern that the report we are seeking today looked at the long-term viability of Fishermans Bend and found that development on that site will seriously compromise

the long-term viability of the port. We need to get this report out now because as we speak decisions are being made by councils, developers and communities, whether in relation to Fishermans Bend or indeed the woollen mills, about where development will occur, and every day is an opportunity lost. Every day we might be making decisions in relation to development that will compromise the long-term viability of the port. What we are doing is providing a legacy for communities that will be forever trapped with the noise, the pollution and the spillover effects that stem from living near a port that will be expanded.

We are very concerned to get this report out. It talks about the appropriate buffers that are required, it talks about where development can and cannot occur and it talks about where there should be appropriate zoning levels so we have both long-term protection for the port but also development that occurs in places and circumstances where it will not be impacted upon by the future expansion of the port. The government has sat on this report now for as long as it has been elected. There is no reason whatsoever why the report should not be out. There is no reason why local councils, communities and developers should not have access to this report when they think about where there might be development that is appropriate.

In continually sitting on this report the minister is really threatening the long-term viability of the port. In the absence of this report, development decisions are being made that may cripple the future expansion of this port and community infrastructure is being built in circumstances where the people in these communities will be plagued by having an expanded port in their backyards.

We think it is incredibly important that we have an informed debate around development and the report and that it be released so that it shines a light on where it is appropriate to develop. We ask that the report be made available to the public, councils and developers as a matter of urgency. There is no reason for this report to have been sitting on the minister's desk for as long as he has been minister.

Mr O'DONOHUE (Eastern Victoria) — The government will not oppose the motion moved by Mr Tee; however, I will pick up a line by him. He said, 'every day is an opportunity lost'. I put it to you, President, that that is an accurate description of the 11 years of the previous government. What we have here today is in effect a request by Mr Tee for the government to finish a job the previous government started and could not complete. It was put in the too-hard basket by Mr Tee and his colleagues, and now

all of a sudden he is asking this government, 'Why haven't you released the report? Why haven't you responded to it?'.

It is interesting that Mr Tee's observations demonstrate a lack of understanding of the complexities associated with this issue. Mr Tee's contribution focused on but one of the ports that are the subject of the advisory committee's report. Members on this side understand there is more to Victoria than the city of Melbourne, important as it is; country Victoria is also important to the state. Mr Tee failed to mention once any port other than the port of Melbourne.

Mr O'Brien interjected.

Mr O'DONOHUE — As my colleague Mr O'Brien interjected, the port of Portland is important. There are a number of land use issues associated with the port of Portland, and I will go to one of them. I was pleased several weeks ago to join Mr Drum and Mr Crisp, the member for Mildura in the other place, to reopen a railway line the previous government closed — the Dimboola to Rainbow line. The reopening was the result of a great partnership between the Victorian government and GrainCorp. The line will take 100 000 tonnes of grain off the roads every year. This is a railway line the previous government closed. Let us be very clear about this: the previous government closed railway lines; the new government is opening railway lines. This government has upgraded and reopened over 60 kilometres of track.

Members may be wondering what relevance this has to the motion. Rather than travelling by road, the grain will go by rail to the port of Portland. All these issues impact on land use, infrastructure and the provision of security for the future of these important ports. Again I remind Mr Tee that there is more than one port. There is more than the port of Melbourne; there is the port of Portland, which I just talked about —

Mr O'Brien — Geelong.

Mr O'DONOHUE — To pick up on an interjection from Mr O'Brien again, there is also the port of Geelong. Ms Tierney waxed lyrical yesterday, asking what the government is doing about the car trade from Geelong and whether it will be from Geelong or not. That is a complex issue at one port. This is another issue that presumably this committee and no doubt the minister, in consultation with the Minister for Ports, have had to grapple with.

That is but one issue at the port of Geelong. There are more ports than the port of Melbourne. The port of Hastings is in my electorate. Unlike the previous

government, which did nothing at the port of Hastings, this government has legislated to create a separate port authority. It has appointed a new board and given that board a clear direction that the government wants the port of Hastings to develop. That again raises a whole range of complex issues with regard to infrastructure provision. There are environmental issues, which Ms Pennicuik has raised in this house on numerous occasions, and a whole range of other land use issues.

In his contribution Mr Tee clearly demonstrated that he does not understand the complexities around the port network in Victoria. He does not understand that Victoria extends beyond the boundaries of metropolitan Melbourne, and he does not understand many of the issues that the minister and the advisory committee will be grappling with in responding to this committee's report. This is yet another example of a half-baked job by the previous government — another job that it did not finish. Now all of a sudden it is moaning and complaining, saying, 'What are you doing about it?'

The government does not oppose this motion moved by Mr Tee in the interests of being open and transparent. The government will consider the motion against the usual caveats that have been clearly articulated in this house on many occasions. The government will respond to Mr Tee's motion, which reads:

That this house requires the Minister for Planning to table in the Legislative Council by 12 noon on Tuesday, 27 March 2012, a copy of the Ports and Environs Advisory Committee report ...

That it is only a fortnight away.

With those comments, the government does not oppose the motion moved by Mr Tee. However, I again put on record that Mr Tee has in his contribution clearly demonstrated a lack of understanding of the port network of Victoria and the many complex issues associated with it. I think Mr Tee should perhaps get out of metropolitan Melbourne a bit more and into country Victoria to have a look at some of the country ports that are critical to the economic lifeblood of these country communities. I hope Mr Tee endorses the government's work in getting freight off the roads and onto rail and using these ports more efficiently.

Ms PENNICUIK (Southern Metropolitan) — The Greens will support Mr Tee's motion in the interests of accountability and transparency, which Mr O'Donohue, a government speaker, just mentioned. It is worth noting that the report was submitted to the government some 16 months ago. If the government was really interested in accountability and transparency, it would have released it a long time before now.

I agree with Mr Tee that decisions are being made but the community does not have the benefit of this document to inform it as to what the advisory committee's ideas are and indeed what the government's ideas are. This is not something that, as Mr O'Donohue said, ministers have to grapple with; the whole community has to grapple with it.

Mr Tee — Councils.

Ms PENNICUIK — Indeed; I was just about to get to that. As Mr Tee just said, the local councils surrounding all the ports in Victoria must also grapple with it. In relation to the port of Melbourne, which we know is the biggest port, the previous and current governments have both taken the view that it has to remain the biggest port at all costs. Both governments have trotted out figures concocted by the Port of Melbourne Corporation that indicate that trade through the port of Melbourne will quadruple by 2030. These figures are ones on which I have cast doubt over many years. They are not backed up by any evidence whatsoever except the Port of Melbourne Corporation's estimations, which I think just come from having a look at a graph and extrapolating it out — they do not relate to any reality. It is difficult to see how that is going to happen unless the population of Melbourne quadruples and that becomes a believable figure. Of course that cascades down to everything else in terms of what infrastructure is required in the port and its environs.

In particular there is the issue of how freight is moved to and from destinations and the port. There is the issue of freight on roads and the lack of freight on rail. Mr O'Donohue mentioned a small improvement in an area of the Western District with regard to the opening of a new rail line — or the reopening of an old rail line. It was a bit rich of Mr O'Donohue to talk about opening rail lines, particularly when they were closed by the Kennett government, which closed more railway lines than you could poke a stick at; that government certainly holds the record in that department. However, both former governments are at fault in that regard.

In the last 20 years the amount of freight on rail has remained static. In Victoria about 70 per cent of freight is moved by road and about 13 per cent by rail, and that has not altered very much in the last 20 years. That is an indictment, because road freight has a greater impact upon the port of Melbourne environs and upon the people who live around the port. We need to see a plan. There is a truck action plan, but it is not being implemented.

It is worth noting that port-related truck movements represent less than 5 per cent of total vehicle journeys

across the whole of the greater Melbourne road network; however, close to the port the following statistics emerge. Some 24 per cent of all vehicle movements entering and exiting CityLink at Footscray Road are port-related truck movements; 25 per cent of vehicle movements on Footscray Road are port-related truck movements; 18 per cent of all vehicle movements at the intersection of Francis and Whitehall streets are port-related truck movements; and 5 per cent of all vehicle movements entering and exiting the West Gate Freeway from Williamstown Road are port-related truck movements. The people of the western suburbs have endured this for decades with no improvement — in fact there has been a slight increase in the amount of road traffic and no increase in the amount of freight being moved by rail.

It is also interesting to note vehicle types. I thank Adam Delacorn in the parliamentary library for finding this information for me. I am also trying to find out changes in vehicle type over time. Rigid vehicles make up less than 1 per cent of port-related truck traffic; semitrailers, 49 per cent; B-doubles, 37 per cent; and super B-doubles, 13 per cent. The amount of port-related truck movements has a huge impact on people who live around the port of Melbourne. Not only is the growth in the number of movements of these huge trucks a major concern to me and to people who live around there but also of concern is the amount of damage those larger vehicles cause in terms of road accidents and damage to roads, which is paid for by taxpayers. This is a growing problem not only around the port of Melbourne and other ports in Victoria but around Australia. These large vehicles cause damage in terms of traffic accidents and wear and tear on the roads, and that is why in this country we need to get more freight onto rail.

It is interesting to compare statistics for the amount of freight on rail in Victoria with those of other states. Victoria has the lowest percentage of freight moved by rail and the highest percentage of freight moved by road, which is not a prize we should have. Victoria is the smallest mainland state, so there is no reason we cannot move more of our freight by rail than is the case in the other larger states.

Mr O'Donohue mentioned the desire of the government, and indeed of the previous government, to develop Hastings as a port. Hastings was incorporated into the port of Melbourne, but now it is out again on its own. Of course at the moment the port of Hastings only amounts to a couple of long piers. It is not really what one would call a port similar to the ports of Geelong, Portland or indeed the port of Melbourne. Certainly the Greens' position is that it is not appropriate to develop the port of Hastings into a large port. The government

has suggested it will be one-third the size of the port of Melbourne, which is not appropriate in the environs of Hastings.

As I have mentioned, the whole of Western Port is a Ramsar-listed wetland and the whole area is a UNESCO-classified biosphere, and they are the values that need to be protected at Hastings. No need has been demonstrated for the port of Hastings to become a container port or to be developed in any way other than what is already there, which has already caused quite a lot of damage to the wetlands and mangrove areas in Western Port. Those assets are more valuable to the state of Victoria in terms of fishing hatcheries, tourism and the environmental and ecological integrity of that whole area than an expansion of the port of Hastings to move yet more containers. I remind members that 40 per cent of containers exported from Melbourne are empty.

With those words, let me say that the Greens will support the motion, and we encourage the government to release this report, as it already should have done, and not just consider releasing it.

Ms CROZIER (Southern Metropolitan) — I am pleased to rise and contribute to the debate on Mr Tee's motion. As we said, government members welcome a debate on any issue in relation to planning because it gives us an opportunity to remind members of the chamber, and indeed anyone else who is interested in planning issues, of what has gone on in Victoria. There has been a complete contrast between the current government and the current minister and the previous government and the former minister. The former planning processes were completely shambolic in many respects, and there is a legacy that many people have not forgotten about. In contrast, Mr Guy's understanding of planning and the way he undertakes his role as Minister for Planning are based on consultation. Despite what Mr Tee says, Mr Guy has provided clarity and he is giving certainty to businesses, communities and councils.

I want to take up a few points from Mr Tee's contribution in relation to the issues surrounding the port of Melbourne. Parts of the port of Melbourne are within my electorate of Southern Metropolitan Region, and as Mr Tee rightly said, it is the largest container port in Australia. It services large parts of the southern area of Australia and brings major economic benefits to the state of Victoria. The port of Melbourne is critical to our export and import industry in that it handles within the vicinity of 37 per cent of the national container trade. More than 40 shipping lines come into the port of Melbourne each year, there are more than 3000 ship

calls a year and the port provides services to shipping from all the major ports of the world.

Interestingly the port provides benefits not only from an export and trade perspective; it also has a huge tourism benefit. Only last week we saw the *Queen Mary 2* dock at the port of Melbourne, and the tourists who came off the ship generated huge economic benefits for the Melbourne CBD and surrounding areas. I did not get the opportunity to see the *Queen Mary 2*, but I believe it was absolutely spectacular and the roads were clogged with onlookers who wanted to see this extraordinary ship.

As Mr Tee and Ms Pennicuik said, the roads are congested around the port of Melbourne, and there is no doubt that we have to move trade. We have to enable trade to continue because of its economic benefits to this state. With the challenges we face at an international level through the high-rising dollar, various aspects of which are affecting our global economies, and the challenges we face from a national perspective, businesses need all the support and certainty they can get. Added to that I think the federal government's looming carbon tax is going to increase the uncertainty for many businesses, so anything we can do to support trade and business growth will be absolutely imperative.

In his contribution to the debate Mr Tee spoke about decisions on the port being made today in relation to appropriate buffers. With that in mind I remind Mr Tee that the planning minister takes that issue seriously and has looked at appropriate buffers for wind farms, as he well knows. We have had that debate, and he has come in here and berated the minister time and again for his planning decisions around wind farms.

Mr Barber interjected.

Ms CROZIER — I take up Mr Barber's interjection in relation to consulting with communities and putting in appropriate 2-kilometre zones — —

Mr Tee — What about the Woodend community? They — —

Ms CROZIER — In relation to that issue, Minister Guy went to the Victorian community and gave his plan for that. They voted on that, and that was the mandate. Mr Tee knows that. The minister has consulted; he continues to consult. He continues to support communities and councils and gives many of those local decisions back to the councils, as was indicated in the coalition's policy in the lead-up to the last election.

Mr Tee — They got no choice there.

Ms CROZIER — Mr Tee, the previous Minister for Planning, Mr Madden, ran a shambolic process in relation to many planning issues right across this state. I do not think you can absolutely — —

Honourable members interjecting.

Ms CROZIER — There was no process — —

Honourable members interjecting.

The ACTING PRESIDENT (Mr Tarlamis) — Order!

Ms CROZIER — I will return to what I was saying. The minister has given clear certainty to the planning processes for many communities. He has undertaken a whole range of initiatives, including establishing an urban renewal authority that will identify any urban areas that may be suitable for large-scale urban renewal. This goes to the heart of this debate in relation to the port of Melbourne and the land issues that Mr Tee raised. This is about appropriate planning decisions that the minister said he would undertake and is continuing to undertake.

Ms Pennicuik interjected.

Ms CROZIER — Ms Pennicuik, you just said 'Ha!'. Can I come to your contribution?

Ms Pennicuik — Please do.

Ms CROZIER — In your contribution you said you wanted to get freight onto rail and take trucks off roads; you said it was damaging the roads and causing accidents. I do not know how we are going to get freight moved around the state and around the world. Ms Pennicuik's remarks were extraordinary. She was supporting the port of Melbourne but then saying she would not support the port of Hastings because of environmental issues. You cannot have it both ways. You cannot have appropriate levels of export and trade going out of the state and goods coming into the state without the appropriate infrastructure, and part of the development of the port of Hastings is to support export trade.

Ms Pennicuik — I have been misunderstood.

Ms CROZIER — That is what you said: you said the trucks are causing damage, and I could not agree with you more. There are large trucks that cause massive damage to roads, and we see that right across the western parts of Victoria in relation to the

associated wind farms and the maintenance trucks that — —

Ms Pennicuik — Wind farms!

Ms CROZIER — I am going back to that because I am talking about damage to roads.

Mr Tee — How is the Woodend community going? They want a wind farm.

Ms CROZIER — The port of Melbourne is a very effective port, as Mr O'Donohue said in his contribution to the debate. There are a number of ports in this state that contribute to the overall economy, and it is important to continue to highlight that our whole economic benefit does not just rely on one part of the state. There is the port of Hastings, there is the port of Melbourne and there is the port of Portland, and they all contribute enormously to the local and economic impacts on the state and more widely. We should be doing what we can to support those local communities, especially those ports.

In relation to Mr Tee's motion requesting that a copy of the Ports and Environs Advisory Committee report be tabled by Tuesday, 27 March, as Mr O'Donohue has said, the government will not be opposing the motion. It will be responding and reviewing the report, as is the normal process. In conclusion I commend the Minister for Planning for the work he is undertaking in this area and again say what a contrast he is to the previous planning minister.

Mr TEE (Eastern Metropolitan) — Very briefly I just want to take up a couple of points made by Mr O'Donohue, whose contribution really seemed to consist of listing the number of ports in Melbourne and then with a straight face suggesting that this government takes them seriously because they are important to it. I note that Mr O'Donohue is not in the chamber, but if this government takes ports seriously, whether it is the port of Melbourne or any other port in Victoria, then why is it keeping them in the dark? If this government believes our ports are important, then what is it hiding from them? Why the secrecy? Why has this minister sat on this report for 16 months? He will not give it to the ports whose very survival might depend upon what is in the report. I welcome back Mr O'Donohue, and I say to him that his government would have no credibility if on the one hand it said, 'Ports are important', but on the other hand said, 'We won't give them this vital bit of information that is so critical to their ongoing viability'.

Mr O'Donohue and Ms Crozier have suggested that somehow the two weeks that the motion provides for

the release of the document might be a bit narrow. I remind those opposite that this report is sitting on the minister's desk. He does not have to go looking for it. He does not have to search for it. It is sitting on his desk. All he has to do is pick it up and put it in the mail. It is not going to take two weeks to find the report or find the material relating to the report. It is on his desk. It is not that hard.

Mr Leane interjected.

Mr TEE — That is right. Those opposite also spoke about the complex nature of these issues. I do have some sympathy with them in their assertion that these are complex issues. They are important issues. They are issues that the community, the councils and the ports need to grapple with. You cannot grapple with these issues if you do not have access to the information. Decision-makers like councils cannot grapple with these issues unless they are given the report. I concur that these are difficult issues to grapple with, but there is no point stating that unless you give people the information and the basis on which they can grapple with these issues.

In order for the development community, the councils and the ports to grapple with these complex issues, the minister has to put the report out, otherwise all the information will be sitting on the minister's desk and no-one else will have access to it, even though those authorities, councils and ports are currently making decisions that may be inconsistent with what is in the report. That is why it is critical that the report be released.

Motion agreed to.

Mr BARBER (Northern Metropolitan) — I move:

That this house requires the Leader of the Government to table in the Legislative Council by 12 noon on Tuesday, 17 April 2012, a copy of all authority to control wildlife permits issued by the Department of Sustainability and Environment in 2011.

This motion seeks to have the government table in the Parliament the permits issued under the authority to control wildlife provisions of the state legislation that are meant to protect wildlife but which in this case and in many cases license their destruction.

We are dealing with over 2000 permits issued last year by this government. Over a four-year span as many as 350 000 of our fellow creatures — native protected wildlife — have, under licence, been shot, poisoned or in some other way disturbed, but no-one can know how, when or why. I know that members of the government are going to be very charged up to come in

here and debate this matter, but they will be debating it from a perspective of ignorance. They are in the dark, I am in the dark and the Victorian public is in the dark as to how exactly this area of regulation works. Obviously permits for culling wildlife, particularly in these large numbers, are going to attract public interest. The last time we received information relating to this matter simply in raw statistical form was in 2008.

The permits are issued under open-ended discretion by locally based public servants with no rights or requirements for public consultation and no notification for public input. That is the second reason why this is always going to be a matter of interest. The third reason is that from the limited amount of information I have been able to obtain there is very little justification for the issue of many of these permits.

In order to get this far I have already had to struggle with the Department of Sustainability and Environment through the FOI process. I understand and believe that the basic information on each permit is stored in a database. We put it to the department that the easiest way to satisfy our initial request would be to produce the output of that database — that is, addresses, numbers of animals and so forth. However, the department said that it was too hard and that it was impossible, and after many months it has released some scant information simply detailing the numbers of permits by species and by local area. Where more than one permit for one species is issued in one area, we only know the total number of animals authorised to be controlled across all permits, so we have no sense of whether these are large permits or small permits. There are no publicly available policy manuals and so forth provided as to how officers decide who gets a permit and who does not. It is only through the FOI process that we could access even this most basic information.

Subsequent to months of being mucked around by the department and being given information that in many ways raised more questions than answers, I then sought to obtain copies of the permits themselves. I would expect that with each permit there is also a file associated with the permit application, any paperwork that has been done and, you would hope, some sort of follow-up auditing or feedback on each permit. All I asked for was copies of the permits themselves so that we could understand the following: are the permits issued in order for wildlife to be destroyed, and if so, by what method and at what location? Is this happening on properties adjacent to national parks? Is this happening on properties adjacent to important natural habitats involving non-target species or species that could in some way be mistaken for the species authorised to be

killed? We have virtually no way of assessing the overall impact of this authorisation process.

By the way, from the information that the Department of Sustainability and Environment gave us, we do not know whether in fact the permit-holders fully utilised their permits. If they were given a permit for controlling two dozen galahs, did they kill two dozen galahs that year or did they kill two? I do not believe that the DSE itself maintains that level of scrutiny. The only way that most people find out a permit has even been issued is when they hear the sound of rifle fire. In some areas this has led to a whole series of neighbourhood disputes involving the resources of the police, involving animals being shot and then making it onto neighbours' properties and involving a whole range of community distress.

It could be that there are land-holders and other operators out there who are suffering significant economic loss as a result of native wildlife on their land, but somehow I doubt that they are being asked to demonstrate that economic loss or demonstrate that they have tried other non-lethal methods. Interestingly in the Yarriambiack shire there is one permit on issue to control galahs, one permit on issue to control corellas and one permit on issue to control cockatoos, and my hypothesis is that that is actually one land-holder with three permits for three species. If there is a justification for that permit being issued, what is it that is so unique about that land-holder? How is it that they are being affected so much that they need to start shooting the wildlife when the vast majority of other primary producers — if indeed this is a primary producer applicant — do not need or want the same permit? It seems as if this is a random discretionary system whereby someone who asks for a permit gets one simply for asking.

As I said, we did follow up with a subsequent freedom of information request seeking copies of those same permits under FOI. Unusually, we got a very quick response from DSE, which was: 'You can't have them; it's too much work'. It even went into some considerable detail about why it thought it was too much work. We subsequently narrowed our request from 2000 permits down to 200, but DSE told us that was still too much work. The documentary systems are apparently so primitive or chaotic that the work involved in DSE staff taking the permits out, photocopying them, examining them and providing them to me would be too much. DSE noted in its letter:

As each permit is at least four pages, there are approximately 8500 pages located in hard copy files across five regional offices.

DSE believes it takes about 5 minutes to review each page. Two of the pages on each of these permits are standard boilerplate that as far as I am aware are the same on every permit. I cannot see why it would take 5 minutes to read a page that is the same as every other page on every other permit, but as part of this exercise of avoiding scrutiny, DSE has rapidly totted up the highest possible estimate of time and money it thinks would be associated with giving us access to these permits.

The permits themselves are not enough. There must also be a permit application that represents the justification and the relevant information we need to be able to judge — not just for an individual permit but across the totality of this massive program of destruction — whether there is a justification. What the government is saying to us is that this program is not open to scrutiny, that no-one can scrutinise it simply because the work involved in producing the information for scrutiny is too time consuming, that this level of destruction of native wildlife will go on indefinitely and that it is not able to be scrutinised.

I say ‘destruction’ because of the fact that many of the permits representing the largest numbers are associated with kangaroos, wallabies and wombats. We know from a release of data in 2008 that almost all of those permits are for the destruction of those animals. Certainly there is not the opportunity to send tens of thousands of animals off to a retirement home somewhere; the plan is to kill them. We then have many other species listed — all sorts of birds and so forth — about which it is not exactly clear who is wanting to destroy them and why. For example, we have white-necked herons here. Fur seals are mentioned. Flying foxes are mentioned. There has been some sort of drip-feed from the government to the effect that these are not permits for destruction but that they are permits to move the animals on.

As a result of my FOI request, which the minister knew was imminent, he has done his favourite thing: a strategic drop to the *Herald Sun* dribbling out a bit of information. We also got a press release suggesting that a new panel will oversee wildlife control processes. The unnamed people will come with expertise in animal welfare, veterinary science and wildlife management and will include representatives from the University of Melbourne, the Bureau of Animal Welfare, Zoos Victoria and the Royal Society for the Prevention of Cruelty to Animals. They are going to look at the controversial applications, the minister says, referring to the ones in the vicinity of his electorate which have caused him some problems lately.

I suggest that if the public had information about the totality of this program, a lot of it would be controversial. I also say that it would be equally impossible for this new panel to scrutinise the permits. After all, if the government cannot give them to me because of the workload involved, then how is this panel going to do any better? What proportion of wildlife permits will the committee get to look at to base their judgements on? I would like to know from the government what proportion of these permits is currently audited and what proportion involves a field visit by a DSE officer. Once you obtain your permit for the destruction of wildlife, you endorse that across to a licensed shooter who then becomes subject to other rules and restrictions.

I do not believe that the program, as large as it is — and we all admit it is large — can be or is being adequately scrutinised by DSE. I believe, from the information I have been able to glean, that there would be no justification for 90 per cent of these permits. People get them because they ask for them, even though their neighbours next door do not see the need. If it were the case that the application process was made a bit more serious before one of these permits was issued, we would see a much lower number of permits issued and we could have a proper debate about the economic effects — if that is what the issue is; it must be something more than the nuisance factor that is impacting permit applicants — versus the values associated with the wildlife, which belongs to all of us and which for many people is a strong part of the reason they live in the bush in the first place. I know the government is not interested in entering into a serious debate about this program. It does not want to see it scrutinised.

When I foreshadowed this motion the Minister for Agriculture and Food Security, Minister Walsh — it is not exactly clear which minister is in charge of this program, because the Minister for Environment and Climate Change, Mr Smith, has had something to say about it as well — said, according to today’s *Weekly Times*, that the Greens’ move was ‘just going to make more work for people who have more important issues to deal with, such as floods’. I think that is pretty low. I do not believe that the Department of Sustainability and Environment officer responsible for issuing these permits in western Victoria or East Gippsland would be deeply engaged with flood control measures or that the government would have trouble complying with this motion over the period that I have suggested it comply with it. This is an attempt by the minister to shut down debate, saying that I, the Parliament and the public are not allowed to know about this, and the reason given is, ‘We’re too busy with the floods’. That

is the sign of a government that thinks it can simply play that card — —

Mrs Petrovich — Tell those people whose homes are inundated about priorities.

Mr BARBER — Perhaps we should ask some of those people whether they think their misfortune should become a political playing card for the minister if he wants to avoid transparency over this issue.

Mrs Petrovich — It is not a political playing card. It is their reality. Floodwaters are peaking in Barmah.

Mr BARBER — It is just like Mr Smith, who, when I dared to question the efficacy of his fuel reduction program in protecting human life — which we all agree is paramount — said that I was dishonouring the dead from Black Saturday. How many friends did he lose on Black Saturday? What he is saying there is that his policies on fuel reduction burning — —

Mrs Petrovich — On a point of order, Acting President, I ask the member to withdraw that comment. I find that comment offensive. There were many people killed in my electorate on Black Saturday — 173, in fact — and I actually did know some of them.

Mr BARBER — This is not on the point of order, but I would say that included two friends of mine, and I do not take kindly to Mr Smith suggesting that by simply debating his policies, which arise out of the royal commission, I am dishonouring the dead.

The ACTING PRESIDENT (Mr O'Brien) — Order! This is a sensitive issue. Formally I do not think there is a point of order. I am not having a go at Mr Barber, Mr Smith or Mrs Petrovich, but in relation to this issue as a matter of guidance I do not believe there is any scope for a competition as to who either honours or dishonours the dead in any tragedy. I ask Mr Barber to come back to the motion.

Mr BARBER — I am absolutely 100 per cent in concurrence with you in your ruling on that, Acting President. I think that would be an extremely unworthy way to debate important matters of public policy, and yet here we are. We know what the government is going to say. It is going to say, 'It's too much work to release this material', because that is what we have heard in months of obfuscation over FOI with the department. But we have a hint from last week's *Weekly Times* as to why the government is not in a hurry to open up this question. We see that a central Victorian shooter has urged the state government to allow the commercial harvesting of kangaroos, and a

report believed to recommend a change in the state's laws was handed to the government a few weeks ago. The report notes that land-holders are able to destroy about 30 000 kangaroos a year in Victoria, but other than taking some meat for personal use they must dispose of the carcasses. So this secretive and licensed mass destruction of kangaroos is now being used as a reason to open up commercial harvesting of kangaroos here in Victoria, and there are plenty of people out there lobbying for it.

In fact the Victorian Farmers Federation's policy on this is that if native wildlife is on your property, you can shoot it, and if you shoot it, you can sell it. It is as simple as that. What the VFF is proposing is a further deregulation of this system which I say is already not just out of control but out of the scrutiny of any one person. Even the minister himself, if he was to call forth detailed data on this of the type that I have been calling for, would apparently be unable to obtain it due to the amount of work involved in assembling the paperwork. That itself is a problem.

We have also seen the Sporting Shooters Association of Australia make a policy document available where it said, 'Well, if we're out there culling galahs and corellas, why not have an open season on them? Let's have a galah hunting season', just as duck hunting season is about to open up this weekend, and Minister Walsh is promoting it as hard as he can.

There is every reason for the government needing to offer more transparency here, not just because of the operation of the current system but also because it is clear that it is considering alternative policies in the area. I do not think this program stands up to scrutiny.

However, members of the government were recently promoting quite heavily another not closely related matter in relation to wildlife, and that is the \$5000 grants made available to wildlife rehabilitators who deal with orphaned and injured wildlife. While the government is in no hurry to explain the 350 000 licensed to kill, poison or molest' permits that have been issued over the last four years — more than 2100 of those permits have been issued in the time of this government — government members are all out there spruiking the assistance that they want to give to wildlife rehabilitators, and we have very quickly seen the press releases appearing on their websites. Mr Rich-Phillips, with a very good likeness that I can compare him to right now, has one which states:

Member for South Eastern Metropolitan Region Gordon Rich-Phillips today announced that wildlife rehabilitators, shelter operators and foster carers can now apply for grants of up to \$5000 to care for wildlife.

If he wants to be public spirited, Mr Rich-Phillips might also issue a press release saying that permits to kill wildlife are available and reasonably easy to obtain in the South Eastern Metropolitan Region. I can give him some statistics on his municipalities if he needs me to.

Hugh Delahunty, the member for Lowan in the Assembly, is reported in the *Dimboola Courier* as championing those who protect and rehabilitate our native animals so they can be released back into the wild. Mr Walsh has issued a press release, as has Mr Northe, the member for Morwell in the Assembly — again with a nice photo of him standing there with jacket off, hands on hips, looking like a regular guy. The member for Gippsland East in the Assembly, Mr Bull, also has his hands on his hips, in line with the approved Nationals photographic style guide. In his photo Mr Walsh has his fingertips touching; he is trying to look like the professor in the group while standing in front of a beautiful wetland. But they are all reading from cookie-cutter press releases:

'I urge wildlife carers to apply for the grants which will assist in caring for our sick and injured animals', Mr Walsh said.

'Our wildlife rehabilitators, shelter operators and foster carers are outstandingly dedicated people.'

'Most are volunteers who give freely of their time in the preservation of our precious native animals and these grants will assist in covering the cost of veterinary bills, feed, medicine, maintenance of enclosures and even training courses', Mr Walsh said.

They say they are passionately supportive of those people who make the effort to rehabilitate wildlife, but I wonder if the government has taken a survey of Victoria's 200 or 300 wildlife rehabilitators to ask them what they think the government should do — give them a \$5000 grant to care for wildlife or simply stop issuing thousands and thousands of permits for the destruction of tens of thousands of native animals every year. Ask the wildlife rehabilitators.

I know Mrs Petrovich is in the starting blocks raring to go, but I checked her website as well. She did not have the press release, but she did have a mini bio. It says:

Since her election to state Parliament in 2006, Donna has worked tirelessly to focus attention onto the issues facing country Victoria.

This is Mrs Petrovich talking about Mrs Petrovich.

This has included health services, roads, public transport, schools, environment, water, farming, wildlife rescue, as well as many other local issues.

That is true; that is excellent. If she really wants to rescue wildlife, she should rescue it from the licensed destruction given out by Mr Smith — or is it Mr Walsh? I am not quite sure.

I said the system was unregulated. I do not believe the permits are scrutinised or audited. I do not believe there are random spot checks or visits. I do not believe there is a team of supervisory inspectors from the point of view of either animal welfare or ecology. That is in sharp contrast to the code of practice for the welfare of wildlife during rehabilitation, which runs to 10 pages. There are 10 pages of guidelines that you need to follow if you want to save a possum, and there are absolutely no guidelines if you want to kill one. You just apply to DSE. The guidelines cover the introduction, the principles, the case assessment, veterinary care, euthanasia — and it is recommended that when wildlife carers have to euthanase an animal a veterinarian should carry it out. But if you want to take pot shots at native birds from your veranda, simply apply quietly to your local DSE office and there is every chance you will get a permit.

I am terribly concerned about this issue, which has floated around in the shadows for many years. The fact that the government says it is difficult to obtain the necessary paperwork simply for the purpose of scrutiny tells you everything you need to know. It is unregulated and unscrutinised — but it is going to be scrutinised. Even if I have to apply for one permit at a time under FOI, it is going to be scrutinised. Many members of the community are going to want to know more when they hear about it. If the government is not going to support this motion today, then it will have to come up with a counteroffer, some better way of introducing a measure of scrutiny and regulation over this process. In my mind much of it is unnecessary, but to the extent that the government argues these permits are necessary, the onus is on it to demonstrate how — and I do not believe it can.

Mr O'DONOHUE (Eastern Victoria) — I am pleased to rise in response to Mr Barber's motion. I indicate at the outset that the government will not oppose Mr Barber's motion. In doing so, I note his repeated FOI applications in this process and the extensive material he already has, which has been provided by the Department of Sustainability and Environment. In effect, in moving this motion, Mr Barber is using the Legislative Council as a further step in his freedom of information process, a process that has already delivered to him a significant amount of information revealed in his own commentary and contribution to this debate. As I said, the government

will not oppose this motion, but the usual caveats about this request for documents will apply.

In his contribution Mr Barber said the government does not want to debate this issue, but he then went on to speak for half an hour about the very issue itself. We will now have a debate about this issue. What is ironic, though, is that we often hear from members of the opposition and members of the Greens about how the government wants to shut down debate and does not want to be transparent. On Wednesdays opposition members, and perhaps to a lesser extent members of the Greens, have an opportunity to present matters for debate, issues for consideration, issues of importance to the Victorian community, their agenda for the future and their proposals for making Victoria a better place and improving its economy, standard of living and community infrastructure. However, what we see listed on the notice paper as notice of motion 275 is a request for documents; motion 281 is also a request for documents; motion 283 is a request for a code of conduct when one was released in the last sitting week; and motion 254 is to take note of a document — —

Mr Leane — On a point of order, Acting President, a member cannot foreshadow a debate on a motion which is listed on the notice paper and which is to be debated later this day.

The ACTING PRESIDENT (Mr O'Brien) — Order! There is no point of order. The member is merely making reference to the notice paper. He is not entering the debate at all. I ask Mr O'Donohue to resume his contribution.

Mr O'DONOHUE — I could go on, Acting President. But the point I am making is that Mr Barber has made allegations that the government has shut down debate. We often hear the same allegations from members of the opposition. Here we are on opposition business day with the opportunity to discuss policy issues, but the Greens and the opposition are using today as an opportunity to seek documents — which of course is a legitimate thing to do. However, it shows the lack of ideas and the lack of work done by the opposition to advance policy in the state of Victoria. It is vacant in that space. The policies the opposition has enunciated since the last election, which is well over a year ago, amount to an additional public holiday and one or two other minor issues. There has been nothing of substance about the issues that impact Victorians. We hear a lot of bleating and complaining; we hear very few advances of policy.

Mr Barber reflected on the Department of Sustainability and Environment IT system. I have no knowledge of

the DSE's IT system, but I read with some interest the Auditor-General's report on the previous government's handling of ICT projects. This is yet another example of the new government grappling with a legacy of incompetence from the previous government. ICT perhaps symbolises as well as anything the previous government's inability to project manage, to apply rigour and cost control and to deliver project outcomes. I do not know if that has a part to play in Mr Barber's assertions about the DSE IT system, but it may well have something to do with it. That is a matter for others who are closer to that issue than I am.

I also want to take up the supposed link Mr Barber has made between the authority to control wildlife (ATCW) permits and wildlife rehabilitators. He has also raised a point about the Victorian Farmers Federation that reflects an unstated assertion that farmers are just waiting to get their permits — guns at the ready — so that they can shoot anything that moves on their property. That is the unstated assertion from Mr Barber. Mr Barber clearly has no understanding of how farms operate. He has no understanding of the way farmers care for their land and the wildlife on their land, and he clearly has no understanding of the relationship between a farmer and their environment. Mr Barber has tried to create a false link connecting wildlife rehabilitators with these ACTW permits. In his contribution he complained about the current system but, as stated in the press release Mr Barber referred to in his contribution, the Minister for Environment and Climate Change, Mr Smith, has already taken action to improve the current system. The release dated 2 March, with the heading 'New panel to oversee wildlife control process', states:

The Victorian coalition government has established a new panel to assess applications to control wildlife across the state that are of significant community interest.

Minister for Environment and Climate Change Ryan Smith said a panel of independent experts would advise the Secretary of the Department of Sustainability and Environment on certain applications for authority to control wildlife permits.

Minister Smith is quoted as saying:

Recent ATCW applications to control kangaroos have resulted in disagreements between land-holders and other residents, and we want to make sure the government has the best possible independent advice before making a decision on these types of applications.

In the press release Minister Smith talks about the panel of independent experts which would 'include a range of people with expertise in animal welfare, veterinary science and wildlife management, including representatives from the University of Melbourne, the

bureau of animal welfare ... Zoos Victoria and the RSPCA'. That would appear to be a very prudent step forward in this process, and it responds to many of the issues Mr Barber referred to in his contribution. Whilst I note Mr Barber referred to this release, he does not appear to accept the policy change that has been initiated by Minister Smith. I congratulate the minister on that announcement and on his understanding of what lies behind it — the need for a better process to manage these sometimes conflicting points. I hope that provides Mr Barber with some comfort on this issue.

Mr Barber has spoken about the voluminous nature of his FOI requests. Other speakers may wish to elaborate on that, but the request he has put in through his own contribution would no doubt consume many hundreds of hours of the departmental staff's time and much of its resources. That is something for Mr Barber to consider.

With those words I repeat that the government will not oppose Mr Barber's motion, and I again congratulate Minister Smith on his new policy which provides a new panel to assess applications to control wildlife of significant community interest across the state.

Mr LEANE (Eastern Metropolitan) — The opposition will support Mr Barber's motion calling for these documents. We have consistently supported calls for documents in this chamber, whether it was during the last term, when members on this side were in government, or during this term, when members on this side are in opposition. One thing I think the previous speaker, Mr O'Donohue, and all in the chamber would agree on is the right of this chamber to call for documents. By the end of the last term thousands and thousands of government documents had been handed over to this chamber. In fairness, a small percentage of documents were not delivered to the chamber because they were cabinet documents or commercial in confidence, because they were tender documents for certain government projects, and this was to protect the companies that tendered and their ongoing interest in future pricing and tendering.

This call for documents is an interesting one. I suspect a letter will come from the Minister for Agriculture and Food Security, Mr Walsh, giving his response to the chamber's agreeing to this motion. I would be asking if it is a cabinet document. The answer to that is clearly no. Is there some sort of commercial sensitivity to it? I think the answer to that is no. If the excuse from the minister is that it is too hard or ties up departmental personnel, as Mr O'Donohue just stated, I think that may be channelling one of the members of the previous government. We had similar debates about calls for

documents during the last term, when we in government would try to calculate and make statements about the number of hours spent on producing documents. I think that argument was heavily rebutted by members of the government when they were sitting on this side of the house, so I think government members need to think about their approach to calls for documents during the last term.

This is a matter of public interest. It might be a matter of interest to a certain part of the public, but it does not exclude those members of the public from their interest because another part of the public might not be interested. I think this has been a theme in this chamber in relation to calling for documents for at least the past five and a half years. In response to these motions the government and its ministers should be consistent with the point of view they expressed during the last term, but we will wait and see.

In relation to Mr O'Donohue's critique about today's general business agenda, I am not sure whether he is just a bit narky because he seems to be lead speaker for the government on all these motions, which means he is going to have to do a lot of heavy lifting today, or whether it is something else. As I said, the opposition reserves its right to call for documents. If we see that doing so is in the public interest and in the interests of scrutiny, we will continue to do it and we will not apologise if we do it on a general business day.

Ms CROZIER (Southern Metropolitan) — I am pleased to rise and speak on Mr Barber's motion. As Mr O'Donohue has indicated, the government will not be opposing the motion, but I would like to take this opportunity to raise a few points in relation to some of the issues that Mr Barber raised. As has been noted, he spoke for rather a long time on various points. Members of the Greens have good and noble intentions on saving numbers of animals across the state, but in reality for many primary producers some of those wild species can be very damaging to their yield and the overall economic benefits their activities provide.

Mr Barber — How many of these permits are going to primary producers — 1 per cent; 2 per cent?

Ms CROZIER — I will get back to the permit situation in a minute, but I would first like to take up the arguments of the member opposite in a number of areas. Mr Barber asked: 'Are we debating this in ignorance?'. He also went on to criticise the fact that there was no justification of the permits. I felt he trivialised the contributions of many members of the coalition and the government, and he spoke in a rather condescending tone about the media releases on some

of the programs that have been announced by the government concerning programs for animal rehabilitation. I would say that members on this side of the house are very concerned about humane processes for animals and wildlife.

When I was growing up on a farm in far western Victoria I took in many animals. I had a pet kangaroo, a cockatoo and a ringtail possum. I would possibly be locked up for having those animals in this day and age, but the joey was alone as a result of the mother having been hit by a car and was abandoned on the side of the road. The cockatoo had obviously been abandoned because it was an albino, and I do not know where I found the ringtail possum. Nevertheless we had a humane approach, and at one point in time I would have to say it was rather like a menagerie around the farm, much to my parents' consternation. We had a great time looking after those animals, and it taught us a great deal about respecting animals and understanding them. On the other hand our family also had a business, and many aspects of what we were trying to do in that business were related to the production of crops and pastures and to looking after our animals, whether they were sheep or cattle. That involved various issues that the Greens and other animal welfare agencies often raise without having, I must say, very much understanding of what actually happens on a farm.

To get back to this motion and what Mr Barber is asking for, I would have to commend the Minister for Environment and Climate Change, Minister Smith, for his process and his position in undertaking a number of initiatives. Firstly he has appointed a wildlife control process panel and, as members would know, there are regulations in process for authorities to control the number of permits that are applied for by land-holders. The authority to control wildlife system enables land-holders to apply for permits to protect or manage protected animals where they are affecting their properties by eating crops, damaging fences or the like. It is very important to provide some certainty and to assure land-holders that there is a process. We do not want to overregulate them by having too many regulations.

As has been noted, and as I know, there have been some comments by farmers groups about the regulation process. I know the minister and the parliamentary secretary, Mrs Petrovich, have been listening closely to those various concerns. Again I congratulate the minister on his media release and on appointing that panel, because it will assess applications to control wildlife, which is of significant community interest across the state. The plan has taken into consideration that the panel will provide advice on appropriate

management options to the Secretary of the Department of Sustainability and Environment. The representatives on that panel have come from a range of notable organisations, such as the University of Melbourne, the bureau of animal welfare from the Department of Primary Industries, Zoos Victoria and the Royal Society for the Prevention of Cruelty to Animals, an organisation with which Mr Barber is very closely associated.

Mrs Petrovich — It has never been done before.

Ms CROZIER — Mrs Petrovich interjects and says that it has never been done before, and I congratulate the minister for taking that stance. It is also worth noting that, as Mr O'Donohue pointed out, detailed information has already been released in relation to freedom of information. Again it shows that this government is very open to requests.

I think we have to take a practical approach in relation to the number of permits. This country has unique flora and fauna — I think we would all agree with that — and it needs to be looked after and protected. But we need to look after the interests of those land-holders who require permits to enable the control of vermin if it causes damage to their — —

Mr Barber interjected.

Ms CROZIER — Don't raise your eyebrows at me like that, Mr Barber. If it raises concerns for them in relation to their production and how they are managing their properties, then it is absolutely — —

Mr Barber interjected.

Ms CROZIER — The minister should be congratulated for undertaking this initiative and for appointing a panel to look at the control of wildlife. With those few words, once again I would like to commend the minister for his actions.

Mrs PETROVICH (Northern Victoria) — I am very pleased to speak today. I would also like to commend Mr Barber for raising this issue in the house, because it gives us an opportunity to speak about the way we are progressing issues around animal welfare and the inroads we are making across a number of portfolios. I would also like to congratulate him and thank him for his third-party endorsement. I would not have been so bold as to read from my website about my accomplishments in this place, but I thank him all the same.

It is very important to note that the government is concerned about the humane treatment of animals, and

this is reflected in the establishment of the new panel to oversee wildlife control processes, which is very important in looking at how we address that. The authority to control wildlife panel is made up of the University of Melbourne, the Bureau of Animal Welfare, Zoos Victoria and the Royal Society for the Prevention of Cruelty to Animals. This has never been done previously. The panel will report to the Secretary of the Department of Sustainability and Environment on appropriate management options and consider a triple-bottom-line approach — that is, economic, social and environmental factors.

It is important to note that this process is taking place as a result of some issues, one of which I looked into in the Whittlesea area where some kangaroos were being culled under a permit that was issued by the previous government. I was not comfortable with the way that was being done. Kangaroos are a particularly virulent species, particularly in good times. We have to understand that kangaroos will have a joey on the ground, one in the pouch and one in utero. In good times they breed prolifically, and we have to look at how our communities are developing. We have some growth areas and some interface communities, and obviously there is an issue around the conflict between large numbers of kangaroos in a peri-urban area, although I take Mr Barber's point that many people move to these areas because of the natural environment, so we need to protect it. That is one of the reasons why the Minister for Environment and Climate Change has set up this independent panel, which will assist with where we go with that.

I would also like to commend Gordon Rich-Phillips on his announcement today of \$5000 for wildlife carers. That is something I campaigned on pretty heavily. I must admit that during the 2005–06 fires I was devastated to see the amount of effort and work that was being put in effectively by volunteers who were paying very large veterinary bills and dedicating themselves to the preservation and recovery of some of these animals and often having to make heartbreaking decisions about whether those animals were able to be rehabilitated or whether they needed to be euthanased. This is a reality in animal husbandry; on some occasions, for the animal's sustainability or because of a lack of food sources and perhaps competing interests of development and traffic and a whole range of other things, it is necessary to cull. I am very pleased to say we are looking towards a more humane approach to that.

I would also like to touch on the issue of Mr Barber's request for information today, and I would just like to highlight some of the issues around that. I think it

would take something like 566 hours or 16 weeks to provide the information requested by Mr Barber. I think there would be a photocopy charge of around \$1700, 500 pages of documents, 1050 hours of consultation with applications and the release of the details — —

Mr Barber interjected.

Mrs PETROVICH — No, I have actually spoken to the department, Mr Barber. I think it is really important to note that there is a possibility that there is another way to go around this. I think it was suggested to Mr Barber that that was possible — that he actually approach this in a different way. But instead he has chosen to bring this motion to the house, which it is his right to do. In these times we have to consider priorities.

Mr Barber interjected.

Mrs PETROVICH — I think it is probably just a backdoor way of getting what you want when you do not get the answer you want. I am just not sure. We have a freedom of information process that we have all had to follow in the past and probably do still. It is important that people do not necessarily use the chamber as a backdoor way, as Mr Barber has just said, of getting what they want.

As I said earlier, it is pretty important that we understand that the new system provides a structured and controlled way of responding to problem wildlife in a humane and sustainable manner. In many cases we have issues around damaged buildings, crops, orchards, pasture and habitat. We are not just talking about kangaroos here; there are other animals which require some management. A permit may be required for the management, conservation and protection of the species themselves; for Aboriginal cultural purposes; for the care and rehabilitation of sick, injured or orphaned wildlife; and in some cases even to ensure public safety. We have seen cases around Sunbury where people have been confronted by a large male kangaroo. I am imagining a giggle from the other side of the chamber, because often people do not understand that. Male kangaroos can be pretty aggressive, and sometimes they are required to be dispatched to ensure public safety.

In many cases it is not about lethal control; there are other solutions. I have recently participated in a program at Hanging Rock where we looked at how to ensure compatibility between kangaroos and the public and the management of the racecourse there. A significant fence was built and other strategies employed around that, including bringing in an animal behaviourist to talk about how we could manage the

mob of kangaroos, which is increasing. I was out there the other day, and there must have been 60 or 70 kangaroos very happily sunning themselves, which is beautiful. However, from their perspective, for their safety and for other people's safety, it is not always a good intermingling.

It is not always about lethal control; there are other alternatives. It can be about dispersal, trapping or separation. Sometimes it is necessary to ensure that animals, particularly kangaroos, can be shot. We all know kangaroos are gorgeous animals, but when they are in plague proportions or are starving — without a food source — these are things that have to be dealt with, although it is emotionally difficult.

I put on the record that in 2011 the total number of permits provided for both lethal and non-lethal control methods was 2126, controlling up to a maximum of 74 028 animals. That is what is allowed; it is not what happened. The figures are likely to be lower than that.

Mr Barber — How much lower?

Mrs PETROVICH — The table I have here demonstrates that, Mr Barber. In 2009 there were 2736 permits, and since then there has been a reduction of 39.66 per cent. In 2010 there were 2191 permits; that has now been reduced by 22.34 per cent.

We are looking to address these issues and to ensure the responsible management of wildlife, not the indiscriminate, rampant shooting of animals, as has been portrayed by the Greens on many occasions — for example, by Ms Pennicuik in her attack on the licensing of duck hunting in the previous Parliament, her motion to actually ban duck hunting — —

Mr Barber — She'll be out there on the weekend — don't worry!

Mrs PETROVICH — What we have to understand, Mr Barber, is that duck hunting is a legal activity. It is a permissible activity, and the people who participate in it are licensed.

Again, we have taken action across a number of portfolios. The Minister for Agriculture and Food Security has looked at how we can better ensure that duck hunting is responsibly handled. We have published *Victorian Hunting Guide 2012*, which will be sent free of charge to all licensed game hunters, while a further 10 000 copies will be available through the Department of Primary Industries. We are encouraging people to visit the department's website, and we urge all new and experienced hunters to make sure they familiarise themselves with the rules and regulations for

the coming duck hunting season. We are putting a considerable amount of work into this issue. While the previous government may have taken a laissez-faire approach to it, we are taking a proactive and positive approach towards ensuring responsible conduct in what is a legal activity and part of our cultural heritage. The hunting guide will be mailed to hunters over the coming weeks. That is also to be commended.

We are making progress across a range of portfolios, from the portfolio of the Minister for Environment and Climate Change to that of the Minister for Agriculture and Food Security. The Assistant Treasurer, Mr Gordon Rich-Phillips, made a timely announcement in regard to animal welfare carers, who have been carrying the can for other people in times of crisis and on a daily basis. Many of these people dedicate themselves to the welfare of animals in the most admirable way, and often at personal cost, so the \$5000 grant will certainly be well received by those carers.

Many people in those interface communities will be pleased at our approach to the permit system. It is a real coup to have a representative from the Royal Society for the Prevention of Cruelty to Animals on the panel. It is something we worked hard to achieve to ensure that we have some objectivity about where we are going. The panel will advise the secretary of the most appropriate management options, and the secretary will then consider the independent panel's advice in determining the relevant issue.

The permit system enables land-holders to apply for a permit to manage native animals where their properties are detrimentally affected, whether the animals are eating crops or damaging fences. The establishment of the panel will provide transparency — so perhaps we will end up where Mr Barber wants to go anyway — around that decision making regarding the issuing of permits. All the relevant options are to be considered to determine the appropriate and humane wildlife management response.

All those who live in rural areas have a good understanding of this issue — and Ms Crozier's childhood has some parallels with my own life. Many Victorians have empathy for that. We understand that sometimes things are not that straightforward and that sometimes decisions need to be made, but on the whole good animal husbandry, caring for the environment and caring for our fauna is important to all of us who live alongside nature.

For those living in bushfire-affected areas in particular one of the most difficult things has been the slowness of the recovery process. That was one of the issues around

the Whittlesea area where we saw kangaroos being killed. The irony was that after the bushfires in places like Kinglake there was not a bird in the sky or an animal on the ground for a very long time. I am pleased to say that those areas are recovering from a biodiversity point of view. That healing is important for people and for nature. People move to those areas for particular reasons, including the wonderful natural environment. The work that we are doing is assisting with that.

One of the most poignant things I think I ever saw occurred when I was a member of the parliamentary Environment and Natural Resources Committee. The committee met with a wildlife carer in Gippsland who was rehabilitating a wedge-tailed eagle which had been very badly burnt in the 2006 fires; the eagle was left blind as a result of the injuries it suffered from the bushfires. I think it was a long-term caring position, because the animal went into this woman's care for life.

I have seen many instances of the trauma faced by carers who have worked hard to rehabilitate animals post the bushfires. Many animals were burnt. It is not just about the open slaughter killing of animals, which is how the system is portrayed by the Greens. It is very much about maintaining a balance and ensuring that we look after what is important to all of us — it is about the preservation of nature and biodiversity. I am keen to see where we go in assisting in the proper management of our natural resources.

Mr BARBER (Northern Metropolitan) — This has been a worthwhile and informative debate. I will pick up from where Mrs Petrovich left off and from her observations about what it has been like to live in the Kinglake area with bare earth, dead trees, no bird sounds and, in the beginning, not even flies; it was like a dead planet. That has only made members of the community more appreciative of the value that wildlife gives to us all, even though from time to time there is a certain amount of nuisance.

Mrs Petrovich might like to look at the data on my website to see the huge number of permits issued for the control of wildlife in the Murrindindi shire. The data illustrates the essential contradiction that runs through the coalition's policies. It puts out press releases championing wildlife carers pictured with orphan joeys while at the same time permitting a great deal of shooting that regrettably probably leaves many orphans behind. You cannot have one message for Walpeup and another for Warrandyte. This program is now out there for all to see. We are seeing a drip feed of information from the government; we are bound to see more.

Make no mistake: I welcome the government's initiative in setting up a committee to scrutinise these permits. In fact the government was being urged by the Victorian Competition and Efficiency Commission and the Victorian Farmers Federation to put in place further deregulation, but it has decided there will be more scrutiny and more regulation, and I think that is worthwhile. However, we need a lot more.

Mrs Petrovich put forward various propositions as to why certain wildlife may need to be controlled. She can hypothesise on that, although she does not know in most cases. I cannot see any possible relevant explanation in relation to the impact of 25 purple swamp hens in the Yarra Ranges shire, yet three permits have been issued to control those birds. Without having this information we will never know. Therefore it is important that the government assists by tabling the necessary material in Parliament.

Motion agreed to.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Qantas: maintenance jobs

Hon. M. P. PAKULA (Western Metropolitan) — My question is to the Minister for Employment and Industrial Relations. I refer to reports yesterday of a meeting between Alan Joyce of Qantas and the Premier on 29 February 2012 about the future of Qantas maintenance jobs in Victoria, and I ask: did the Premier invite the minister to attend that meeting and did the minister attend?

Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations) — I thank the member for his question. Might I suggest that the matter he referred to is not part of my responsibility; therefore he should direct it to the relevant minister.

Supplementary question

Hon. M. P. PAKULA (Western Metropolitan) — I kind of expected that answer from the minister, but I point out that he is the Minister for Employment and Industrial Relations and we are talking about hundreds of jobs in Qantas maintenance. My supplementary question, given the minister's answer, is this: is the minister seriously saying to the house that he has no responsibility for employment or job losses if those jobs exist in an industry that is covered by another portfolio?

Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations) — Again I thank the member for his question, but if he looks at the machinery of government, he will notice that the responsibility falls with another minister.

Regional and rural Victoria: early childhood training

Mr KOCH (Western Victoria) — My question is to the Minister for Higher Education and Skills, who is also the Minister responsible for the Teaching Profession, my colleague Minister Hall, and I ask: can the minister advise the house of any recent initiatives of the Baillieu government that will improve the supply of early childhood educators in regional Victoria?

Hon. P. R. HALL (Minister for Higher Education and Skills) — I thank Mr Koch for his question. I am particularly pleased that Mr Koch asked that question given that he joined me, my ministerial colleague Wendy Lovell and, I might add, John Eren, the member for Lara in the other place, at a function in Geelong at Deakin University last Tuesday. The occasion was to announce the partnership arrangement between Deakin University and three of our regional TAFE institutes — South West, Sunraysia and Chisholm.

Mr Drum interjected.

Hon. P. R. HALL — That partnership, Mr Drum, will lead to the delivery of a bachelor of early childhood education to 75 young people in regional Victoria.

Given the fact that we will need people with these qualifications to work in our kindergartens and preschools, I really welcome the initiative of the consortium that put together this proposal for government support.

What we saw here was the eighth successful application to the Regional Partnerships Facilitation Fund. This is a program costing \$946 000, of which the government has put \$567 000 towards making this particular program successful. What it will mean is that students who study a diploma of child studies at any of those three institutes — South West Institute of TAFE, Sunraysia Institute of TAFE or Chisholm Institute — will be able to directly articulate that qualification into a bachelor of early childhood education delivered by Deakin University through the Deakin at Your Doorstep program. Ms Lovell and I were pleased to announce this by way of video link to three other facilities — in Warrnambool, Swan Hill and Rosebud — and it was great that we were able to use

the technology to make this announcement to all corners of regional Victoria.

This grant is the final one in the first round of the Regional Partnerships Facilitation Fund program. That is a \$20 million program, of which \$11 million has now been expended. For that \$11 million investment, we have an extra 1700 places in regional Victoria where students are either directly enrolling in a higher education program or enrolling in a pathway program to a higher education degree. These are models that we are pleased to support and models that I am sure will prove sustainable. If we project from the numbers of round 1 alone, there will be an increase from 1700 to 10 000 in the number of students in regional Victoria over the next 10 years having the opportunity to study a higher education program while living in their own local community. That is a great outcome for those concerned, but equally for regional Victoria it has been proven that those who are training for a profession are three times more likely to actually stay in that local area and practise that profession. That is good news for regional Victoria, where job supplies and qualifications are short.

Round 2 of the Regional Partnerships Facilitation Fund will be open later this year, and I expect that in due course I will have some other such announcements to be able to make to this chamber.

Qantas: maintenance jobs

Hon. M. P. PAKULA (Western Metropolitan) — My question is to the Minister responsible for the Aviation Industry, and I ask: can the minister advise the house whether the government has made an offer of financial support in order to encourage Qantas to consolidate its maintenance operations in Victoria?

Hon. G. K. RICH-PHILLIPS (Minister responsible for the Aviation Industry) — I thank Mr Pakula for his question. Obviously the issue of Qantas heavy maintenance jobs here in Victoria — at Melbourne and Avalon — is a matter of importance to the Victorian government, and the Victorian government is continuing to have ongoing dialogue with Qantas about this issue. Since the announcement was made by Qantas in mid-February that it was reviewing its heavy maintenance operations, the government has met with Qantas senior executives on a number of occasions. Senior representatives of the government have on a number of occasions met with Qantas, and we will continue to have those discussions.

Supplementary question

Hon. M. P. PAKULA (Western Metropolitan) — We are getting closer. I note that the minister would not confirm whether there has been an offer of support and certainly would not go into detail about any support package, but can he at least confirm whether it is correct that government support for an upgrade of maintenance facilities at Avalon will be the key to Qantas's decision about whether it consolidates its maintenance base here in Victoria?

The PRESIDENT — Order! I am a little concerned that the supplementary question extends quite a bit on the original question, and I am not sure whether or not that is really supplementary, taking up the minister's answer. On this occasion I will let the minister address it as he sees fit.

Hon. G. K. RICH-PHILLIPS (Minister responsible for the Aviation Industry) — I thank Mr Pakula for his supplementary question. As I said in my substantive answer, the government is having ongoing discussions with Qantas around its announcement about heavy maintenance, which I understand will be made in the middle of next month. Those discussions are ongoing, and the outcome of those discussions will be announced by Qantas in due course.

City of Greater Geelong: early childhood infrastructure

Mr RAMSAY (Western Victoria) — My question is for the Minister for Children and Early Childhood Development. Can the minister inform the house of any successful partnerships between the Victorian government and the City of Greater Geelong for the provision of early childhood infrastructure in the Geelong region?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — I thank the member for his question and his interest in early childhood development and facilities in the Geelong region. Last Tuesday was Super Tuesday, and I am not talking about the American presidential elections; it was Super Tuesday for early childhood development in the Geelong region.

As my ministerial colleague Mr Hall, the Minister for Higher Education and Skills, has already pointed out, the government, together with Deakin University in Geelong, made a significant announcement about the training of early childhood educators in country Victoria. I also had the pleasure of opening four new

early childhood facilities in Geelong. These were renovations done under the Children's Capital Program, which provides renovation and refurbishment grants, and I congratulate the former government because these four grants were some of the last grants issued by it.

We opened renovations and refurbishments at four kindergartens — in Lara, in Ocean Grove, at Allanvale Preschool in Leopold and at Portarlington Preschool. I was joined at these openings by my ministerial colleague David Koch, who is always interested in early childhood — —

Honourable members interjecting.

Hon. W. A. LOVELL — Sorry — I was joined by my government colleague David Koch, who is always interested in early childhood development. I was also joined at Lara by John Eren, the member for Lara in the Assembly. Lisa Neville, the member for Bellarine in the Assembly, joined me at Allanvale Preschool in Leopold and at Ocean Grove Preschool. Darren Cheeseman, the federal member for Corangamite, also attended the opening of the Ocean Grove facility. Gayle Tierney, a member for Western Victoria Region, joined us in Portarlington. It was terrific to see bipartisan support for early childhood facilities in the Geelong region.

I particularly congratulate the Greater Geelong City Council, which contributed over \$2 million to ensure that these facilities were upgraded. This is truly an investment in the future education of Geelong's children, and the city council should be congratulated on its vision and investment in these facilities.

The coalition government has promised a lot more money to the Geelong region. Election commitments totalling \$3.5 million will see three more kindergartens in the region built or renovated. We committed that we would provide \$2 million to a new facility in Grovedale. We also committed \$1 million for the Barwon Heads kindergarten to be rebuilt and, outside the city of Geelong but close by, \$500 000 for an extension to Torquay Kindergarten. This is a great investment in the future education of children in that region.

I would also like to take the time to congratulate the local parents who raised significant amounts of money towards the upgrades that we opened last week. Local parents raised \$52 500 towards these preschools. The Allanvale Preschool committee raised \$12 500 for new play equipment. The Ocean Grove and district preschool community raised \$25 000 for further upgrades, and the Portarlington Preschool community

contributed \$15 000 towards the outdoor play area at that preschool. The involvement of parents in preschool committees' fundraising is really significant in Victoria. They are community-run facilities, and without the committees of management we would not see such fantastic outcomes for our children. I congratulate all the parents involved in that. I know how difficult it is to do fundraising, and we welcome their involvement and thank them very much.

Alcoa: Point Henry smelter review

Mr SOMYUREK (South Eastern Metropolitan) — My question is to the Minister for Manufacturing, Exports and Trade, Mr Dalla-Riva. Can the minister provide the house with a progress report on the ministerial task force his government established to investigate ways to save Alcoa's Point Henry operations?

Hon. R. A. DALLA-RIVA (Minister for Manufacturing, Exports and Trade) — I thank the member for his question, because this is an important issue for the people of Geelong and for the aluminium industry in general, not only in Victoria but throughout Australia. As has been indicated, on 8 February when Alcoa announced the review of the Point Henry smelter, at risk were 600 jobs. We have acted decisively to consult with the workforce, the community and Alcoa. The Premier appointed the Minister for Regional Cities, the Minister for Energy and Resources and me to be part of that team. We visited the smelter on Saturday, 11 February, and met with the unions and Alcoa. The Premier has written to the Prime Minister asking for her support and asking her to appoint a minister to work on these issues. She has appointed Mr Combet, the federal Minister for Industry and Innovation.

Dr Napthine, the Minister for Regional Cities, and I visited the smelter on Wednesday, 15 February, and also met with various groups in Geelong. We will continue to have regular discussions with Alcoa. We have been — —

Mr Tee interjected.

Hon. R. A. DALLA-RIVA — I take up the interjection from Mr Tee. I was asked a specific question.

Mr Tee — Yes, you were.

The PRESIDENT — Order! And it is a fine answer. Continue, Minister.

Hon. R. A. DALLA-RIVA — This is a serious issue, and those opposite are seeking to make political mileage. What we have tried to do is to work with Alcoa and to work with the community. This is of course a difficult situation for Alcoa. I note that on Monday, 13 February, the Leader of the Opposition in the other place, Daniel Andrews, attended at the front of Alcoa and said there were a number of things the state government could do which included looking at WorkCover premiums and payroll tax. It is interesting to note that the issues Alcoa is fronting are low aluminium prices and the high Australian dollar. More importantly, just for the record, Alcoa self-insures; it does not pay WorkCover premiums.

Honourable members interjecting.

Hon. R. A. DALLA-RIVA — Can I say that waiving payroll tax would barely register for the company. Instead of grandstanding, Daniel Andrews could do something useful. Maybe he could understand the real issues and then he could be desperate for his mates in Canberra to drop the carbon tax.

It is also interesting to put on the record that Minister Napthine was meant to go to Canberra on Monday, 27 February, to meet with Mr Combet, and guess what happened? The meeting was cancelled — there was some other issue occurring at that time. Labor was more focused on itself than the jobs at Alcoa.

Supplementary question

Mr SOMYUREK (South Eastern Metropolitan) — What plans does the minister have in place to insulate downstream manufacturing industries from potential job losses at Alcoa's Point Henry operations?

Hon. R. A. DALLA-RIVA (Minister for Manufacturing, Exports and Trade) — I thank the member for his question. Perhaps one thing that could be done is for those opposite to get on the phone to their mates in Canberra and say that the carbon tax at this particular point in time should be stopped. We know that the impact of the carbon tax on the manufacturing supply chain has been significant, not only for Alcoa but also for the automotive industry and other industries. We understand the need for the supply chain — —

Mr Somyurek — On a point of order, President, the question was pretty specific, and I ask you to bring the minister back to the question.

The PRESIDENT — Order! I thank Mr Somyurek for his point of order. I think the point he made has some validity in that it was a fairly specific question related to the downstream impacts of any change in

Point Henry's operations. Nonetheless, the minister still has 26 seconds, which is about half of what was the allocated time, and he has certainly referred to one of the key issues in regard to both the facility and no doubt some of the downstream industries. I think the minister will have time to address the specifics.

Hon. R. A. DALLA-RIVA — As I explained earlier, the impact in terms of the supply chain cannot be overstated. We are acutely aware of the impact on the supply chain of any announcement by Alcoa. That is why we fought recently for the retention of Ford in Geelong. We worked well with the federal government in that regard. As I said, if only those opposite could do the same thing in regard to the carbon tax.

Charlton hospital: flood recovery

Mrs PETROVICH (Northern Victoria) — My question is to the Minister for Health, who is also the Minister for Ageing. Can the minister inform the house of the progress that has been made in helping the Charlton hospital recover from the 2011 floods?

Hon. D. M. DAVIS (Minister for Health) — I am pleased to answer this question from one of the members for Northern Victoria Region, and I note her advocacy and that of other members for Northern Victoria Region, Mr Drum included, on behalf of Charlton as it has sought to recover from the floods.

I indicate that a major milestone has been reached this week with the purchase of a new piece of land in Charlton for the rebuilding of the hospital. This is the result of the \$1 million that was allocated in the state budget for the planning and purchase of a new block of land. It is a 24 000-square-metre block that is conveniently located in the centre of town just a short distance from the main street. It is higher land, which is important to understand given the history of the flood in January 2011. It may be of interest to those in the town to know that the hospital is to be located at 4 Learmonth Street, Charlton, the site of the former Charlton Primary School. It was a privately owned piece of land that was purchased by the department for the purposes of the new hospital.

I want to put on record my congratulations to the department on its work in securing this land, and in the process of defining the shape of a new hospital I want to put on record the work done by the CEO of the East Wimmera Health Service, Kathy Huett. She carried a very heavy load in managing the process at the time of the floods in January and February and also the very difficult task of managing staff placements and keeping as many services going in the town as she possibly could.

I also want to place on record my congratulations to Ken Round, the board chair of the health service. East Wimmera Health Service has a number of campuses, but Mr Round is a local to Charlton and he understands the importance of the service to the town. He has been a very effective advocate, but at the same time he has provided a great deal of leadership to the community and to the health service.

Obviously this is a very difficult time for Charlton. I note the steps that were taken by my department and Ambulance Victoria in the early days to put the primary care or mobile army surgical hospital tent in place. That was later replaced with a number of demountables that provided primary care services, but it also allowed the hubbing of some services out of that area.

Now the next step has been taken, which is the purchase of land for the rebuild of a new Charlton hospital. That process will proceed. Obviously there are a series of steps to go here, but this is an important first step in securing a large piece of land in the centre of town, a piece of land that is placed —

Mr Jennings — Is this going to be in the budget?

Hon. D. M. DAVIS — Mr Jennings would understand budget processes, but I have to say that this is an important step in securing the future of Charlton and it is an important step in securing a piece of land in the centre of town that is on higher ground — a piece of land that will be the new home for the Charlton hospital.

Mr Jennings interjected.

Hon. D. M. DAVIS — I assure Mr Jennings that we are not buying the land for any other purpose. This is for the Charlton hospital. The budget allocation occurred last year, there was the scoping work and the purchase of the land is what is occurring now. The land has been bought from a private individual. I want to put on record my congratulations to the staff and the community in Charlton, but particularly Kathy Huett, the CEO, and Ken Round, the board chair, of the East Wimmera Health Service.

Manufacturing: specialist skill shortages

Mr SOMYUREK (South Eastern Metropolitan) — My question is to the Minister for Manufacturing, Exports and Trade, Mr Richard Dalla-Riva. I refer the minister to page 19 of his manufacturing statement, which reads:

The government, through Skills Victoria, will develop a systematic and structured approach to identifying and addressing priority specialist skill needs for key trades and

other occupations critical for the future manufacturing workforce.

I ask: how does the minister intend to address the critical issue of specialist skill shortages in the manufacturing workforce as identified by his manufacturing statement?

Hon. R. A. DALLA-RIVA (Minister for Manufacturing, Exports and Trade) — I thank the member for his question because it is fantastic that he always asks about the government's manufacturing strategy. If he asked that question of the federal government and asked about its manufacturing task force, one would have to say —

Mr Lenders — On a point of order, President, Mr Somyurek asked a specific question on skills in state manufacturing and Mr Dalla-Riva has launched directly into a general commentary on the policies of another government. I ask you to bring him back to the specific question on skills in Victoria and his policy.

Hon. R. A. DALLA-RIVA — On the point of order, President, I was actually getting to the statement, the formation of the strategy and how we came to identify niche and specialist skills as one of our five key policy platforms. I was putting it in the context of the importance of manufacturing generally and why we have gone down this path. I think that is very relevant to the question that was asked by Mr Somyurek.

The PRESIDENT — Order! If Mr Dalla-Riva were to continue for some considerable part of his answer in the vein that he opened with, then I would share Mr Lenders's concern in this regard, but I accept Mr Dalla-Riva's assurance that in fact he is about to address the question and that the remarks that were the subject of the point of order were simply introductory remarks.

Hon. R. A. DALLA-RIVA — I need not dwell on that; I was just making an observation.

Before the last election we on this side of the house made a very clear policy commitment that we would ensure that there would be a rigorous review of Victoria's manufacturing strategy. Obviously it has been put on record many times before that we made a clear commitment that the Victorian Competition and Efficiency Commission (VCEC) would review that. We reviewed its response, and obviously that was the reason for the establishment of our manufacturing strategy.

As was indicated by Mr Somyurek, there were five key areas in our policy. From the unwieldy maze of grants

that were provided, we went to the five areas. The first one was around maintaining a world-class specialist manufacturing service, which we have discussed before. The second one was about productivity and innovation networks, and we have already embarked upon that. The third part was the importance of investing in technology and ensuring that companies have the capacity to do so. The fourth part, which those opposite continually ignored, was the support for small manufacturers, who make up 90 per cent of manufacturing here in Victoria. Then we get to the fifth component, which was equally as important, and that was about ensuring that we have a skilled workforce in manufacturing.

One of the things that has been identified through the VCEC inquiry in terms of recognising how manufacturing can compete on the world market and how it can compete on the global supply chain is the importance of having a skilled workforce. That is why one of the key pillars of our manufacturing strategy is to ensure that we have specialist skills availability for the manufacturing sector. This will include foundation skills, such as numeracy and literacy. As members know, we are working with the Minister for Higher Education and Skills and across government to support this.

Mr Ondarchie — He is a very good man.

Hon. R. A. DALLA-RIVA — He is a very good man. We must say that we recognise that basic skills, whilst they are important for manufacturing, are of course not an issue unique to manufacturing. Accordingly the Victorian training guarantee will continue to be available to all Victorians who wish to improve their language, literacy and numeracy skills. How we identify that is through our revamped business engagement model. Through that process we will be able to identify where we have manufacturers who have a need to improve the skills of their staff; they will be directed through an important process. We are also refreshing the manufacturing skills and training task force to provide a model for guiding, monitoring and evaluating the work. This task force will also use the expertise of the Victorian Manufacturing Council, which of course we are very committed to ensuring will be strengthened and developed to provide greater organisation.

Hon. M. P. Pakula — Just table it!

Hon. R. A. DALLA-RIVA — I note the interjections of those opposite. Mr Pakula wants me to table *A More Competitive Manufacturing Industry*. We are very proud of this strategy and of the fact that we as

a government delivered on our election commitment. If members opposite wish me to table it, maybe they could also table the federal government's strategy. No; it has not been tabled. Maybe they could table the South Australian manufacturing — —

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

Supplementary question

Mr SOMYUREK (South Eastern Metropolitan) — I ask the minister: how will doubling apprenticeship fees and axing hundreds of permanent jobs and hundreds more casual jobs from the TAFE sector address specialist skill shortages in the manufacturing workforce, which have been identified in his manufacturing statement?

Hon. R. A. DALLA-RIVA (Minister for Manufacturing, Exports and Trade) — I thank the member, but the premise of his question is wrong. If he is really concerned about skills and if he is really concerned about maintaining a skilled workforce in manufacturing, maybe he and other members of the opposition should have gotten on the phone to the federal government when it was announced that the Williamstown blocks were to be sent overseas. Members opposite have shed crocodile tears about apprenticeships and lost opportunities. What I find fascinating is that at a time when manufacturers are really under the pump nationally and globally and when there is a high Australian dollar, those opposite are trying to play politics with a very important issue. What we are doing — —

Mr Somyurek — On a point of order, President, the minister has been on his feet for 35 seconds; he has 15 seconds left, and he still has not bothered to address my question. The question was very specific. President, I put to you — —

The PRESIDENT — Order! The member does not need to continue with the point of order; I have got the gist of it. The question did connect a number of training avenues and the achievement of a skilled workforce — —

Hon. D. M. Davis — It was founded on false premises.

The PRESIDENT — Order! Yes, maybe, and maybe that issue has been addressed, but I would ask the minister to address the point that was raised by Mr Somyurek.

Hon. R. A. DALLA-RIVA — We are focused on ensuring that we have a skilled manufacturing base here in Victoria. We will continue to work towards that and to be very positive about manufacturing, as opposed to those opposite, who always want to talk it down.

Sherrin: Scoresby plant

Mr DRUM (Northern Victoria) — My question is also to Mr Dalla-Riva, as the Minister for Manufacturing, Exports and Trade, and I ask: can the minister inform the house of any new and exciting developments for an iconic brand in the Victorian textile, clothing and footwear industry?

Hon. R. A. DALLA-RIVA (Minister for Manufacturing, Exports and Trade) — I thank the member for his question. Obviously we recognise the importance of the TCF (textile, clothing and footwear) sector here in Victoria and its significance to the manufacturing industry. I have to acknowledge that the TCF sector and Victorian manufacturing in general benefit from the creative and technological advances being delivered by the non-woven industrial and technical textile sector. As I have indicated before, the Victorian government is excited about the prospect of establishing a textile and clothing hub at the Kangan Institute of TAFE in Richmond. We remain committed to developing that concept.

Victoria, as Australia's manufacturing powerhouse, has the talent and capability to design and create world-class products using new technology and traditional methods. This government, unlike the previous government, appreciates this fact, and we are doing what we can to support the industry. Last Wednesday, 7 March, I was pleased to officially open the new Sherrin football manufacturing plant at Scoresby alongside AFL legends Glenn Archer and the captain from Collingwood, Nick — —

An honourable member — Nick Maxwell.

Hon. R. A. DALLA-RIVA — Nick Maxwell — you can tell I barrack for Essendon. The Sherrin football is an emblem of Australia's magnificent sport, Aussie Rules. Given that the company began right here in Victoria 132 years ago up the road in Collingwood, it is an absolute privilege to see such an iconic Victorian brand still growing. The new manufacturing plant is 33 per cent larger, and it will further service the needs of more than 50 football leagues across Australia and provide excellent quality footballs for the backyards of our future AFL legends. It will be able to increase its capacity and produce more footballs than ever before. In 2011, 110 000 footballs were produced at the former

factory, with an average of 600 produced by hand each day.

Mr Drum interjected.

Hon. R. A. DALLA-RIVA — They are still manufacturing them by hand, Mr Drum, and I was there to witness that.

Sherrin is a terrific example of longevity in manufacturing. There have been changes in the manufacturing climate, and the company needs to be able to thrive in a changing economic and technological climate and adapt through innovation. It was interesting to see that not only are there GPS tracking systems for footballers now but Sherrin has also instigated a GPS tracking system within the footballs themselves. These are being trialled by a number of clubs, including the Western Bulldogs and that great team Essendon.

Honourable members interjecting.

Hon. R. A. DALLA-RIVA — Sherrin has invented — and it might be helpful for those opposite — a glow-in-the-dark football. As Labor Party members wander aimlessly in the dark they will be able to kick the football. But on a serious note, this has been aimed at country clubs — —

Honourable members interjecting.

Hon. R. A. DALLA-RIVA — And we hear them opposite. These glow-in-the-dark footballs are fantastic for country clubs whose grounds have poor lighting.

This new plant is what modern, competitive manufacturing is all about — more efficient production processes and greater use of new technology. That will increase — dare I say it to those opposite — productivity. The Baillieu government understands the current challenges facing the industry, and it is prepared to overcome those challenges by creating workable and forward-looking policy. We said that we would be elected on the platform of revitalising manufacturing. We stand by that commitment, and what we saw last week was an example from Sherrin of goals being kicked for the Victorian economy, unlike those opposite, who kicked own goals for an entire decade.

The PRESIDENT — Order! I understand the minister's answer. What mystifies me is what Mr Drum would know about Sherrins! For the record, Mr Sherrin was a distinguished footballer and coach.

An honourable member — Mr Sherrin?

The PRESIDENT — Order! Mr Drum, I mean.

Mr Jennings — That's why the jokes have to be written!

The PRESIDENT — Order! Good point.

Minister for Employment and Industrial Relations: responsibilities

Hon. M. P. PAKULA (Western Metropolitan) — Yes, Mr Drum was both a footballer and a coach.

My question is to the Minister for Employment and Industrial Relations. It was surprising to hear him say earlier in question time that he does not have responsibility for employment in the aviation sector. It is particularly surprising because traditionally the employment portfolio has ranged across the economy. My question is: are there any other sectors of the economy, apart from aviation, where the minister does not have responsibility for jobs?

Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations) — It might be a revelation to those opposite, but the ministerial orders make it very clear that we have a Minister responsible for the Aviation Industry, and it might be another revelation to those opposite, including Mr Pakula, but Qantas is an airline.

Supplementary question

Hon. M. P. PAKULA (Western Metropolitan) — I will try to be a bit more specific because I think the minister is being cute. The first question of question time was specifically about jobs in aviation, and the minister said it was not a matter for him, so my supplementary question, to be more specific, is: does the minister have responsibility for jobs outside the manufacturing sector, and if the answer is no, how are his responsibilities under the employment portfolio any different to his responsibilities under the manufacturing portfolio?

Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations) — I thank the member for his question, although he clearly fails to understand that the specific question was in relation to the aviation industry, and I responded accordingly. It is of note that the next question was asked of Minister Rich-Phillips in the correct portfolio, and if I am not mistaken, the question was very similar to what was asked of me.

I have a responsibility for ensuring that we have great employment opportunities, and I also hold accountability for the industrial relations framework in Victoria, which I have outlined time and again. What I

can say, though, is that in terms of employment, if you want to know the biggest employment killer in this state, just call it two words — carbon tax.

Ordered that answer be considered next day on motion of Mr LENDERS (Southern Metropolitan).

Planning: South Gippsland

Mr P. DAVIS (Eastern Victoria) — I direct a question without notice to the Minister for Planning, Mr Guy, and I ask: can the minister advise the house what action the Baillieu government has taken to bring forward changes to the South Gippsland planning scheme and what impact this will have on local confidence and jobs?

Hon. M. J. GUY (Minister for Planning) — I thank Mr Davis for his interest in the South Gippsland shire and the planning scheme that governs the South Gippsland shire. I can inform the chamber that recently I approved and brought forward amendment C63 to the South Gippsland planning scheme, which will not only free that shire from the shackles of a Justin Madden ministerial intervention a number of years ago but will give it the ability to grow and grow sustainably and, more to the point, will give the shire confidence, which it lost after there was a ministerial intervention to lock up land and treat it with a one-size-fits-all planning scheme approach.

The C63 amendment I have approved will do a number of things. Firstly, it will rezone just over 5000 hectares of land from farming zone to new rural activity zone in and around townships such as Loch, Yanakie, Koonwarra and Mirboo North and at Savages Road, Foster, and it will also make changes around the subdivision rates for dwellings in that shire, so that people on lots of up to 4.1 hectares, which is the old 10 acres, will be able to build without a permit. Those with lots of 4.1 hectares to 40 hectares will be able to build when an agricultural use is deemed appropriate for that lot of land, and lots over 40 hectares can be built on without a permit with a minimum subdivision size of 80 hectares.

This was warmly welcomed by the local shire, and indeed by all the coalition members of Parliament who have dealt with many of these issues in South Gippsland shire for some years. Indeed I have been through South Gippsland a number of times over recent years with Mr Davis to see a number of these areas. I have also been there with Mr O'Donohue. Mr Hall has played an active part, and of course no-one has been more interested than the Deputy Premier himself, Peter Ryan, in whose electorate this falls. They have all been

advocating for change to the South Gippsland planning scheme to give the shire back the flexibility it needs so that it can grow.

I quote the mayor, Warren Raabe, who said:

That would bring money into the district, which flows on. Every time you get a family moving into the area, they are spending money in the area, and every time we discourage a family from coming into the area, the community is missing out on that cash-flow generation.

The council feels there is a balance now between the protection of major agricultural enterprises and the lifestyle opportunities this strategy allows.

That is what the Baillieu government is on about when it comes to regional Victoria. We believe regional Victoria has a right to grow.

Ms Pulford interjected.

Hon. M. J. GUY — Ms Pulford may interject — —

Mr Lenders — No wind farms.

Hon. M. J. GUY — Mr Lenders, it is only when you have eaten a lemon that you know how sweet sugar is. You should understand how important this is to South Gippsland — no-one more than you, a Gippslander.

Mr Lenders should understand how important it is that South Gippsland get the right to grow, where the previous minister, Justin Madden — talk about Football Harry — now the member for Essendon in the other place, overnight came in and undertook a ministerial intervention to lock up land in South Gippsland, and to treat South Gippsland, which has very different settlement patterns from, say, Buloke or Yarriambiack or Gannawarra, in exactly the same way, with a one-size-fits-all policy that wrecked the ability of South Gippsland Shire to seek further investment.

Mr Finn — Another Madden stuff-up!

Hon. M. J. GUY — You are right, Mr Finn: another stuff-up from the previous minister.

After a long period we have given certainty back to South Gippsland, and this government — the Baillieu government — is proud to give that certainty back to South Gippslanders. We are proud to enable their shire to grow so that jobs can be generated and local employment can come to the fore. We are proud to see that within 14 months we have reversed a draconian planning scheme amendment that destroyed job growth in South Gippsland. We are returning South Gippsland, rightfully, to being one of the key job-generating places

of regional Victoria, and the Baillieu government is proud to be doing so.

QUESTIONS ON NOTICE

Answers

Ms HARTLAND (Western Metropolitan) — I have a list of unanswered questions: 235, which is now a year overdue, 599, 3564 and 4262. I do not know how many times I will have to stand up and ask for answers to questions, especially when they are a year overdue.

Hon. D. M. DAVIS (Minister for Health) — I thank Ms Hartland for that, and we will follow them through.

PRIVILEGES COMMITTEE

Reference

Hon. M. P. PAKULA (Western Metropolitan) — I move:

That —

- (1) the Privileges Committee have the power to confer with the Privileges Committee of the Legislative Assembly regarding a draft code of conduct for ministers, ministerial staff and parliamentary secretaries and to report jointly to the house; and
- (2) if the Assembly Privileges Committee declines to meet jointly, the Privileges Committee be required to meet as often as is necessary to draft a code of conduct and present it to the house for consideration and approval.

I thank Mr Guy for providing me with an envelope which I hope has an answer in it.

This motion should not be necessary. This is yet another motion that, like a range of the amendments the opposition has moved to various pieces of legislation over recent weeks and months, has as its sole purpose the holding of the government to one of its own pre-election commitments. It is not the opposition trying to dream up anything new. It is not the opposition trying to hold the government to a standard that it has not already set for itself. It is simply about trying to get the government to do something that it promised solemnly, in writing, that it would do before the last election — and it was a commitment that was very explicit. It is contained in *The Victorian Liberal Nationals Coalition Plan for Integrity of Government* document that was released before the last election. The commitment is on page 7 of that plan and is headed ‘Codes of conduct for MPs and ministers will be implemented’. It says very clearly:

The Privileges Committee of each house will be required to draft codes of conduct for ministers as well as members of the Legislative Assembly and the Legislative Council and staff (these codes of conduct must be formally adopted by the Legislative Assembly and the Legislative Council).

It could not be any clearer, but unfortunately it is yet another commitment that was made for the sole purpose of trying to make the coalition a more attractive proposition in the lead-up to the last state election. It was a commitment that the government had absolutely no intention of keeping, as subsequent actions have proved. In that respect it now falls into the same basket as the government’s commitment to bring in a government advertising review panel. Let us not forget that in that regard the now Leader of the Government in this place moved a private members bill in September 2010 to establish an independent government advertising review panel, so the government does not even have the excuse that it needs to draft a bill — it already has a bill drafted. It was drafted a year and a half ago.

At the budget estimates hearings last May the Premier recommitted to the government advertising review panel and was more explicit, saying that it would be in place by the end of 2011. No appearance, Your Worship. It appears that we will never see the independent government advertising review panel that was promised.

There was also the promise — again written and contained in the government’s policy — that the freedom of information commissioner would not just have the authority but would also be required to draft enforceable standards for FOI officers in government departments. However, when the bill was presented to the Parliament in the last sitting week that power had been given to the Minister for Corrections, Andrew McIntosh. When Minister Dalla-Riva was asked in committee, ‘Why the change? Why has the commitment been broken?’, the only answer he could provide us with was, ‘The government believes it is appropriate to do it this way’.

It is like the commitment by the government to have the FOI commissioner responsible for all first-stage reviews of FOI decisions made by government departments. What we now know is that the FOI commissioner will be responsible for all first-stage reviews, except where cabinet in confidence is claimed, except where national security is claimed, except where the decision has been made by a minister’s office and except where the decision has been made by the head of an agency or the secretary of a department. The lion’s share of most FOI decisions is taken away from the authority of the FOI commissioner.

It is like the commitment made by Mr Hall, the Minister for Higher Education and Skills, that Victorian teachers would be the highest paid in Australia. I note now that, unlike the last time we asked Mr Hall about this, the last enterprise bargaining agreement has expired. We are almost three months beyond the expiration date with still no agreement and nowhere near the highest paid teachers in the country.

It is like the commitment that there would be no public sector job cuts. The government said during the budget estimates process last May that it would grow public sector jobs by 4000. In fact it is slashing 3600 public sector jobs. In 16 months there has already been an absolute bevy of broken promises — perhaps promises the government never intended to keep, maybe because it did not expect to be elected but more likely because now that it is in government it has decided that keeping these commitments would be problematic for the government in a political sense.

In the case of this particular promise, there is absolutely no wriggle room in the wording. It is impossible to misconstrue; it is impossible to deny. As I have indicated, the first line of the commitment talks about the Privileges Committee of each house drafting the codes of conduct. However, the then opposition, now government, went even further than that. About a week before the last state election, Mr McIntosh, the Minister for Corrections, who was then the shadow minister for integrity of government, wrote to Mr Tim Smith, chair of the Accountability Round Table. Because it is an accountable organisation, the Accountability Round Table placed that letter on its website. In that letter Mr McIntosh said:

To ensure that the executive is accountable, the coalition is committed to a ministerial code of conduct which would include staff and about which more will be revealed when the details of the coalition's anticorruption model is announced shortly. Importantly, under a coalition government, the ministerial code will be decided by the Parliament not the government. This is in stark contrast to Labor's proposal which will see a ministerial code decided by the executive.

What a difference a year makes! We have a ministerial code decided by — guess who? The executive! Mr McIntosh went on to say that having the executive draft a ministerial code of conduct would mean a much less effective code and that it would appear to be doing something but essentially be designed to fail. That is what Mr McIntosh said about any ministerial code of conduct drafted by the executive, yet last week, with no fanfare, a ministerial code of conduct was placed —

Mr Barber interjected.

Hon. M. P. PAKULA — It was given to the *Sunday Age*; that is right. Some part of it was found in the *Sunday Age*, and then I think three days later it was very quietly posted on the Premier's website. Lo and behold, who has drafted it? The executive!

In support of my motion we say that it is important that the Privileges Committee draft the code for consideration by the Parliament. Members should bear in mind when I say that that the Privileges Committee of both houses have a government majority. The Parliament that would need to consider any report by the Privileges Committee has a government majority in both houses. It is difficult to discern what the government might be afraid of in letting the Privileges Committee draft such a code. I do not think government members on the Privileges Committee would commit ministers to anything that would keep them up at night. Certainly if they did —

Mr Lenders — Particularly as the majority of them are ministers.

Hon. M. P. PAKULA — Indeed, as Mr Lenders said, particularly as the majority of them are ministers and particularly given that they have the further safety net of majority control of both houses of the Parliament that would ultimately need to consider such a code.

I move this motion not only for the reason that a Privileges Committee process is what the government said it would do; it is also because this document that has been held up in the last couple of days by ministers as being something terrific — 'At least we have a ministerial code of conduct' — is utter rubbish. There is almost nothing new in this document. We should go through it a bit, because it actually brings to light just what happens when you let the Premier's office draft a ministerial code of conduct. First of all, it is a total of nine pages long. I do not want to bore the house, but I will go through it briefly but in some detail because it contains page after page of the bleeding obvious.

To start on the first page, it says ministers should act in accordance with their oath of office. I would have thought that they were already required to do that. I do not think you need a code of conduct to tell ministers that they should act in accordance with their oath of office. That is the motherhood statement: they have to do what they are already required to do. Then at the bottom of page 1 it goes on to say that ministers must use the resources of their office appropriately. Again, I would have thought that they were already required to do that, so I do not think the ministerial code of conduct adds anything to the requirements that are already made of ministers.

This is quite extraordinary. In point 2.6 it states that ministers must not induce public officials to breach the law or to act improperly. Again I would be happy, if I am wrong, for a member of the government to correct me, but I would have thought that is already an offence. I would have thought if a minister induces a public official to break the law, the minister is probably already in a bit of strife without a ministerial code of conduct that effectively seeks to codify a whole bunch of stuff we already know.

Mr Barber interjected.

Hon. M. P. PAKULA — Mr Barber is sometimes helpful and sometimes he is just distracting. I will try to continue without his help.

Mrs Peulich interjected.

Hon. M. P. PAKULA — We all have to make that assessment for ourselves.

The code of conduct then goes on to say in paragraph 2.8 that facilities ‘provided at public expense are not subject to wasteful or extravagant use’, and again I do not know if the government is trying to suggest that prior to the issuing of this code of conduct that was okay. I am not sure that anyone from the government wants to suggest that that was okay until last Wednesday.

Then under the heading ‘Working in the community’ — and this is very generous — the code of conduct states that members of the public should be able to raise matters with ministers, as if somehow that was not allowed until the ministerial code of conduct was handed down from on high. We have already had ventilated on numerous occasions in this chamber the fact that some members of the public certainly have very good access to ministers, so again I do not think anything new is being enunciated by having a provision in the code of conduct that says ministers should be able to meet with members of the community, should listen to their concerns and should, where appropriate, act upon them. Bully for you! What happened for the last 150 years?

On page 5 we have effectively a restating of the lobbyists code. That is something that was issued last year which the government has inserted into the document to make it nine pages rather than four. Basically on the first five pages we have got absolutely nothing new, which leaves us with two and a half or three pages. The first bit of groundbreaking new law, or a groundbreaking new approach to politics as it is being defined by the Premier, is that senior party officials who are working as corporate affairs directors are now

covered by the lobbyists code. That might be a little bit new, but the problem is that the lobbyists code is not working. We have absolutely no idea which lobbyists ministers are meeting with anyway.

Mr Drum interjected.

Hon. M. P. PAKULA — I have put in questions on notice — and Mr Drum may be interested to know the government has had a lot of fun with that — where I asked each minister which lobbyists they had met with in regard to each of their portfolios, and I got 2000 non-answers. I have still got them piled up in my office, thousands of answers — —

Mrs Peulich interjected.

Hon. M. P. PAKULA — It might come as some surprise to Mrs Peulich, but I was actually the Minister for Industrial Relations, which required me to meet with both union officials and employers. I suspect if the current Minister for Employment and Industrial Relations occasionally met with a representative of workers rather than just meeting with his own officials, he might have a better appreciation of some of the pressures that are out there in the economy at the moment as regards jobs — provided they are not in the aviation sector, of course. We would not want a demarcation dispute between Mr Rich-Phillips and Mr Dalla-Riva.

Sitting suspended 1.00 p.m. until 2.03 p.m.

Hon. M. P. PAKULA — Ordinarily when I am interrupted by the luncheon interval I pick up where I left off; but I was having an exchange with Mrs Peulich, and in that respect I would probably prefer not to pick up where I left off. It would be better if I moved on.

Just before my exchange with Mrs Peulich, I was making a point in relation to page 6 of the ministerial code of conduct. To recap, I would like to think that I have established that the first five pages of the code are a fairly poor codification of obligations that are already imposed on ministers. There is absolutely nothing new on any of the first five pages. On page 6 reference is made to the lobbyists code, which appears to have no actual effect at the moment. If it does, no-one would ever know about it, because government members will not tell anybody which lobbyists they meet with.

When we get to page 7 we see the second new set of obligations, which are obligations on former advisers in ministers’ offices; so this is about a person who has been a chief of staff, a senior adviser or an adviser in the private office of a commonwealth or state minister

or parliamentary secretary. I do not know if that is a signal that parliamentary secretaries now have advisers; maybe Mrs Peulich or Mr Drum could tell us. That is an interesting new development. If parliamentary secretaries had their own advisers, that might explain why the government is able to claim that the number of ministerial advisers has reduced.

Mrs Peulich — My husband is a very good adviser.

Hon. M. P. PAKULA — Let me take up Mrs Peulich's interjection. She says her husband is a very good adviser. I wonder if she is therefore suggesting that her husband is subject to the lobbyists code, because that is the only sense in which it is relevant to this debate. If she wants to volunteer that her husband will be covered by the terms of the lobbyists code, I am not sure he would appreciate that very much.

Mr Viney — Mr Pakula promised not to continue his interchange with Mrs Peulich.

Hon. M. P. PAKULA — I did make that promise, Mr Viney is correct. I did promise myself that I would not continue that interchange.

Mrs Peulich — It makes it more fun!

Hon. M. P. PAKULA — Maybe it is more fun for Mrs Peulich. The interesting part about this new obligation as it applies to former staffers, particularly when read in light of the fact that the commitment from the Minister for Corrections, Mr McIntosh, to the accountability round table is that there would be a ministerial code of conduct that would include staff, is that there is almost nothing in this document about staff. There are three lines which say that ministers and parliamentary secretaries should be familiar with the requirements of the ministerial staff code of conduct. First of all, it seems that the government has a separate code for staff; they are not included in this code, as had been promised. Correct me if I am wrong, Acting President, but I do not think that anybody has ever seen this ministerial staff code of conduct, so I do not think anybody has any idea of what is in it and what sorts of obligations apply to them. In this document it seems that there are more obligations on former ministerial staffers than there are on current ministerial staffers.

Mr P. Davis interjected.

Hon. M. P. PAKULA — I think Mr Davis said, 'Quite so'.

Mr P. Davis — Are you verballing me?

Hon. M. P. PAKULA — No, I would not seek to verbal Mr Davis, and if he wants to suggest that he did not say that, I would accept him at his word.

We have what seem to be quite new obligations on former staff and almost nothing about current staff, other than a reference to a staff code of conduct that we have not seen. There is also on page 7 a reference to the fundraising code of conduct. I have commented before on the fundraising code of conduct and on what an unimportant and unedifying spectacle that document is, given that it makes no difference in any concrete way to any action of any minister carrying out their fundraising. If you need any more evidence than the \$10 000-a-head Raheen dinner last Thursday night, then I would be surprised. As appears from the footage, a lot of ministers were there, with a lot of people paying a lot of money to bend their ears. I do not know how the government can suggest that its fundraising activities have been fettered in any way by the fundraising code of conduct.

I would be very interested if any member of the government was able to stand up and provide one concrete example of how their fundraising activities had been fettered or changed in any way by the code of conduct. It is one thing to reference it and to create a code of conduct, but it has to have some practical effect. If you are going to crow about it, it has to have some practical effect, and I cannot see any practical effect at all to the code of conduct.

Then we turn to page 8, which talks about private interests.

Mrs Peulich — Shall I go and get my big file on union donations?

Hon. M. P. PAKULA — If I have heard Mrs Peulich threaten us once with her big file, I have heard it a thousand times. The only thing I can say to Mrs Peulich is that if she has something that is dynamite in her big file, then she should bring it on.

The page on private interests is interesting. There are a few points that should be made about this. It talks about conflict or potential conflict of interest being ruled out by the ministerial code of conduct. Interestingly, it says nothing about perceptions of conflict. We have always been held to a higher standard — that is, that we should avoid not just conflict or possible future conflict but also the perception of conflict of interest. That is a very important difference, because the issue of perception of conflict goes to the question of public confidence in parliamentarians. It has never been enough simply to avoid actual conflicts and it has never really been

enough just to avoid conflicts that might arise in the future; as members of Parliament, but certainly as ministers, we should avoid anything that looks like a conflict of interest because it has an effect on the way the public perceives parliamentarians. That is why it is surprising that, in this instance at least, the ministerial code of conduct appears to reduce the obligation in regard to conflict from one where potential, real or perceived conflicts are to be avoided to one that relates only to potential or real conflicts.

As you know, Acting President, we had a situation last year where the opposition was highly critical of the Minister for Health over the fact that a large legal bill was paid by benefactors about whom we still know nothing, which would probably have never risen in the public domain had the opposition not brought it up in the Parliament. It would never have been known about. One of the things the opposition said at the time, and continues to say today, is that at the very least that created a perception of conflict of interest, because as far as we know those bills could have been paid by anybody. We have asked the minister time and again to remove that perception of conflict by coming clean on who paid the bills. For his own reasons the minister chooses not to do that, but we would say that a ministerial code of conduct which says nothing and which cannot compel a minister to declare who benefactors might be is not worth the paper it is written on.

Part of the problem is that this code of conduct removes as a requirement the need for ministers to avoid perceptions of conflicts of interest. I imagine that if there was a reference to perceptions of conflict of interest, then if the minister was going to comply with the code he would have to tell us who paid those bills. But as it stands he does not have to, he has not and it seems he will not, and there is nothing in the code of conduct that will make him.

The last page is really my favourite because the first five pages contain statements of the obvious. This page tells us that:

Ministers and parliamentary secretaries must accept that it is for the Premier to decide whether and when a minister or parliamentary secretary should stand aside ...

Apparently it is a matter for the Premier to decide when a minister or a parliamentary secretary stands down. Who would have thought it? Who else is it up to? Who else has it ever been up to? It has only ever been a matter for the Premier to decide if a minister or a parliamentary secretary should stand down. I do not know what mischief this is seeking to remedy. I do not know whether members of the government might have

believed that it was not up to the Premier to decide when a minister should stand down — perish the thought — or that it was not up to the Premier to decide if a parliamentary secretary should stand down. The fact that it needs to be expressed on page 9 of the code is quite extraordinary. I wonder in fact who this might be directed at. I wonder who within the government was under any illusion about whether or not it was the Premier's right to tell a minister or a parliamentary secretary that they had to stand down.

Moving on, what we have now is all the 'mays' and the 'maybes'. Section 9.2 says that if there has been a breach of the code, a minister or a parliamentary secretary may be required to resign if the Premier is satisfied or if the breach is substantive and material. Basically what we have is a code which operates in this way — that is, that if the Premier thinks a breach is material, then at his discretion he might decide that a minister or a parliamentary secretary should stand down, if we ever find out about it. It is hardly a document which adds anything at all to the current circumstance as we know it, which is that if a Premier believes that a minister has done the wrong thing, he may ask the minister to resign. That is the case now and it has always been the case. Again, there is absolutely nothing added by that part of the code of conduct.

We have a code of conduct for when there has been a breach and there is no external factor at play and no external arbiter and there is no reporting of it to the Parliament or to the public — this is a document for the Premier to use as a guide for himself. If a minister is disciplined as a consequence of the code, we may or may not ever hear about it. In the end what has been developed by the Premier's office, or by the cabinet or however this was developed, is a secretive system which fundamentally — except in a couple of very minor instances — is just a restating of the obvious. It is a restating of a whole range of disciplines that already apply.

It says almost nothing about ministerial staff. Importantly it says absolutely nothing about ministers engaging in secondary employment or receiving outside income. I understand that that was a matter of some consternation amongst the cabinet, but there is not a word about it in the code of conduct. As far as the ministerial code of conduct is concerned, there is no prohibition whatsoever on any minister or parliamentary secretary moonlighting, taking another job, having another form of income or having another occupation. The government might say, 'That is hardly likely to occur', but I am not sure whether that is actually the case. I would have thought that the

ministerial code of conduct should have something to say about that at least.

I go back to the words of the member for Kew in the Assembly, Mr McIntosh, when he was shadow minister for integrity of government. In his letter to Mr Smith of the Accountability Round Table he described a ministerial code of conduct drafted by the executive as being one that would be ‘essentially designed to fail’. These are his words, not mine. Mr McIntosh has delivered on that prediction in spades. He and the Premier have delivered a ministerial code of conduct that does absolutely nothing new.

All the opposition seeks to do through this motion is to hold the coalition to the very explicit commitment that it made in its pre-election policy — that is, that the Privileges Committee of each house be required to draft codes of conduct for ministers, other members of the Legislative Assembly and the Legislative Council and their staff and that these codes of conduct be formally adopted by the Legislative Assembly and Legislative Council. That is all this motion seeks to do. If the Legislative Assembly Privileges Committee does not want to play ball, then the Legislative Council Privileges Committee can meet alone, do its work and present a document to this chamber for us to consider.

Let me repeat the point I made earlier: it is not as if the government has anything to fear. The government has a majority on the Privileges Committee of each house, and the government has a majority in each house of the Parliament. It is hardly likely that either Privileges Committee will draft some draconian document that ministers cannot deal with.

The government will no doubt say, ‘At least we have a code of conduct’, but the point of having a code of conduct is not so you can say, ‘We have a code of conduct’; the point of having a code of conduct is so it actually makes some difference, which requires that it be a meaty and enforceable document. Mr McIntosh correctly predicted that a code of conduct drafted by the executive would make no difference and that it would be a document designed to fail. He predicted that for a code of conduct to have any chance of being a serious document it should be drafted by the Parliament, not by the executive. That is what he committed to, and that is what this motion calls on the Parliament to conform with.

We look forward to government members standing up and recommitting to the promise they made the Victorian people and the house before the last election. In those circumstances, we would expect our motion to receive unanimous support.

Mr BARBER (Northern Metropolitan) — If I follow the train of Mr Pakula’s argument correctly, it was that Premier Ted Baillieu had an idea 18 months ago and therefore it must be a good idea, so now Mr Pakula wants to force him to carry it out. That is despite the evidence that Mr Pakula tendered — quite well, I thought — that the Premier’s first attempt to draft a code of conduct was pretty useless. Quoting his new guru, Mr McIntosh, the member for Kew in the Assembly, Mr Pakula said that a code of conduct drafted by the executive would inevitably be ineffectual, but never mind because we will have a parliamentary committee — a committee controlled by the executive — have a second go at it! There may be a cautionary tale there, but I am not 100 per cent on board with the idea of forcing the government to keep all of its promises whether they be good or stupid. I would rather encourage the government on its good promises and not give it any encouragement on its bad promises.

Mr Pakula’s exposition on the subject went very wide. I do not intend to go across the topics he raised, but they included things such as lobbyist codes, fundraising, ministerial staffers, codes of conduct and the whole gamut of integrity mechanisms one might hope to have. You could not have got a discourse on those subjects out of Labor members when they were in government if you had held them down and applied a couple of Taser guns to them; now they want to talk about them quite a bit.

In the process of his contribution to the debate I think Mr Pakula missed the chance to make a couple of other points, so I will add to his argument somewhat. First of all, it is my understanding that ministerial staff do have a code of conduct — or at least they did under the former government. I understand that around the time the government decided local councillors should not work for MPs a code of conduct was pounded out under the provisions of the ministerial staffers’ terms of employment, enterprise agreement or whatever it was. I am yet to be able to find a copy of it, but it would be worth seeing.

If ministerial staff have a code of conduct and ministers do not, what exactly is it that staff are supposed to be doing? I would have thought it would be the other way around. Ministers need a strong code of conduct, and the job of ministerial staff would then be to support ministers in doing their jobs according to the code of conduct.

If the situation is — and unfortunately we did not find out — that we do not have a ministerial staffers code of conduct, and I wholeheartedly agree that the ministerial code of conduct does nothing, then we do not have

anything. We have no protective mechanism around the important issues that flow through ministers' offices. It was very important in the last Parliament; it will be very important in this Parliament.

I refer next to the fact that we already have a legislated code of conduct for MPs. It has been there since about 1978, I think, or at least that was the date of the act. It came out of a parliamentary inquiry around the time — I think it was 1975 — that the House of Commons was having its own inquiry and creating its own code of conduct. There has been very little evolution since then, but that is not to say there is necessarily massive room for improvement either. The legislated code of conduct for MPs got a pretty good workout last Wednesday. I am going to have to keep talking about this because it applies to all of us right now.

Additionally, two of the issues Mr Pakula raised are in fact in that code. One was that it should cover not only conflicts of interest but also perceptions of conflicts of interest. In relation to ministers, that is there. No code that the Premier could promulgate could avoid being anything other than an inferior document. It has to hang underneath the legislated code of conduct which itself, it is quite clear in my mind, is a codification of the privilege of the Parliament, and the Parliament itself has to enforce it.

Likewise, the code of conduct also refers to ministers devoting their energy and talents to their jobs. It does not say you cannot work outside, but it makes it pretty clear that it is going to be frowned upon and will cause you difficulty. Any trip up between the two interests is going to go straight under the microscope because the code already warns against it.

The final point I wanted to add in addition to Mr Pakula's presentation is that this becomes very much more important now that we have debated and continue to deal with the Independent Broad-based Anti-corruption Commission. As Ms Pennicuik's amendment last night attempted to resolve, and as we may yet find, breaches of an applicable code of conduct can be a trigger for an IBAC investigation. Certainly in other states they cannot, and although Ms Pennicuik tried to make it explicit through her amendment, it may still be that it becomes an important factor in future IBAC investigations — for example, the difference between serious and not serious might depend on whether there has been a code of conduct pointing to a certain behaviour.

For that matter, when it comes to prosecuting someone who has committed a crime they not only have to have committed the act but they have to have committed it

knowingly and willingly. If you have signed a code of conduct, or if you have been told that you are subject to one through an act or through the Premier's office creating one, then it is a lot harder to argue that you did not know the thing you were doing was wrong if it is clearly a breach of that code. Therefore the question of prosecution becomes wrapped up in this as well.

Having seen Mr Baillieu's early efforts on drafting codes of conduct, both in relation to fundraising and now in relation to ministers, I am not in a hurry to see those replacing what we currently have in statute — not at all. I would strongly resist it if that is what I thought would be the outcome of Mr Pakula's motion. Mr Pakula is suggesting that the Privileges Committee, which he noted is controlled by the government in both houses, would go away and draft something. Fair enough, provided we do not proceed straight from there to legislation, because there is a real worry that something drafted by the Premier's office could dramatically weaken the existing rules.

I have no doubt that Mr Scheffer will give us an extremely erudite contribution in a minute, because he was part of a parliamentary inquiry in the last Parliament that looked at all the matters up to and including a code of conduct and recommended that a process be adhered to. If we were doing this now for real, as opposed to Mr Pakula's somewhat symbolic motion, I do not even know if I would want current MPs alone doing the work. I think former MPs and others with experience in this area might be tasked as an independent group, including to take public submissions. More than submissions, I think we should enter into a public dialogue about this in order to make sure that it is right. It may certainly be political at the end, as all things are when they are brought into law, but I am not so keen on it being political at the start and all the way through.

As we saw in the last Parliament when Mr Hulls tried to amend the Members of Parliament (Register of Interests) Act 1978, and as we see again here today, it has become much more wrapped up in the politics of who promised what and who has broken their promises than the essential promise we are making to the people — that is, that we look only to their interests when we vote and act on their behalf in Parliament.

We will support the motion with some reservations, because the motion goes only so far as to prepare and report on a draft code to the houses. A draft code probably cannot do too much damage, but I fear that if Mr Baillieu had followed to the letter his original promise, we would now find his incredibly weak code in law having been pushed through both houses. There

would certainly have been strenuous objections by the Greens if he had tried to do that. If the government was trying to make radical strides in this area, it would have done it pretty much in its first month on the job.

John Howard had a very good code of conduct for ministers. It was not legislated. Five or six of his ministers got clipped in fairly short order, and he then had to soften it somewhat, though he did not introduce that early in the piece. He introduced it at a time when his government had a bit of a reputation for being mean and tricky and needed a circuit-breaker. In other jurisdictions conservative governments have made great strides in this area. The Conservative Party of Canada went to an election with a 25-page manifesto, of which 13 pages related to integrity mechanisms, and unexpectedly got elected due to a rather corrupt Liberal government, as it is called in Canada, and before the incoming government knew it the public servants had grabbed its election manifesto and implemented it. The result has been that we have seen some great strides in Canada in the jurisdiction, but we are not going to see them here.

If Mr Baillieu had wanted to draw a line, he would have done it in his first week or month on the job. That is why we have ended up with the weak ministerial code and weak fundraising code that we have. There is still time for Mr Baillieu to pick up some of the other hot-button issues Mr Pakula talked about. He could reform donations the way New South Wales Premier Mr O'Farrell has, but I do not think that is what Mr Pakula meant when he was floating that particular boat. Nevertheless we will support Mr Pakula's motion and hope that through a collaborative process, with people leaving their political party designations at the door and with a higher purpose, the committee can meet and propose a draft that could lead to some further public discussion.

Mrs PEULICH (South Eastern Metropolitan) — I am delighted to see Mr Finn in the chair whilst I get up to make a contribution on behalf of the government on Mr Pakula's motion, which the government will not be supporting. The government will not be supporting the motion for a number of good reasons, some of which were canvassed by Mr Barber. I thought he made some valid points, so it was a bit of a surprise when he announced that the Greens would be supporting Mr Pakula's motion, in view of the fact that he so compellingly and convincingly argued why Mr Pakula's presentation was so flawed. It was a bit inconsistent and perhaps lacking a little in transparency, but who knows what the motive may well be. However, Mr Barber has acknowledged the fact that the Baillieu government has instigated a range of integrity measures

so far and that conservative governments have a very strong record — certainly here in Victoria, as well as further afield — for integrity measures which beef up accountability and transparency of public office and public institutions. I thank Mr Barber for that; it was a very important point to make.

Mr Barber also made a very important point which undermines much of what Mr Pakula said — that is, that we already have a register of interests, which is legislated and which has served us for 34 years. The way of enforcing that register of interests is through the Parliament and through the Privileges Committee, which is one of several reasons the government will not be supporting the motion.

Mr Pakula did mention that the code of conduct brings together a number of codes. It codifies protocols, the lobbyists code, certain themes out of the Members of Parliament (Register of Interests) Act 1978, the ministerial code, the fundraising code and so on, and the government has published the new ministerial code of conduct, as was its commitment to do so. What is important is the commitment, and this has been issued with the authority of the Premier and posted on the website for all to see. That is in stark contrast to the Labor Party talking about it for 12 years and doing nothing about it whatsoever. Now its members are getting up here in this chamber and moving these ridiculous motions when we have achieved more in just a little over a year than they did for their entire term of office. Having listened to Mr Pakula speak, one would have thought he was almost saintly and that he needed to be canonised for the examples of integrity that he demands. Mr Pakula has demonstrated the very short history of what he as a former minister and his government managed to do.

I was very pleased to hear Mr Pakula referring to the coalition's policy leading up to the 2010 election. The document refers to the implementation of a new code of conduct for members of Parliament and ministers. The initial proposal in the policy was that the Privileges Committee of each chamber would develop these codes. As Mr Barber rightly pointed out, many of these committees are chaired by a government member and have a majority of government members, so it would be yet another example of the government leading the drafting of the ministerial code of conduct, which we have already done.

I believe that a closer examination of the motion reveals that giving this task to the Privileges Committee — one in the Assembly and one in the upper house — would be in conflict with their stated responsibilities and

indeed their responsibility for enforcing the members register of interests.

On three grounds the government will vote against this motion. Firstly and foremost the Privileges Committee of the Legislative Assembly is responsible for the investigation, as I mentioned earlier, of breaches of general conduct as members of the Assembly. Similarly the Privileges Committee of the Legislative Council is responsible for the investigation of alleged breaches of general conduct as members of the Legislative Council. They are responsible for not only the protection but also the upholding of the privileges of each house. The privilege committees do not act together, and this is recognised by the fact that there is a second paragraph to Mr Pakula's motion, and to compel them to meet together would breach the long-held principle where each house is responsible for the management of its own proceedings. The machinery is problematic, and the commitment has been delivered. We must not lose sight of the fact that we have delivered on this commitment, and there are a thousand ways of skinning a cat.

Secondly, the motion could also potentially compromise the role of the Privileges Committee — which I think is a very important committee, because as I said earlier it protects rights and upholds privileges as well as acts as an investigating body — if the committee members were charged with the drafting of a code. Indeed the members of the Privileges Committee are there to investigate, and I believe that it would be a blurring of their roles if they were charged with drafting a code. If they were involved in drafting a code — irrespective of whether or not that code may be flawed in some way or problematic — the committee's members may feel it necessary to defend that code, so I believe it would not well serve the two chambers if the role of the Privileges Committee was broadened to include the drafting of the code which they have the responsibility of enforcing.

Thirdly, in terms of the Privileges Committee, obviously all members should be treated equally. There should be no different standards for ministers in their conduct as members of Parliament. That is a general code that is outlined. Mr Pakula said we do not have a code; we have had a code since 1978 — Rupert Hamer was responsible for its development — and it has the force of this Parliament.

Section 3 of part I of the Members of Parliament (Register of Interests) Act 1978 is headed 'Code of conduct for members' and goes through chapter and verse outlining long-held principles of the code of conduct provisions. Indeed at the end it also addresses

the conduct of ministers. I have not seen anything to suggest that this particular code is flawed, and that is why it still stands after 34 years. In fact section 3 provides:

- (e) a Member who is a Minister shall ensure that no conflict exists, or appears to exist, between his public duty and his private interests ...

Questions without notice, questions on notice and the debates held in this Parliament, as well as the Privileges Committee of course, are all mechanisms for enforcing this code. Where there is evidence, matters can be investigated and appropriate action taken if necessary.

The next part of the code of conduct related to ministers says:

- (f) a Member who is a Minister is expected to devote his time and his talents to the carrying out of his public duties.

In terms of all members of Parliament the code is quite explicit, and the onus is on each and every one of us to ensure that we comply. To the best of my knowledge I think most members take this code very seriously indeed. Ministers have a set of additional responsibilities because they hold that ministerial commission. Those responsibilities are reflected in the oaths they take as executive councillors and again in the ministerial code of conduct.

I mentioned the statutory code of conduct for members of Parliament, and I draw this to members' attention. I think it is very important to remember that the statutory code of conduct was introduced by the Hamer Liberal government in 1978, and it contains, in section 3 of the Members of Parliament (Register of Interests) Act 1978, a range of provisions, including the requirement for members to be bound by the code of conduct and to ensure that their role is not subordinated to private interests. The legislation states in section 3(1) that members shall:

... ensure that their conduct as Members must not be such as to bring discredit upon the Parliament;

- (b) Members shall not advance their private interests by use of confidential information gained in the performance of their public duty;
- (c) a Member shall not receive any fee, payment, retainer or reward, nor shall he permit —

of course now we would also say 'she' —

any compensation to accrue to his beneficial interest for or on account of, or as a result of the use of, his position as a Member.

Mr Barber interjected.

Mrs PEULICH — I acknowledge Mr Barber's interests in integrity mechanisms and acknowledge his support for this government's introduction of the FOI commissioner. Unlike the Labor Party, which did not want to see the FOI act's provisions strengthened, Mr Barber supported that, and I have to give him due credit. He also supports the IBAC (Independent Broad-based Anti-corruption Commission) and a range of other integrity measures. That is why I was so disappointed to hear that, given Mr Barber's very clear understanding of these matters, he is voting for this motion, which at the end of the day is flawed.

Referring again to the code of conduct, members of Parliament are required to make full disclosure to the Parliament of any direct pecuniary interests. They must also name any trade or professional organisation of which they are a member or in which they have an interest. Any other material interest, whether of a pecuniary nature or not, also has to be disclosed in relation to any matter on which they speak in the Parliament. All members need to do is acknowledge that indirect interest. It does not prevent them from taking part in that debate or voting, because the machinery of this Parliament has very strong mechanisms for holding members to account. I have already covered some other measures that refer specifically to ministers.

The Baillieu government has already instigated a piece of legislation for the establishment of an Independent Broad-based Anti-corruption Commission. The Labor government did not do so for the entire time it was in office. The act provides for Parliamentary oversight of the commission by a new joint house committee. I understand that the Labor Party opposed that. Once all the architecture of the government's new transparency and accountability agenda is in place — and there are several items we have already delivered over the short time we have been in office, including IBAC, the Public Interest Monitor, the FOI commissioner, the new lobbyist and fundraising code et cetera — it will be appropriate to consider how all of these new measures will mesh. This will be a good forum for raising and making comment on the functioning of these new integrity mechanisms. Many are new, so one would expect that these things will be refined. If there are issues, they will be refined and addressed as we move forward.

The Liberal-Nationals coalition is yet again at the vanguard of strengthening the accountability and transparency of government, something Labor talked about in many of its election documents but never implemented, even when it had the opportunity to do so. It is hollow rhetoric for Mr Pakula to get up here

and criticise our already substantial record on delivering stronger integrity mechanisms to this Parliament.

In closing, what we have already delivered speaks very loudly for itself, and our commitment has not been broken. Indeed it is being delivered, and it is being delivered in spades. I commend the government on being speedy. Mr Barber said he would have expected something like this to have been implemented within the first month, but in the next breath he said these reforms take time. I think we have made good time, and we have delivered a number of very good initiatives.

I would like to remind the house of a document that is entitled *Integrity in Public Life — Labor's Plan for Proper Standards*, which is dated, I think, 1999. I was then the member for Bentleigh in the other place, and I remember reading this document and thinking that it would never see the light of day. How true those early sentiments have proved to be. I am going to select a few little titbits out of this document for members to consider. I think John Lenders, a member for Southern Metropolitan Region, might have authorised that document when he was working in the Labor Party's head office. That is ironic. He authorised it and he probably penned it, but he never implemented it.

As I said, it is called *Integrity in Public Life — Labor's Plan for Proper Standards*, and there could have been some good lines that could have inspired some good performances at the Melbourne International Comedy Festival. Page 1 of the document states that Labor will 'put an end to the use of the public purse for inappropriate political advertising and promotion'. I am reading this a week after the Auditor-General — —

Mr Barber — Labor took the opposite direction.

Mrs PEULICH — Labor took a diametrically opposite direction. Only last week the Auditor-General tabled a report that showed Labor's abuse of its advertising code, and that advertising increased exponentially as Labor increasingly pursued its own political interests, particularly in promoting Labor's election policies such as the Victorian transport plan. At the same time it failed to invest money into its Victorian transport plan or deliver transport initiatives, particularly in regard to public transport, to keep pace with a growing population. If it were not so hypocritical, it would be funny.

The document goes on to state that Labor would:

... end the use of commercial in confidence in FOI, abolish recent changes to the FOI act and extend freedom of information to all state government agencies and bodies.

Mr Barber — Labor took it to a whole new level.

Mrs PEULICH — Absolutely. Labor turned it into an art form. The greatest example of the secret state under Labor was when Ms Kosky, the former member for Altona in the other place, who was the Minister for Public Transport and the Minister for the Arts, buried the Spencer Street contract for 50 years under the state secrets act in her capacity as the Minister for the Arts, not as the Minister for Public Transport. If anyone actually did any digging, it would be just that little bit more difficult to locate.

Only last week Mr Pakula voted against the Freedom of Information Amendment (Freedom of Information Commissioner) Bill 2011 on the grounds that a significant strengthening of FOI was somehow not delivering on the coalition's entire promise. I am sorry, but that does not hold water. We know full well that many of these initiatives, which have already been implemented by this government, would be substantially undermined and subverted if Labor were to get its hands back on the levers of power — and hopefully, for the sake of Victorians, that will not happen too soon.

Labor promised to introduce a code of conduct for MPs. That never saw the light of day. In fact a little report from the Ombudsman on the topic of the Brimbank City Council embodies and signifies yet again the opposite direction that was taken by the Bracks and Brumby governments when in office. There were no proper standards enforced, and in many instances the benefits of office were used for the benefit of the Labor Party.

I will not bore everyone, but coming back to Labor's *Integrity in Public Life* document, under the heading 'Promotional expenditure' — and I think this is a doozy — the document states:

Promoting Victoria does not require a government to spend millions of taxpayer dollars on glossy brochures chock full of ministerial photographs.

Not only did Labor produce glossy brochures but there were many advertisements on television as well. I recall our television screens being graced with the image of Premier Bracks flying around in a helicopter.

Ms Pennicuik interjected.

Mrs PEULICH — Whilst I recognise the importance of the grand prix for our state, it is not something that is of particular personal interest to me. Whilst I would certainly go to the grand prix if I had the

opportunity, I have not had the opportunity. I will clean out a few more cupboards instead.

Labor's *Integrity in Public Life* document goes on to state:

Labor will ensure that promotional expenditure is confined to providing factual information about government services and in promoting the growth and development of the state.

The only thing that was promoted was the political interest of the Labor Party.

Mr Barber — What is your spin on propaganda reports on the carbon tax?

Mrs PEULICH — Mr Barber has asked how much we have spent on reports on the carbon tax. The fact that he is diminishing the importance of the carbon tax and its implications for Victoria, Victorian jobs and Victorian industry is deplorable. The Greens will feel the wrath of unemployed Victorians and Australians at the next polls. I look forward to that happening.

Mr Barber interjected.

Mrs PEULICH — Far be it from us to comment. Our primary vote has improved and our two-party preferred vote is not going backwards, but nonetheless, I will not digress from the matter at hand. The *Integrity in Public Life* document states:

Labor will re-establish an independent public service free from political interference and able to govern without fear or favour.

Nothing could be further from the truth. Under the heading 'Code of conduct for MPs' the document goes on:

Labor believes that it is the right of all Victorians to be represented by members of Parliament who are honest, accountable and motivated by the public good and not their own self-interest.

Well, well! We have had 10 or 11 years of debate, and examples of where this was far from the case and in fact contrary to the undertakings given to lure Victorians to vote for Labor in 1999.

With those few words, I commend the coalition for delivering on yet another promise and introducing a raft of integrity measures that will increase and improve the accountability and transparency of public officials, public institutions and the workings of Parliament. We can see that the Labor Party picks out faults and flaws, but it failed to do any of it over its 11 years in office. I urge members to vote against what is obviously a hollow, hypocritical motion that has been moved by Mr Pakula.

Mr SCHEFFER (Eastern Victoria) — This motion is intended to assist the Parliament to make a move to put in place a ministerial code of conduct that really does no more than what the present government promised to do before the 2010 Victorian election. The government has conceded that it has failed to honour its commitment to have the code developed through the Parliament — that is, through the privileges committees of both houses. As we all recall, this promise was part of the government's commitment to restore integrity to government and to high public office. As I said yesterday in my contribution to the debate on the Independent Broad-based Anti-corruption Commission Amendment (Investigative Functions) Bill 2011, the government's claim to restore integrity is now in tatters, and its failure to trust the parliament is further evidence of that.

Mr Pakula has unpacked the text of the ministerial code that the Premier released earlier this month, but as the chair of the Parliament's Law Reform Committee during that committee's investigation into the Members of Parliament (Register of Interests) Act 1978, I want to take this opportunity in the context of this debate to put on the record what the committee reported to the house back in 2009. I acknowledge Mrs Kronberg, who is currently in the chamber, who was also on the committee at that time.

As Mr Barber and Mrs Peulich have pointed out, the act contains a code of conduct for members of the Victorian Parliament, and it provides some basic, fundamental behavioural standards that MPs are expected to meet. The final report devoted one chapter to a consideration of the code of conduct for MPs. The Law Reform Committee's report drew attention to the general purposes of codes of conduct and what features make them more or less effective. The committee found that codes of conduct can help raise standards by clarifying what types of behaviour are acceptable and unacceptable for members of Parliament, and this is especially important, the committee found, because as members of Parliament we can find ourselves in situations where it is sometimes unclear how we should act.

Codes of conduct are useful, providing some first principles for individuals who find themselves in situations where they face competing interests and need to have some grounding before they act. The report found that codes of conduct cannot and should not be prescriptive but should provide a basis for a way of thinking in ethical terms and set out some aspirations that can have the effect of lifting the ethical perspectives of MPs. The report quotes Professor Brian Costar as saying that while you cannot teach people to

be ethical, you can teach them to be aware of ethical issues.

The Law Reform Committee found that a code of conduct also has a public purpose, so there is the purpose of guiding MPs as practitioners and people who are called upon to make complex decisions but there is also a public purpose — that is, it gives the community an idea of what the expectations of MPs are. While I think it is probably too much to hope that the general public's respect for MPs will improve overnight, at least a code provides an agreed standard against which we can measure MPs' behaviour.

The code contained in the Members of Parliament (Register of Interests) Act 1978 is short and direct and says that a member of Parliament's prime responsibility is their public duty and that they should not do anything that would discredit the Parliament. The code says that MPs should not use confidential information they obtain in their role as MPs for private gain, they must not take money for anything they do as MPs and they must disclose all their personal interests. The code contains two parts that directly relate to members of Parliament who are also ministers. That is to make sure there is no conflict between a minister's public duty and their private interests and also to ensure that as a minister they devote their talents and time to their public duties.

The committee quoted Mr Barber's submission, which notes that the code is — I think his words were — 'a rudimentary outline' and also that it is not well known and does not really meet the needs of MPs, much less ministers or parliamentary secretaries or indeed staffers, because we are now operating in a much more complex environment than was the case when the act was introduced in 1978. The committee made a number of what we thought were sensible recommendations. There is not time to go through all of those here, but it is worth pointing out that the committee agreed that the code should be developed through the process of the Parliament. That is in recommendation 3 of the report.

It is useful to remind the house what the committee did. It indicated that the way we should think about this was to divide it into two parts. We should have, firstly, a statement of values. The values the committee identified were around serving the public interest, upholding democracy, integrity, accountability, respect for diversity of views and backgrounds within the Victorian community, diligence and, finally, leadership. That was the value framework the committee felt should underpin the code.

Secondly, the committee felt that we should have an actual code of conduct, and I will run through the elements we thought should be covered by the code of conduct: upholding democracy and respecting others, regardless of background; conflicts of interest; using position for profit; outside employment activities; accepting gifts, hospitality and other benefits; use of influence; use of public resources; personal conduct; managing confidential and personal information; and post-retirement activity. That was the basket of headings that the committee thought should underpin the code itself.

What does need to be noted here is that even with the shortcomings of the code, were it to have been known or observed by some members of this Parliament, public criticisms in the media may have been avoided and members may not have become embroiled in the controversies that I think have damaged the collective reputation of the Baillieu government. As I have said before in other contributions I have made in this place, I am not prejudging the actions of any member of this chamber but referring to media reports that have questioned the conduct of, for example, the Minister for Police and Emergency Services, the Minister for Planning, the members for Carrum and Mordialloc, Mrs Peulich, a member for Southern Metropolitan Region, and even in the last month Mr Ramsay, a member for Western Victoria Region.

The coalition made an effort to respond to public concerns over coalition members' conduct, especially in relation to the issue of fundraising that was engulfing the Liberal Party and to some extent The Nationals last year. That was widely reported in the media, and as a response to that back in October last year the Premier released the fundraising code of conduct. That drew some public acclaim, at least in the first few days.

I just want to make some observations about that fundraising code of conduct, because I think it is pertinent to the matter before us at the moment. The coalition described the fundraising code as tough and sweeping but said it would be restricted to government MPs. This was a party code — a coalition code — and it was an informal agreement within the Liberal and Nationals parties that had absolutely nothing to do with the Parliament and certainly only applied to government members of the Parliament.

I think the Premier demonstrated a complete failure to understand the inherent weakness and hypocrisy of this informal party-based approach when he said that this sham of a code was available to the Labor Party. The Premier's coalition-exclusive code is also deficient because it does not require meetings between lobbyists

and government representatives to be made public and does not specifically rule out payment for access but tells ministers, Parliamentary secretaries and staffers to be careful — just to be careful — when these sorts of events are organised and promoted. The message I take out of that is: keep any payments for access discreet and out of public view; keep them under the table.

The other point that needs to be made about the Premier's fundraising code of conduct for coalition members is that there are not any sanctions for individuals who breach the code, such as it is, and you have to question how the Liberal Party and The Nationals are going to enforce this code — whether that will be an internal party process or whether it will be an open process.

The code is not law as is the code of conduct for MPs that is contained in the act that I referred to earlier on. It is an informal party arrangement that cannot be legally enforced, because there is no independent statutory body that can oversee conduct under the code. There is not even a way of scrutinising and establishing the facts surrounding an alleged breach of the code, and as we now know, it is not even clear whether the new anticorruption commission would have the power to investigate breaches of this sort of informal Liberal-Nationals arrangement.

Despite the weaknesses of that fundraising code, I suppose the question is: has it made a difference from last October? We have now had about a six-month run. Has it made any difference? Have the allegations of acceptable conduct stopped? The short answer is no. As recently as this month, not two weeks ago, it was revealed that the Liberal Party through its enterprise 500 Club was charging \$10 000 a ticket for a private dinner with the Premier at Raheen, the home of Jeanne Pratt, even though ministers were banned from attending fundraisers, so you have to ask: what was it all about? Again, I do not know the facts and I doubt anyone outside the Liberal Party does, but the point is that if there is a cause for concern, there is no way for a member of the public to have the matter investigated. Now, in a further attempt to shore up its integrity credentials, the Premier has released the ministerial code of conduct, and that is a document of the executive.

Mr Pakula, as I indicated earlier, has already stepped us through the weaknesses of the document itself, and I will not go over them again. A key weakness, a fundamental weakness, is the weakness of its standing. It is a code that is not enshrined in law and that is not owned by the Parliament and the people it purports to represent or does represent — the Parliament obviously

does represent the people. The Members of Parliament (Register of Interests) Act 1978 should be amended to include a ministerial code of conduct and a code of conduct for members of Parliament that is publicly debated in this Parliament and agreed to by the Parliament.

I will just make a final remark in response to a general observation that Mr Barber made. It was that the process should be — and this is what the Law Reform Committee recommended in 2009 — more than the Parliament. The Parliament should develop it, but there should be a broad community consultation process. That is certainly something that I would support, and it is not precluded or ruled out by Mr Pakula's motion today.

Mr DRUM (Northern Victoria) — Here we find ourselves again on a Wednesday rising to comment on motions put forward by the opposition that make you scratch your head with disbelief when you think about how opposition members could possibly have such short memories going back to their own time in government and their lack of understanding of their own behaviour. In effect with this motion Mr Pakula would like to have us create a code of conduct and do that via the various privileges committees of the respective chambers. However, Mr Pakula would also be aware that the government has already moved ahead and has completed this work on its own. We can be in here arguing whether or not we have gone far enough, whether we have gone strong enough and whether our positions are stringent enough; however, the fact is that we have gone ahead and done it.

The biggest point in all of this is that the Labor Party, which has drafted this motion, had 11 years in government and refused to do it. It is not as though the issues had never come across its table. It is not as though Labor just did not get around to it. It is not as though Labor did not realise that this was an important issue. Labor Party members spent the vast majority of their 11 years in government banging away about these issues of unacceptable behaviour, issues and allegations of corrupt behaviour and issues and allegations about needing to do something about a code of conduct, but in effect they stonewalled the process and ensured that it never happened. That is the background to what happened.

Again it was not as though the Labor Party had never planned for a code of conduct. It had. In opposition Labor had planned extensively for what it was going to do, so in 1999 it produced the Integrity in Public Life policy and told us all what Labor was going to do should it win the 1999 election, which we all know it

did. Labor made a whole raft of promises which it then effectively broke once it went into government. I think one of the great promises made by Labor here was to end the use of commercial in confidence as a response and a way out of providing relevant information when it came to FOI applications. Sure enough, in the time the Labor Party was in government — over 11 years — it had over 9000 instances of it used where commercial in confidence was in fact claimed.

In opposition Labor made a whole range of promises about having the integrity of public sector employment improved and about improving freedom of information by making sure that we do not have commercial in confidence being claimed as an excuse as to why freedom of information could not be allowed. Yet when it got into government, what we found was the exact opposite. We found that nearly three times a day for 11 years under the previous government's watch commercial in confidence was claimed as a — —

Mrs Peulich — How many times?

Mr DRUM — Nearly three times a day. Yet in opposition, prior to the 1999 election Labor said it was going to do away with it — it would end the opportunity for anybody to claim commercial in confidence. Now that Labor has been out of government for a year and a bit it is saying exactly what it said in 1999, but it did not do it during the 11 years it was in government. It was one stance in opposition and a totally different stance in government; now that it is again in opposition Labor is back to the stance it took in opposition previously.

As far as credibility goes, we can compare that stance with that of the coalition. We said that we would introduce an IBAC, and we are doing that. We said that we would put in place a freedom of information commissioner, and we are doing that. It does not matter what our policies are, the Labor opposition will argue against them and then they will come around and say we are not doing them well enough. The deployment of protective services officers on train stations is a great example. The PSOs bill was argued fiercely here until 2.00 and 3.00 in the morning. It was claimed that we do not need them, they are a waste of time, they are not properly trained, they are not this and they are not that — they are 'plastic police'. Now we have Labor members making a beeline for all our railway stations, saying, 'Where are the PSOs in my backyard? We want them here. We want them there'.

We are seeing an unbelievable backflip from the opposition, which says one thing in opposition then does something totally different when it is in

government. It is as if opposition members think that nobody in Victoria has any memory whatsoever. Labor simply slips back into where it was in opposition. It hopes that everybody forgets that it did not do anything when it was in government. I think Victorians are going to have a greater recollection of what happened during the last period of Labor government. I do not think Victorians — —

Mr Barber interjected.

Mr DRUM — I take up Mr Barber's interjection. I think we would all acknowledge that the 11 years during which the Labor Party was in government were an enormous missed opportunity for Victoria. Yes, Victorians are disappointed by the fact that while the finances of the state were running strongly, the Labor Party failed to capitalise on them and created a huge expenditure gap. Yes, somehow or other the coalition in tough times is going to come in and fix that up. It is not going to be easy; however, we also have to be aware of what happened out at Brimbank. I know the Acting President has a strong understanding of what happened at Brimbank. We know that there were members of the Labor Party out there in the back rooms of the office of Justin Madden, then a member for Western Metropolitan Region. We know the impact they were having on local government issues — that is, directing funding away from where it should have been going to projects preferred by those individuals.

In my opinion, Justin Madden has not got a crooked bone in his body. But was he careless? Yes, he was. Did he turn his back on unacceptable behaviour? Probably. However, I would never claim that particular member of Parliament is anything other than straight. The behaviour of those at Brimbank and the findings of the various investigations into and reports about that behaviour would be unacceptable by anyone's standards. Who was at the core of it? Members of the Victorian branch of the Australian Labor Party.

The Windsor Hotel affair, which involved the same member, who was then Minister for Planning, was a breach of public perceptions of integrity. Talk about Mr Pakula wanting to stand up and grandstand about making sure there are no perceptions of wrongdoing! Mr Pakula wanted to make a big thing about there not being any perceptions of personal interest. We had at that time a whole process that was absolutely butchered and twisted to try to turn the opinion of the public of Victoria back on itself so that the government of the day could covertly get what it wanted and make it seem as though that was what the Victorian people wanted as well. It was a predetermined outcome, and having arrived at that predetermined outcome as to what the

then government wanted to happen with the Windsor Hotel, it set about working out how it could manipulate the system so that it looked like it was what Victorians wanted. It was just a game, but it was unacceptable behaviour by anyone's standards. What did the Labor Party, then in government, do? It blamed the staffer and pushed her sideways. There was no recrimination; there was apparently no problem with anybody. The then government just blamed the staffer and pushed her sideways. It was disgraceful behaviour.

When Labor was in government and had the opportunity to do something about these issues, it simply did nothing. When it was found out for going way beyond the bounds of governance, it simply rolled back into damage control and worked out how it could get out of this mess without ever acknowledging that it had done anything at all. There is one claim in the Labor Party's 1999 policy document entitled *Integrity in Public Life — Labor's Plan for Proper Standards*, which is seven pages long, on which the Labor Party should be congratulated. On page 1, about 14 lines down, it says that Labor will 'Reform the Victorian upper house, making it a genuine house of review'. The Labor Party did that, and it should be congratulated on doing that. It introduced different voting systems which brought smaller parties into the chamber, making sure it is less likely that any one party will have the control of the upper house. That is one aspect of this whole document that has been followed through and delivered. It could be argued that in relation to everything else in here Labor has done a complete 180-degree turn away from what it promised in opposition. It is quite damning reading when you see what was promised prior to Labor being elected to government, what it did when it was in government and the direction it is taking now that it is back in opposition.

As I said earlier, Labor was going to end the use of commercial in confidence as a reason to deny FOI requests under the Freedom of Information Act 1982, but there were 9000 instances over its 11 years in government when that was used. By contrast, we have introduced an independent freedom of information commissioner.

Clay Manners, a colleague of mine, dared to put in a freedom of information application in relation to the north-south pipeline, and that was delivered to the government's water authority at that stage on the letterhead of Peter Ryan. The Labor government then wanted to put him in jail for five years for sharing that information with his employer. That was always understood to be the reason he submitted the FOI request in the first place. The former government was

prepared to charge a staffer with contempt to the extent where he was in danger of going to jail for five years. The former government did that because he dared to ask it about some of the costings associated with the north-south pipeline. It knew that if they ever saw the light of day, the Victorian government, under Premiers Bracks and Brumby, would have been extremely embarrassed.

Mr Barber — Same as you guys in clean coal.

Mr DRUM — Mr Barber wants to talk about clean coal. I hope Mr Barber becomes an advocate for clean coal in this state — —

Mr Barber — No, I don't want to talk about it.

Mr DRUM — I hope Mr Barber does want to talk about it one day, because if he wants to talk about clean coal, then we may be able to have a genuine debate in this house about what is really good for Victoria. I am sure that Mr Barber and I will have that conversation about how we can truly take this state forward in a sustainable way into the future.

When we look back on 11 years of Labor in government we see the Labor Party has always said one thing in opposition and then done something totally different in government. It has made sure that never the two should meet. In contrast, the coalition government has put forward a code of conduct which has already been implemented. We have introduced the Independent Broad-based Anti-corruption Commission (IBAC). When we were in opposition we said we would do it; we have moved and it is in the final stages of implementation as we speak. We have delivered the freedom of information commissioner, a code of conduct for MPs and IBAC, three promises that we made to ensure that politicians and high-ranking public officials understood the way they should conduct their business. That makes one, two, three for the coalition, and zip, zip, zip for the Labor Party, which had the chance to do it and made sure that it did not.

If anyone is sceptical about what the previous mob was doing when it was in government, there are two words that we all remember — dirt file. Highly respected members of the previous government used taxpayer funds to do a whole range of background checks on coalition members of Parliament to try to see if they could scrape up a little bit of dirt that they might be able to use in a certain marginal seat somewhere in order to stop the coalition from winning the seat. It was disgraceful behaviour, and it was carried out by senior ministers who were so full of themselves and so arrogant after having been in power for 11 years that

they did not even bother to deny it was going on. It was as if it was their God-given right to use the taxpayer-funded moneys they had control of to see if they could scoop up any sort of dirt on the parliamentary opposition members of the day who now find themselves in government. Thank God they were shamed into disbanding the 'dirt units' in the lead-up to the election when the people of Victoria in effect said, 'We don't want to see the government of the day using our taxpayer funds to carry on with that sort of behaviour'.

I hope the people see this motion for what it is. It is in effect another example of an opposition that finds itself criticising the government because it is not doing enough, even though when it was in government it did nothing at all. I will leave it to other people in the chamber to try to work out where the Labor Party actually sits on these areas and integrity.

Mr P. DAVIS (Eastern Victoria) — I am taken somewhat by surprise as I was anticipating a robust contribution to the debate from Mr Leane. It must be that he has been so persuaded by the succinctness of Mr Drum's argument and the erudite fashion in which he contributed to the debate that there is no case to answer, and now the coalition parties will dominate the remainder of the debate and there will subsequently be a decision of the house to not support the motion before it.

Mr Pakula listed this matter for debate. It is in regard to the Privileges Committee and the draft code of conduct, but it is a motion on which I have to acknowledge that Mr Pakula is actually correct. He is correct that it does reflect a commitment made in the coalition election policy in 2010.

I want to touch on where we are at in terms of public policy and legislative debate. Public policy by its nature is incremental, and certainly the legislative process is inevitably incremental. You cannot approach this matter of parliamentary standards, codes of conduct and so on in a vacuum; one has to understand that there is history and there is always somebody who has entered this space previously.

Mr Barber — Are you going to go all Thomas Jefferson on us?

Mr P. DAVIS — No, I am not going to reach that far back, but I note that Mr Barber made a useful interjection during the debate when he talked about 1978 and the legislation that has been around since then in Victoria.

I wanted to pre-empt my substantive remarks by making the observation that Parliament and parliamentarians are substantially diminished as a consequence of the blood sport which occurs in what the media like to portray as the bearpit of Parliament. Frankly, I would describe it more as a teddy bearpit. The reality is that the gloved hands of the pugilists in Parliament are hardly what you would describe as UFC, the ultimate fight club. The bottom line is that we get in here and we throw verbal rocks at each other for the purpose of trying to gain some political advantage, and that political advantage is momentary because all it does is diminish us equally. We need to be addressing these questions at a more cerebral level.

When I said public policy works not in a vacuum but in a space of incrementalism, I remind members that it was, as has been previously alluded to, the Hamer government which first brought in legislation to the Victorian Parliament to deal with issues of parliamentary standards. In fact the Members of Parliament (Register of Interests) Act 1978 clearly sets out the framework under which we are operating today in terms of our code of conduct as members of Parliament. It is important to remember that in light of the commentary that was led by Mr Pakula in particular about some notion of having some great, wonderful insight into how it is that we should hand down tablets from the mount to regulate the integrity of members of Parliament.

Let me say to Mr Pakula and to members of the opposition that today it is impossible to imagine that one can legislate, that one can codify, that one can bring down any form of written word that will in fact ensure that everyone in this place behaves ethically and honestly all of the time. From time to time there will be individuals who behave badly, whether they are in this place or they are working in the parliamentary, political or governmental environment. If it is corrupt behaviour, there will be a framework in place; if it is serious corruption, it will be under the incremental policies being introduced by the Baillieu government and legislated in this place. They will be subject to the investigatory powers of the IBAC (Independent Broad-based Anti-corruption Commission).

If indeed we are talking about a standard of behaviour, a test against which members of Parliament can be judged, let us think about what that test ought to be — and I am informed by references to the Labor Party's view of the world. Labor had a view which it promised to commit to in 1999. I see that the Leader of the Opposition in the Council has just entered the chamber — now he is leaving the chamber. I am disappointed, because I was hoping to engage with him

on this. I am so disappointed. I was hoping to engage with him, because in 1999 I understand that Mr Lenders had a hand in the policy pronouncements of the then Labor opposition. The policy document *Integrity in Public Life* informs us that:

Labor will enact a comprehensive new code of conduct for members of Parliament that requires them to act honestly, declare their pecuniary interests and avoid conflicts of interest.

I was absolutely fascinated by that, so I read on, and it embellished these general principles by setting out clearly that:

This will require MPs to:

devote themselves full time to their duties working for the community;

not to use confidential information for their benefit or divulge it to others who might benefit;

make full disclosure of financial interests and memberships;

avoid conflicts of interest; and

properly use public resources and not abuse the benefits of office.

I thought, 'These are principles which we can all subscribe to', and indeed not only should we subscribe to them but we should see them enacted in some codified way. I thought, 'What did the ALP do about this during its 11 years in government?'. It did absolutely zero. In fact that is not quite true, and I will come back to that in a minute, because there was a sort of — and a not very serious — attempt made to work some legislation in this space. We will come back to that, because I think it is worth revisiting, but I thought that given my general comment about public policy not developing in a vacuum it would be useful to look at the history of these things. I wondered, 'What in fact did the Hamer government legislation say?'

Ms Crozier — It was a very good government.

Mr P. DAVIS — It was an outstanding government, as acknowledged by the interjection on my left. I am not sure that she is always on my left, but Ms Crozier well knows that the Hamer government was an outstanding government, because her father was a member of it and made a great contribution to this place.

My point was to refer back to the code of conduct in the Members of Parliament (Register of Interests) Act 1978. In referring back to that, I thought, 'What was the Labor Party arguing about in 1999 that was materially

new?'. The provision for the code of conduct in the act says:

- (1) It is hereby declared that a Member of the Parliament is bound by the following code of conduct —
 - (a) Members shall —
 - (i) accept that their prime responsibility is to the performance of their public duty and therefore ensure that this aim is not endangered or subordinated by involvement in conflicting private interests;
 - (ii) ensure that their conduct as Members must not be such as to bring discredit upon the Parliament;
 - (b) Members shall not advance their private interests by use of confidential information gained in the performance of their public duty;
 - (c) a Member shall not receive any fee, payment, retainer or reward, nor shall he permit any compensation to accrue to his beneficial interest for or on account of, or as a result of the use of, his position as a Member;
 - (d) a Member shall make full disclosure to the Parliament of —
 - (i) any direct pecuniary interest that he has;
 - (ii) the name of any trade or professional organization of which he is a member which has an interest;
 - (iii) any other material interest whether of a pecuniary nature or not that he has —

in or in relation to any matter upon which he speaks in the Parliament;
 - (e) a Member who is a Minister shall ensure that no conflict exists, or appears to exist, between his public duty and his private interests;
 - (f) a Member who is a Minister is expected to devote his time and his talents to the carrying out of his public duties.

Having said all of that, having quoted from that act, I found that it was not materially different from the policy position adopted by Labor in 1999 or from the case that the ALP was arguing should be implemented. The case that the ALP was arguing should be implemented as a standard, as a code of practice for members of Parliament in this place, had already been in existence for two decades.

I turned my memory back to that era, and the ALP was then trying to make a substantive case that in some way the Kennett government had behaved badly, shabbily and even corruptly. In essence that was the accusation that the opposition was trying to run at the time.

Specific charges were made of an abject failure of ethical performance of governance by the Kennett government, and my view is that the case was never proven, and in fact it ultimately failed. But notwithstanding that, there was a change of government partly induced because of unfortunate circumstances arising from the case that the opposition was making on a number of fronts.

Having said that, it is quite clear to me that we are now seeing a repetition of this. We are seeing a repetition of it now. We are seeing an attempt by the vacuous opposition members, who have no policies of their own to submit to the people to consider in any useful sense, to make a case that in some senses is a question mark hanging over the performance of the government, when in fact what I say is that the government has progressively been implementing its policy agenda. It has been openly transparent about changes to the way it has implemented that agenda. Some things are easy to implement immediately on assuming office; some things require more effort.

It is clearly the case that there is a change in the approach the government has taken to implement the intent of its code of conduct in relation to ministers, and I think that is not unreasonable. It is certainly my view that the code of conduct for ministers and parliamentary secretaries, which was published several weeks ago now, reflects a burden of responsibility and accountability for transparency against which ministers and parliamentary secretaries have to be judged. But the underlying fact is that all of those ministers and parliamentary secretaries are members of this place and their first obligation is to comply with the code of conduct as prescribed in the register of interests which has been around for more than three decades.

Irrespective of codes of conduct there is what I would describe as a much higher test — that is, the community standard. What is the community standard? What is its view about members of Parliament? The view about members of Parliament is that they should be leaders in their community and behave ethically at all times irrespective of any written code. That is my view based on what I understand the community expects of us and, frankly, what I think we expect of each other, and I do not think I would have a debate with Mr Barber or Ms Pennicuik about that.

Have we achieved yet the full implementation of our election policies? No. Will we? I expect so. Why will we? Because that is our intention, and clearly these matters are matters that develop by degree. I should point out that we all know, because we were here until 11.40 p.m. last night dealing with the third bill relating

to the implementation of the Independent Broad-based Anti-corruption Commission, that progressively the framework for IBAC is being put in place and, of course, it provides a mechanism for parliamentary oversight. All the various pieces of architecture relating to IBAC, including the Public Interest Monitor, the FOI commissioner, the various lobbyist and fundraising codes and so on, will all have to be seen together ultimately, just as the ministerial code of conduct and the existing code of conduct for members of Parliament must be taken as a whole as those policies are incrementally implemented.

I want to come back to the issue of the claim that Mr Pakula attempted to make. Mr Pakula took a fairly supercilious attitude in belabouring the detail of the ministerial code of conduct and suggested that it is not worth the paper it is written on; I think that is what he was trying to say. I am verballing him, and given that he is not in the chamber, I will just have to accept that it is true that he was attempting to suggest that the code of conduct was not worth the paper it is written on. He has not rushed in to rebut me. I think that was his argument.

What I would say to Mr Pakula is this: I went back and, apart from looking at the history of his party's performance in opposition and what it committed to do and transparently failed to do in government over 11 years, I reviewed some of the parliamentary facts. The parliamentary fact is that the Public Accounts and Estimates Committee in its 78th report to Parliament, which was tabled in April 2008 and titled *Report on Strengthening Government and Parliamentary Accountability in Victoria*, made particular recommendations, which are relevant to this debate.

At chapter 4, which is headed 'Standards of parliamentary behaviour', recommendation 9 states:

The Victorian government update reporting requirements for members of Parliament contained within the Members of Parliament (Register of Interests) Act 1978.

Recommendation 10 states:

The Victorian government update the code of conduct for members of Parliament contained within the Members of Parliament (Register of Interests) Act 1978.

I thought it might be useful to see what the government's response to that was at the time. In relation to those two recommendations there was support in principle for consideration by the privileges committees of the Legislative Assembly and Legislative Council. I am quite fascinated by that because the government's explanation of its support in principle and its reference to the privileges committees of both houses did not occur to my recollection. The

explanation for the response was that the government considered that recommendations 9 and 10 should be given further collective consideration, and it supported each house referring recommendations 9 and 10 to the privileges committees of the respective houses in anticipation of joint meetings between the committees in order to provide further recommendations for possible government action in relation to any necessary amendments to modernise the Members of Parliament (Register of Interests) Act 1978.

It seems that that recommendation in 2008 from the then Labor-dominated Public Accounts and Estimates Committee, on which I think Mr Barber was a member at the time, is, in effect, the motion that is before the house. I am confused about this. Mr Barber is the only one in this place who is consistent at least; I will give him that credit. Mr Pakula is just behaving hypocritically in this debate, because it was his government — —

Mr Barber — He had his chance.

Mr P. DAVIS — Absolutely; they had their chance. The government had its chance. It had a recommendation that it supported in principle, and what did it do? Nothing. How hypocritical is that? Talk about abusing parliamentary process to simply fly a kite for the sole purpose of trying to do damage politically to parliamentarians as a whole — not to the Baillieu government, because this debate will not damage the government. This debate will diminish us all because of the hypocrisy displayed by members on the other side. Bringing this matter into the Parliament, arguing the case they have argued and Mr Pakula putting the case he has put diminishes us all. It damages the Parliament. It damages me, it damages Mr Barber and it is a disgrace.

What did the government do? We will find out. Instead of acting in accordance with the recommendation that it had supported in principle, it created another reference. It gave a reference to the Law Reform Committee on 4 December 2008. What did the Law Reform Committee do?

Mr Barber — Followed the bouncing ball.

Mr P. DAVIS — It did. Was Mr Barber on that committee too, by the way?

Mr Barber — No.

Mr P. DAVIS — Mr Barber was not on that committee, because he had had his go and he thought, 'What is the point of doing all this again? We have

done it'. The government — which government was it? I have forgotten; Brumby or Bracks, one of them —

Mr Barber — The one that listens and acts.

Mr P. DAVIS — Yes, the one that listened and acted; that was obviously Mr Bracks. The Bracks government decided it would give a reference to the Law Reform Committee, which recommended that the act be renamed the Members of Parliament Standards Act. The government's response was to support it. Its explanation, to be fair, was that it was introducing the Members of Parliament (Standards) Bill 2010 to replace the Members of Parliament (Register of Interests) Act 1978. We are finally making progress.

I have to confess that Mr Scheffer was very excited at the time, because he was the chairman of the committee that issued the report after the bill was introduced by the government. I do not know whether the government was aware of what was in the report Mr Scheffer tabled in Parliament — I am very confused about that — because of course a parliamentary committee report is confidential to the committee until it is tabled. But how was it that the government introduced a bill preceding the release of the report? It is very confusing. What we got was the Members of Parliament (Standards) Bill 2010.

I remember the bill's second-reading debate and how enthusiastic Labor members were about prosecuting the debate; indeed the Greens were too, but they are not in my sights today. The issue is that the hypocrites from the Labor Party wanted to prosecute this bill. It was all fine when it was in the Assembly and they had the control of it, but then they lost control because it came to the Council, which proposed a lot of amendments that would have strengthened the scrutiny that the Labor government proposed. I thought, 'This will be interesting'. The Parliament was incrementally legislating, taking a legislative position introduced by the executive, supported by the executive in the Assembly and given to the Council, where the executive did not have a majority. The Council decided, in the spirit of goodwill, to strengthen the bill and make it better.

Mr Barber — I'll see you, and I'll raise you.

Mr P. DAVIS — Yes. We thought, 'We will make it a better bill. This will mean there will be no further debate — for at least a week! — about parliamentary standards'. But no, what happened —

Mr Barber — They pulled the bill.

Mr P. DAVIS — The government did not pull the bill, actually; it let it lapse.

Mr Leane interjected.

Mr P. DAVIS — If Mr Leane wants to participate in the debate, he has ample opportunity — we have hours left. What is more, I have hours worth of material left.

Mr Leane interjected.

Mr P. DAVIS — If Mr Leane want to engage in this, let's go for it. Let's get in a cage with the teddy bears and get really robust.

Honourable members interjecting.

Mr P. DAVIS — Fair dinkum, Mr Leane, I do not think you want to go down this track, because we have heard as much hypocrisy from your side of the house today as we did in 2010.

It was all very well when Mr Leane had a target in his sights. He thought he was going to nail a member of Parliament and cause grievous damage and embarrassment. What happened was that it got turned around, and it diminished the whole of Parliament.

I come back to my central proposition — that is, you cannot stop members of Parliament behaving badly if they have no ethics. But the community expects a high standard of behaviour from us and expects us to judge ourselves. It is not about whether there is a code of practice or whether it is perfect or imperfect; it is about the approach that members of Parliament take. The debate I have listened to today has not enlightened me about the goodwill and intent of bringing an ethical approach to public policy and the discharge of our obligations as legislators.

I say to Mr Leane that it is the goodwill of the people of Victoria that put us here, and we have a sacred obligation to honour that goodwill. Every time he and his colleagues on the opposition benches get up — as they did in 1999 in the lead-up to the election of the Bracks government — and try to damage the government, they highlight the hypocrisy of their behaviour.

At the end of the day the Baillieu government has been progressively introducing a range of legislative measures to strengthen the scrutiny of public life in Victoria. We have been in government for 15 months, and this package of measures is being introduced incrementally. Fundraising codes, the ministerial code of conduct, codes of conduct for lobbyists — all of this package is self-evident.

In conclusion I say to Mr Leane that it is one thing for opposition members to come in here on Wednesday and entertain us all — —

Mr Finn — I am not entertained.

Mr P. DAVIS — Thank you, Mr Finn. I am enormously entertained by the efforts of members of the opposition to find some relevance. I have to say my heart goes out to them. It is a dark place — —

Honourable members interjecting.

Mr P. DAVIS — Mr Barber and Ms Pennicuk do not know what a dark place it is. They have not had — and they will never have — the opportunity that members of the Labor opposition have had — —

Honourable members interjecting.

Mr P. DAVIS — I know, Mr Leane — through you, Acting President — what a difficult and dark place it is in opposition. We have had 11 long, dark years in opposition, and we were just waiting. Eventually we had the opportunity to remind Labor just how badly it behaves and how this will reflect on it if and when it returns to government. The truth is that attempts to damage the Baillieu government by making assertions in relation to the accountability mechanisms do nothing to bring the opposition into good standing in the electorate. What they do is diminish the opposition because it has behaved hypocritically. The community regards that behaviour as generic; the public does not distinguish between us. When members of Parliament behave badly, and that includes hypocritically, we are all judged for it, and Mr Leane is being judged today because he has put a case.

It is quite clear, as I said at the start of my contribution, that Mr Drum was erudite and persuasive; he was so persuasive that the opposition has chosen to withdraw from the debate. The opposition has chosen to withdraw from the debate because there is no doubt that Mr Drum's arguments are going to carry the day. I am pleased to have had the opportunity to join with Mr Drum and assist him in reinforcing his case.

As a result of that I look forward to seeing if any of the members of the opposition parties, including the Greens, are now persuaded to join in the government's view, which is that this motion should not be supported, because, as I pointed out, the Baillieu government has made a significant step forward in terms of the public accountability of government and Parliament. Indeed the machinery of that implementation is progressively being installed and will be taken as a package, as a whole, upon which the government will in the end be judged. Have no doubt that eventually, when all the

measures are in place and taken as a whole, the government will be judged against the commitment to reform in accountability and transparency that it took to the election.

If some of the detail is marginally different in terms of the way it has been implemented, then that is a practical consideration; however, the policy intent is clear, and I have every confidence that we will progressively see those measures implemented. I am not going to re-run arguments which other members have run before me. I am very tempted to pick up on some of the points that Mrs Peulich made, but I have to say that I think she made them strongly and so I will leave it there.

For my purposes I wanted to make this final point. Mr Pakula essentially ran the case for the recommendation of a 2008 Public Accounts and Estimates Committee report which the government of the day supported but failed to implement. Mr Pakula, four years on, has re-prosecuted that case. The Brumby government dismissed that proposition in 2008. Despite having said it would support referring this matter to the Privileges Committee at that time, it in fact did not support it. My view is that nothing has materially changed except that the Baillieu government has significantly increased the transparency and accountability mechanisms in Victoria. With that, I conclude my contribution and urge members to oppose the motion before the house.

House divided on motion:

Ayes, 18

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

Noes, 20

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

Pair

Darveniza, Ms	Dalla-Riva, Mr
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Motion negatived.

AUSTRALIAN GRAND PRIX CORPORATION: DOCUMENTS

Ms PENNICUIK (Southern Metropolitan) — I move:

That this house take note of the letter from the Minister for Tourism and Major Events, 6 February 2012, and related documents relating to the Australian Grand Prix Corporation tabled in this house on 30 June 2011.

In commencing my contribution on this motion I thank Mr Philip Davis for providing me with an excellent segue into the motion, because during his contribution on the previous motion Mr Davis said he assumed the government would get around to keeping all its promises. I have to say I do not agree with all of the government's promises, but he mentioned that the government would get around to keeping them all. One of those promises was made by the Premier and the Minister for Tourism and Major Events: that the grand prix would not be extended beyond 2015 if it continued to cost Victorians \$50 million a year. Since the government has been in power the grand prix has cost the community at least \$50 million a year, and the race to be run next week is on track — if I can use that pun — to cost at least \$50 million.

Mr Davis also said near the end of his contribution that this government had 'significantly increased the transparency and accountability mechanisms of Victoria'. They were his words, but in respect of this particular matter that I am bringing before the house that is not the case. Transparency and accountability with regard to the staging of the Australian Formula One Grand Prix at Albert Park and the cost that that imposes on the taxpayers of Victoria have not been revealed. Transparency with regard to this particular matter is no better than it was under the previous government.

Beside me I have a green folder with the documents that have been released to me through the motions put to this house. I should recap for the house that the letter from the Minister for Tourism and Major Events, Louise Asher, which is the subject of this motion and which was tabled in this house on 6 February, was the fifth letter that had been tabled in this Parliament in response to my motions that were carried by the house on 2 March and 1 June last year and a further order on 7 December requiring the government to table the contract between the Australian Grand Prix Corporation and the government for the 2010 event and the costs associated with that, including the fee paid to Parks Victoria — which has never been released — and the economic study that I presumed had been done as the basis for the five-year extension to 2015.

By way of interjection during the debate on the last motion, Mr Barber mentioned that it was like Groundhog Day. Well it is Groundhog Day for me, because I moved that motion on 2 March 2011 for the documents relating to the costs of the grand prix; now here we are again, on 14 March, and I have not received those documents. I do have my large folder, but none of the documents in it relate to the costs; they relate to other matters but not to the costs paid by Victorians. That is what Victorians want to know, because those costs are certainly escalating.

Five letters have been tabled. Firstly the government said it was trying to find and assess the documents, and then finally the minister tabled this letter in this Parliament. There are two salient points in relation to this letter. The first one is contained in the third paragraph, which states:

I am advised that the economic study performed as the basis of the five-year contract extension to 2015 does not exist.

That was information I did not know about until this letter was tabled. One would have assumed that there was a problem with costs, given that in 2010 it was already quite obvious that the grand prix was losing money and costing the taxpayer money, that the event management fee, which is basically the government subsidy that appeared in the Australian Grand Prix Corporation's annual reports, was going up and that the revenue to the grand prix corporation from sponsorship and ticket sales was going down. Yet this letter says there was no economic study performed by the previous government to support its five-year contract to 2015. That is amazing.

Furthermore, in 2007 the Auditor-General produced a cost-benefit analysis of the grand prix warning the government of the day — the previous government — that a proper cost-benefit analysis of the grand prix would show it was running at a loss to the Victorian taxpayer and provided no economic benefit for Victoria. These things were well known. From what we can see here, previous governments just renewed the contract without conducting any sort of economic study to support doing that.

We do not know what is in that contract; we do not know what fee is paid to Mr Ecclestone and the companies that run the formula one grand prix around the world, but it is surmised that the fee was increased in that contract. You could almost infer that from what Mr Ecclestone himself said, which was that the fee he charges for the privilege of him making a lot of money out of a race run in Albert Park will be the straw that breaks the camel's back and that will see the end of the grand prix. I hope he is right, because that is certainly

what a lot of people would like to see from an economic view, if no other, not to mention the damage that occurs in Albert Park every year.

Members will not be surprised to hear that I attended the Save Albert Park rally on the corner of Albert Road and Lakeside Drive. The rally was very well attended, and the area was festooned with yellow ribbons, as you might expect. It was supported by many hundreds of locals who do not support the race continuing. May I say that that support is continuing. In fact I was speaking to a friend of my mother's the other day who has been a supporter of and attended the grand prix. I think she is an iconic representative of the large number of people who are completely over the grand prix. They do not see the value of it anymore. They understand that it is an economic strain on the welfare of the taxpayers of Victoria and do not see it as any sort of exciting event. I think that is a view held by a growing number of Victorians.

The crux of the letter is very interesting, and that is why I want the house to take note of it today. The minister says in her final paragraph:

However, in accordance with Mr Edward O'Donohue's statements in the Legislative Council in the debate on the order on 7 December, the government has reconsidered the documents referred to in the 7 December order. The government has again determined that it is not appropriate for the withheld information to be produced as its release would damage the state's financial and commercial interests.

I respectfully request that the Council not insist on production of this information.

So far I have not moved a motion to insist on that, but I refer again to the sentence which reads:

The government has again determined that it is not appropriate for the withheld information to be produced as its release would damage the state's financial and commercial interests.

There are two things that need to be said about that statement. One is that there is no legal basis on which a government can refuse to release documents to a chamber of the Parliament based on commercial and financial interests. I call on government speakers, who I assume are prepared for this debate and have read the letter, to explain how that can be any credible basis for the non-release of those documents. The legal advice provided by Bret Walker, SC, to the Council in June 2007 in response to the question 'Could documents be refused on the basis of commercial in confidence?' stated categorically and emphatically 'No, they could not be'. So the government's reasoning for not producing those documents does not have any legal basis. I would like to hear what the government's

response to that statement is and how the release of those documents — the contract, the fees that are paid to the people involved with staging the Australian Formula One Grand Prix — can possibly damage the state's financial and commercial interests.

It is a big call to say the release of documents related to those amounts of money and the contracts therein would damage the state's financial and commercial interests. It is not as if there are a whole lot of companies vying for the staging of the formula one grand prix in Albert Park. There is only the one company that runs them across the world. There are no competitors, so it is not as if there is competitive tendering going on here. Given that the state itself has been quite a high contributor to the race, to the tune of at least \$50 million in the last couple of years — there are various estimates floating around from people who have looked at the grand prix, and the Auditor-General, who has access to documents that I do not have access to, was able to say that the grand prix represented a \$6.7 million loss to Victorian taxpayers in 2005 — it would be good if, five years after he did one cost-benefit analysis of the grand prix and now that we know the costs are escalating, the Auditor-General was to have another look at it.

What is damaging the state's finances is the grand prix itself, not the release to the community of the costs, information on which has been kept from the community since 1996. I have stated that it is a conservative estimate, given the costs of staging the event since 1996 and the fact that we are now in 2012 and up to the 17th race. It has, very conservatively, cost the taxpayers of Victoria half a billion dollars to stage that race. Others would say that I am being too conservative and would put the figure much higher than that. I maintain that the state's finances are being damaged by the grand prix.

An economic impact analysis was produced for Tourism Victoria by Ernst and Young, and I have mentioned that before in a motion to try to obtain those documents. Even Ernst and Young in its disclaimer to its document stated that it did not undertake a cost-benefit analysis, so the economic impact analysis that it has produced, which includes certain figures on the amount of economic impact that the grand prix generates, is not an exact science and cannot be relied upon to provide an accurate figure of the economic benefit to Victorians. In its disclaimer Ernst and Young clearly states that in order to do that a cost-benefit analysis must be used. The only time that has ever been done was by the Auditor-General in 2007.

The four-page summary report by Tourism Victoria *Formula One Australian Grand Prix — Benefits to Victoria*, which presumably was intended to be supportive of the grand prix, talks about a very modest contribution to the gross state product of around \$30 million. That is a loss already, because we know the government puts in about \$50 million. It generates somewhere between 300 and 400 jobs, depending on the different scenarios that are used in that report.

I am very concerned that a government department like Tourism Victoria is using reports that do not use proper methodologies and is continuing to use them even though it knows and has been told by the Auditor-General and other independent economic analysts that those reports do not use proper methodologies. Cost-benefit analyses, economic impact analyses or input-output analyses are not the proper methodologies for establishing the economic benefit to Victorians, and yet Tourism Victoria is using those reports and putting them on its website. Victorians who may in their naivety go to the website of Tourism Victoria thinking that they are actually getting the right information, a correct picture or an accurate scenario regarding the grand prix, will find they are not getting that accurate picture. This has happened not only under this particular government; it also happened under the previous government. That does concern me, because a government department is not using the correct methodologies and is not providing members of the public with the correct information with which they can make an assessment of the economic benefits of this event.

I gave notice of a motion today that I will bring on for debate next week regarding the release of what is known as the Comperio report, and that is referred to in Tourism Victoria's *Formula One Australian Grand Prix — Benefits to Victoria* document. I refer to page 2 of that document, which states:

A separate report by Comperio Research into the branding value of the 2009 grand prix estimated that it alone provides a media or advertising-equivalent value of \$35.6 million to Victoria.

That report, which has been relied upon by Tourism Victoria, has not been released. That report is the subject of a lot of controversy around the branding value of staging the grand prix in Melbourne. The idea is that if you stage it in Melbourne, people learn about Melbourne by watching it on television and then they all rush to visit Melbourne. The Auditor-General has said emphatically that there was no evidence for that. Other reports have put the economic value of that at about \$260 000, so we spend \$50 million to get a return as low as that. Other economists have said the

economic community pretty well accepts that there is no evidence for that branding.

There is also quite a lot of controversy about the number of people who actually watch the grand prix. The Australian Grand Prix Corporation has always overinflated those figures. Bernie Ecclestone says hundreds of millions of people watch it, but other more reputable analysts say it could be watched by as few as 16 million people. It is interesting to note that in the UK the grand prix will now be broadcast by the BBC, and it will only be in delayed highlights, so that would see that audience further reduced.

The numbers of people who attend the grand prix, which the Australian Grand Prix Corporation and both Labor and coalition governments have tried to boost up, have always been controversial. I have spent my time at the gates at previous events counting people as they enter so that the accurate Save Albert Park figure could be put out against the Australian Grand Prix Corporation's estimated figure, which includes all the free tickets that are given out, whether or not people actually attend, and also includes all the officials and workers at the event — they are all counted as attendees. Of course that also includes the 200 guests of the Premier who attended last year's event. This is at a time when the Premier said the government should be reining in costs. We think that event cost the taxpayers around \$125 000.

I take issue with the several letters that were tabled in the Parliament by the Minister for Tourism and Major Events. I do not think there are grounds for refusing to release documents. It is very rich for the government to make the claim that the release of that information to Victorians would damage the state's financial and commercial interests when the evidence is mounting day by day of the damage that holding the event is causing to taxpayers.

This is not the end for me. As I mentioned, I will be moving a motion next week for the production of the Comperio report, which is relied upon by the government in the figures it has put forward and displayed on the Tourism Victoria website. I am also concerned about the statement in the letter that there has been no economic study performed as a basis for the five-year contract to 2015. I suggest to the government that it should not renew the contract, because I cannot see how that race can be run in the future without costing taxpayers money. It is going to cost taxpayers money every single time because attendances are falling and revenue is falling. That has been well documented. The revenue coming in now is less than it was 10 years ago, sponsorship is falling and the

overseas audience is falling. The figures just do not add up even to someone who is not an economic expert, like me. The race is going to cost taxpayers more.

The government should undertake a proper cost-benefit analysis, as recommended by the Auditor-General, and release that publicly before it does anything and before it even considers extending that contract. The Minister for Tourism and Major Events and the Premier have said they are going to extend it. Ms Asher said that she would be looking at negotiating that in 2014. There is no economic basis for that; if the government wants to convince Victorians there is, it should conduct a cost-benefit analysis and release it publicly.

I am disappointed on behalf of the Victorians who do not support any more taxpayer funds going into this event. We have other motions and issues before the house regarding cuts to education, cuts to health, money coming out of the WorkCover Authority and nurses' pay negotiations that the government will not come clean about. The teachers enterprise bargaining agreement will be the next one. The grand prix is certainly something, as Mr Barber has said, that Treasurer Kim Wells could take a knife to as part of his razor gang cuts to the next budget.

Mr O'DONOHUE (Eastern Victoria) — I rise to speak on behalf of the government in relation to Ms Pennicuik's motion 254:

That this house take note of the letter from the Minister for Tourism and Major Events, 6 February 2012, and related documents relating to the Australian Grand Prix Corporation tabled in this house on 30 June 2011.

Ms Pennicuik alluded in her contribution to the significant amount of background to this take-note motion that is before the house this afternoon. Ms Pennicuik has moved motions in relation to this matter on 2 March 2011, 6 April 2011, 1 June 2011 and 7 December 2011, all of which have involved debate and consideration in the house in relation to the production of documents and, I suppose sitting behind that more broadly, the grand prix at Albert Park and its future.

I note with interest Ms Pennicuik's comments about the production of documents and her belief that the government has not been open and transparent in this matter and in producing the documents. It has. I think I have made the point in previous debates on this matter that the government has produced a significant body of material to the house, much of which, as I understand it — I am happy to be corrected by Mr Leane — has never been produced before. The government has been very open and transparent and has engaged with

Ms Pennicuik in producing for the Council a range of documents.

I will not go through them all, but it is worth listing just some of them because many are documents that are critical to the operation of the grand prix. There is the critical on-track incident response protocol for the grand prix; the funding agreement between the state of Victoria, as represented by the then Department for Victorian Communities, and the Australian Grand Prix Corporation; the Australian grand prix on-track services agreement — —

Ms Pennicuik — Are there any figures in there — costs and dollar figures?

Mr O'DONOHUE — To take up Ms Pennicuik's interjection, that agreement contains a significant amount of information, including the terms and conditions and the scope of services. It is quite voluminous and conveys a wide range of information.

There is the Australian Grand Prix Corporation agreement for medical services with Bayside Health and a variation of that agreement, which again is a very important document, along with other correspondence between various health services and the grand prix corporation. The agreement is extensive and includes a range of schedules and other associated information.

There is the agreement with Parks Victoria, which is again a very important part of the arrangements that enable the grand prix to take place. There is the agreement between Parks Victoria, which is licensed to use part of Albert Park to carry out works, and the Australian Grand Prix Corporation. Parks Victoria is a significant stakeholder in this event.

We also have the agreement between the Australian Grand Prix Corporation, Bayside Health and the Confederation of Australian Motor Sport Ltd and another between the director of public transport and the Australian Grand Prix Corporation — the transport services agreement, which again contains a significant amount of material on how transport services are to be provided to the grand prix.

The list goes on. The government has provided a significant amount of material to the Council in response to the request for documents. I assert that it has been more open and transparent and has provided more documents in relation to this matter than the previous government, which was incredibly secretive.

I turn now to the letter from the Minister for Tourism and Major Events, Ms Asher, dated 6 February, which is the principal subject of this take-note motion. Of the

two principal points made by Ms Pennicuik about that letter, the first relates to the paragraph that states:

I am advised that the economic study performed as the basis of the five-year contract extension to 2015 does not exist.

I say to Ms Pennicuik that that was news to me and of interest to me too. Obviously the previous government in conducting its due diligence and business case preparation adopted a similar approach to this project as it did to the northern irrigation upgrade, the desalination plant and other projects where there has perhaps not been the rigour that one would have anticipated. Perhaps Mr Leane in his contribution can respond to the precise issue as to what was the basis of that contract extension et cetera. I will leave that matter for Mr Leane, as a member of the previous government.

Ms Pennicuik then made some assertions about competition, or the lack thereof, in the marketplace in relation to this event. In response, I would say to Ms Pennicuik that we see frequently from a range of other countries a wish to poach the event from Melbourne. Indeed the Australian grand prix was originally in Adelaide, as members would no doubt recall, and former Premier Kennett secured the event for Victoria, so it is not accurate to say that there is not competition in the marketplace. We can have a debate, as I think Ms Pennicuik has foreshadowed with her subsequent notice of motion that has been given today. We have had a debate about how you calculate an economic benefit, and we can have a debate about a cost-benefit analysis and allocation of government resources and all the rest of it. But I do not think it is accurate to say that there is not competition for these events.

There is a lot of competition for major events. There is growing competition for major events from economies in Asia that are growing significantly, such as India and China and other places, so I think those assertions are inaccurate, and the minister in her correspondence has again provided additional material which Ms Pennicuik referred to and which I have referred to.

The government takes note of the motion and takes note of the correspondence. I also note, as I referred to, that Ms Pennicuik has foreshadowed future debate on this broader issue of the grand prix at Albert Park.

Mr LEANE (Eastern Metropolitan) — I am still feeling jaded from Mr Philip Davis scolding me earlier. I felt as though he was channelling my mum when I was five years old!

I am happy to join in the debate on this take-note motion. It is interesting to draw a line from the previous

debate and members on the government side speaking about saying one thing and doing another. I think this is a chance to point out that government members, when in opposition, actually put some question marks on whether they would support the future of the grand prix and its worth, but obviously now they are in government they cannot speak highly enough of it. They have announced that they would like to extend its time of being hosted in Melbourne and continue to have it as part of the major events program in Melbourne. There are a number of those major events and a lot of them make Melbourne what it is, but whether the grand prix is 100 per cent part of that, I suppose the future will tell.

It is interesting, as I said, that we have had former opposition members, especially the leadership of the coalition when they were in opposition, saying that they questioned the worth of the grand prix, and now they have turned around and said it is a fantastic event.

It is in line with a number of other things. Smart meters were the most evil thing you could have spinning on the side of your house. When coming into government the coalition said that if you did not want a smart meter on your house, you should tell the evil power company linesman to go away. But now that story has quickly changed. All of a sudden smart meters are good to the point that the government has said it will retain smart meters and roll them out and that you have to let the evil linesman come and put one on the side of your house. After that announcement there were whole-page ads paid for by the government. Coalition members often bemoan spending money on government advertising, but the government has taken out whole page ads in the dailies saying how great smart meters are, how they work, how you can utilise them and how they can be terrific for you. All of that advertising is paid for by this government. Again, this is in line with the grand prix. When in opposition those members questioned the grand prix, but now they reckon the grand prix is fantastic.

It is similar to myki, which was the worst thing ever, according to coalition members. When in opposition they were going to get rid of it and they were not going to use it. All of a sudden, they are going to keep it. They say, 'We have tweaked it a little bit, and now it is fabbo'. During the previous parliamentary term myki was the worst thing ever, and opposition members were going to get rid of it. Now of course myki is good.

During the last parliamentary term the coalition said, 'The grand prix — we don't know', but now it is fantastic. During the last term it said, 'Smart meters are evil', but now they are terrific. During the last term it

said, 'Myki — we're going to get rid of it', but now it is okay and it is working all right. After listening to government members talk about other people saying one thing and then doing something completely different, I think we only have to look to the government side of the chamber to know who is really saying one thing and then doing something completely different.

I remember a debate in this chamber during the last parliamentary term which was led by Mr Hall. A long series of speakers on this side contributed to the debate, saying how the coalition, when it got into government, was going to make the teachers of Victoria the highest paid teachers in the country. One after another they spoke. There were teachers in the gallery. The speakers were looking up at them, and they were playing to the gallery. No doubt Mr David Davis would have had a go at that; he would have gone up there with that twinkle he gets in his eye and said, 'Yes. We will make the Victorian teachers the highest paid teachers in the country'.

That was terrific; that was good then. Now it is bad, because the teachers have had to fall into line with the 2.5 per cent increase the government is offering. However, I imagine the teachers will get the deal that the government is currently negotiating with the nurses. They will probably do a lot better than the 2.5 per cent, but we will wait and see. They will not make them the highest paid teachers in the world — —

The ACTING PRESIDENT (Mr Finn) — Order! As I am sure Mr Leane is aware, I am a very tolerant man, but I think he is stretching the bounds at the minute. A passing mention of the grand prix at some stage might be very helpful.

Mr LEANE — Getting back to the position that the coalition took around the grand prix, where it put a question mark over it — —

Hon. D. M. Davis — You opposed it in 1995–96.

Mr LEANE — I say to Mr Davis that we felt sorry for Adelaide. Mr Kennett went over there and stole the grand prix. They do not have much over there, and Mr Kennett stole the only thing they had. The coalition said in opposition, 'We're not sure about the grand prix', but now it thinks it is fabulous. 'We love the grand prix, and we'll keep it'. That is the government's decision, and I think a lot of people will probably respect that position. The grand prix has been part of the fabric of Melbourne.

Hon. D. M. Davis — What about you? Are you in favour of it now?

Mr LEANE — The way I see the grand prix — —

Hon. D. M. Davis interjected.

Mr LEANE — You said 'you', as in me.

The ACTING PRESIDENT (Mr Finn) — Order! Mr Leane should address his remarks through the Chair. The interjections on my right are unruly.

Mr LEANE — One aspect of the grand prix as I see it — and I have said it in this chamber a number of times — is that while the actual set-up and decamping of the grand prix is not discussed a lot, it creates a lot of work for people. I know from firsthand experience that there is a lot of work in the set-up and decamping of the grand prix, especially for electricians. Anything the government does that creates employment cannot be 100 per cent bad.

Mr Barber interjected.

Mr LEANE — The Greens can belittle manual labour, but manual labour pays an hourly rate and it pays the bills for some people. I do not see digging holes and filling them in as a big issue. If that is what has to be done to set up this particular event, then that is what has to be done. If the event is in Melbourne, it will still be done. If the event is not held in Melbourne, then I suppose that work will not be here and people will have to find other ways to make a living. I suppose that is where it is.

In closing, this government in opposition did not know what it thought about the grand prix, but now it is in government it thinks it is fantastic. Myki was evil; now it is great. Myki was terrible; now we are using it. Smart meters were terrible; now they are ripper. Teachers were to be the highest paid, but now they will not be. The government was going to build a rail to Doncaster; now it is saying it was only ever going to be a study. There is an endless litany of things that the government has said it would do that have not been done. We will see.

Ms CROZIER (Southern Metropolitan) — Before Ms Pennicuik rises to respond in the debate on her motion, I also want to speak to her motion. However, before I do so, I want to comment on Mr Leane's contribution, which those in the chamber have just heard. It was quite extraordinary — digging holes, filling in holes, digging more holes and filling in more holes. But in relation to what we are talking about, this is a little bit like Groundhog Day. I feel we are revisiting old ground, because it was not so long ago that this was discussed in great detail.

I see Ms Pennicuik has a rather large green folder of documents that have been released to her.

Mr Elsbury interjected.

Ms CROZIER — It is no other colour; it is green, quite appropriately. In Mr O'Donohue's contribution he also had reams of paper. He went through and highlighted documents relating to various aspects that have been requested and released by the minister, as I did the last time I spoke on a motion in relation to the grand prix. In fact the Minister for Tourism and Major Events has done an extraordinary job in releasing a great deal of information and a great number of documents. I believe that is in direct contrast to what occurred under the previous government.

To go back to the substance of this motion, I put on the record the stance that the Minister for Tourism and Major Events, Louise Asher, has taken. As Ms Pennicuik highlighted in speaking in support of her motion, a number of concerns were raised for the minister some time ago, but at almost the same time last year the minister announced there would be an economic impact assessment commissioned in relation to the grand prix. A comprehensive review was undertaken, and in July of last year the minister delivered that economic assessment and quite rightly highlighted it in a media release of 22 July, which states:

The Victorian coalition government has delivered on its promise to commission a comprehensive study of the economic value of the grand prix for the state, and to make that report publicly available ...

The former Labor government commissioned a similar study in 2008. Labor refused to release the study publicly.

There is a stark contrast between what this government is doing and what the previous government did. The media release goes on to say that:

Victoria's major events strategy delivers an economic impact of approximately \$1.4 billion for Victoria each year.

That is an important reference to make, because major events are very important. Tourism is also very important and is a major economic driver for the state. As Mr O'Donohue has rightly acknowledged, the grand prix is just one of those major events. I note that some great events have occurred and are occurring in the state. Currently we have the Grace Kelly exhibition in Bendigo. It is a fantastic event that I am looking forward to viewing. We have had the L'Oreal Melbourne Fashion Festival. We have the Melbourne Food and Wine Festival. These are all major events that deliver economic benefits to the state of Victoria and

play a huge role in the hospitality industry, employing thousands upon thousands of Victorians.

In these challenging times, when we face uncertainty from a global perspective, a high and rising dollar and a great deal of uncertainty from a federal government with a looming carbon tax that is going to affect many businesses, giving that certainty to events and securing events will be of great benefit to Victoria. As I said, in her role the minister has ensured that that will continue.

I have seen another media release from the minister today, who in attracting major events and in attracting tourism and visitors to the state has seen an increase in visitations to Victoria, which is very good news. According to the latest national visitor survey released today there was a 4.3 per cent growth in domestic overnight expenditure in Victoria to \$9 billion in the 12 months to December 2011. The national visitor survey also found that tourism in regional Victoria continued to grow. Domestic overnight expenditure in regional Victoria increased by 6.5 per cent year-on-year to \$4.2 billion in the year ending December 2011. They are very good results for Victoria. It just shows we are leading the way in this very important industry sector and, as I said, our range of major events and the way we are able to secure and hold them, whether they are sporting events, arts and cultural events or large business and conference events, is the envy of the other states around Australia.

I would like to turn to another aspect of this debate. Last night there was an extraordinary contribution from Kelvin Thomson, the member for Wills in the federal Parliament. He said that Victoria should dump the grand prix. Before I go onto Mr Thomson's contribution, I will refer back to 1999 when the coalition left office. The Kennett government had secured this event from Adelaide, as was previously mentioned by Mr Leane, who was very supportive of that initiative.

Mr Elsbury interjected.

Ms CROZIER — Does he prefer Adelaide over Melbourne?

Mr Elsbury — He felt sorry for them.

Ms CROZIER — I would have thought Mr Leane would be supporting Melbourne and its locals. In any case, when we left government in 1999 the cost of the Australian Formula One Grand Prix was \$3.2 million, but under Labor it had blown out to \$49.2 million by 2010. That is a significant blow-out, but it is what the previous Labor government did — it was very good at blowing budgets, as we all know.

I return to the comments Mr Thomson made last night in the federal Parliament when he said the money should be spent elsewhere. He mentioned a couple of things, including education, and he said his electorate needed a new high school in Coburg. I heard him on radio this morning. He said he had been advocating for years and years for a high school in Coburg, and I thought that was not a great endorsement of the previous government. He must have had absolutely no faith in the previous government if he was wanting a high school in his area and his state colleagues had ignored his plight for so long. He is probably quite right about his pleas falling on deaf ears, but nevertheless he reiterated just what the previous government had been doing.

Mr Thomson went on to say that the grand prix money could run this high school and other schools which are desperately needed as a result of Melbourne's rapid population growth. That is another acknowledgement of the failure of the previous government to undertake any planning in terms of population growth. A huge number of people came to Victoria during the previous government's time in office, but the lack of infrastructure and planning, whether for education — —

Mr Leane interjected.

Ms CROZIER — You had 11 years, Mr Leane. Mr Thomson endorsed our comments and our argument that your government failed in planning for health, transport and education. Again he said he had been arguing the case for years and years.

Mr Leane interjected.

Ms CROZIER — Let us have a look at that. I am pleased to have that point taken up by Mr Leane, because when we did come to power, almost 18 months ago or thereabouts, we inherited a state in need of repair. There were many things that needed to be done. Programs and projects had blown out and overrun their completion times, and there was a lack of planning in a number of areas. Worse than that, last year an interim report of the independent review of state finances was undertaken because we wanted to review the state finances to see what actually needed to be done. That report confirmed that Victoria's finances went into a structural deficit under the Brumby Labor government. It confirmed that the Labor government's spending over the past decade outpaced revenue, and if that had continued to be the case, the Brumby government would have taken Victoria down a path which would have meant that by 2015–16 it would have been forced to borrow in order to pay ongoing expenses. I have

highlighted the failure of the Brumby Labor government's ability to adequately invest in vital infrastructure, such as Mr Thomson's request for a school.

Since coming to government, we have been absolutely fiscally responsible in the initiatives we have undertaken. We have been delivering on our election commitments, and one of those commitments was to look at the grand prix. The minister has been managing that process, but she has also been supporting the major events industry, because it provides for great economic stimulus and job provision for much of Victoria, not only around the CBD and the area surrounding Albert Park but more broadly and into regional Victoria. We will not be opposing Ms Pennicuik's motion, but I again commend the minister for continuing to perform and attract some great major events to the state.

Mr FINN (Western Metropolitan) — It gives me particular pleasure to speak on this motion today because it brings back some wonderful memories. Whilst it might not surprise anybody to hear Ms Pennicuik say that she was amongst the Save Albert Park protesters all those years ago, it might surprise members to know that I was the lead speaker for the government in 1995 at the time when the grand prix bill went through the Legislative Assembly. I am delighted to hear that Ms Pennicuik has read the record of the debate.

No doubt she was inspired by the words of all those years ago. Today she came in here full of the fire and vim of life and delivered something that only Ms Pennicuik can do from time to time. I recall part of my speech in that debate — and I think it got a run on the ABC; somebody told me that, as I never listen to the ABC myself — when I was talking about the mind's eye. In my mind's eye there was the view of Melbourne and the view of Albert Park from a television camera perched high in a helicopter above Albert Park Lake. I recall thinking about how wonderful that would be. In fact I did not disappoint myself, because going to that first grand prix in Melbourne, in March 1996, it was just as good as I had anticipated it would be. It was exciting. It was invigorating. It was just an extraordinary event in Melbourne, and it was historic. The only downside was not the whining of the car engines but the whining of the protesters out the front!

Ms Pennicuik — I was there.

Mr FINN — That was the only downside, even though there were not too many of them. It does not surprise me at all to hear from Ms Pennicuik that she

was there. In fact if I had been able to find a bookie to take my money, I would have collected big time, because I would have put my house on the fact that Ms Pennicuik was outside the grand prix having a whinge with all the rest of them. The fact that Ms Pennicuik is suggesting that there were hundreds of protesters at this particular event might go some way to indicating why she is a member of the Greens and is not in the Labor Party, because in the Labor Party you have got to be able to count. Clearly Ms Pennicuik cannot count, because there were nowhere near hundreds of people protesting out the front. There were nowhere near those numbers; there was a cat and a dog out the front having a whinge. The great irony of this is that the Save Albert Park group were protesting against something that actually saved Albert Park.

Ms Pennicuik — That is not true.

Mr FINN — It is extraordinary, because we all remember what Albert Park was like before the grand prix came along, and I am reminded of what former Senator Gareth Evans said about Kakadu some years ago. He referred to it as clapped-out buffalo country. Let me tell you: Albert Park really was not a lot better. It was a disgrace. Nobody had spent any money on Albert Park in many a long year. It was a dilapidated, pretty shabby sort of place, and the grand prix changed all that. The fact that the grand prix came to Albert Park is responsible for the fact that the precinct around Albert Park is now something about which every Victorian can be proud. It is something to which we can take our visitors and say, 'This is not just the site of our grand prix. This is not just the track which the cars drive around and which we drive around from time to time. This is a park which all Melburnians can use and about which all Victorians can be proud for 12 months of the year'. Once the fences come down, once the cars go to wherever they go and Bernie Ecclestone goes off to wherever he goes, then we can use the park to walk our dogs, to jog and for all those wonderful things that people like Ms Pennicuik like to tell us they support.

I have to ask Ms Pennicuik how she would have saved Albert Park if the grand prix had not come along. Not only was it dilapidated, but it was fairly dodgy. I am very pleased that we have the Acting President and not somebody else in the chair, because I might not have been able to use that word; but it was a fairly dodgy area. If the grand prix had not come along, and if the Premier of the time, Jeff Kennett, had not had the vision to put the grand prix at Albert Park, then tumbleweeds would be rolling through there and you would not be seen dead in the place.

As I say, it is now something about which we can all be very proud. I think it is sad that for so many years we had groups of people — and groups of varying sizes, depending on whom you spoke to — who used to sit outside there on Aughtie Drive with a tent. They would be doing their knitting, and they sat there for 6000 or so days. Mrs Coote might be able to tell us how many scarves one could knit in 6000 days, because that in itself would be quite a feat. It is interesting, and I have made the observation over many years, that it does not matter what happens. It does not matter how great the event is or how exciting the circumstances; those of the left always have to have something about which to whinge. They always have to have something about which to protest, and I will put down money that some of those people who were protesting way back in the 1990s on Aughtie Drive around Albert Park were in their dotage hanging around the City Square for the Occupy Melbourne protest. I wonder if Ms Pennicuik was at the City Square.

Ms Pennicuik — I was.

Mr FINN — She was there! How did I know that Ms Pennicuik, one of the original Save Albert Park people, who was sitting on a street corner whingeing all those years ago, was in the City Square having another whinge last year? That is what the left do. They do not do anything else, but they can whinge like nobody else can. They are sensational, and they do not care what it is — that is not important — just as long as they can whinge about it.

Hon. M. J. Guy — The museum.

Mr FINN — There is the museum, and we could go on for days mentioning the things that these people whinge about. But the fact is that Ms Pennicuik has told us today that, as I was speaking in the Victorian Parliament in another place in 1995, she was sitting on Aughtie Drive doing her knitting. She then came out from the cave into City Square.

Honourable members interjecting.

Mr FINN — No, I am being gentle. She came in to help those people in City Square in the Occupy Melbourne situation last year when they needed help the most. I saw some of those people, and a lot of them did need a lot of help; there are no two ways about that. It was good to see that. In an era and at a time of uncertainty it is good to know that some things never change — and those on the left never change. They will find a reason to oppose just about anything.

Honourable members interjecting.

Mr FINN — The republic is about as dead, Mr Barber, as Save Albert Park, let me tell you; they are both in a fairly bad way.

I remind the house that back in the 1990s, when the Labor Party was pretty desperate for an issue, it decided that it agreed with Ms Pennicuik and the knitters on Aughtie Drive that Albert Park was not the place for a grand prix. The Labor Party at the time was led by, I think, Mr Brumby. He has had a couple of goes, and has not been a raging success on either occasion, it has to be said. He got up and told us that Albert Park was certainly not the place for a grand prix and that he was going to put it out at Sandown. Would that not have been sensational? I could see millions of people around the world tuning in to see Melbourne and the grand prix and copping an eyeful of Sandown Racecourse. Would they not have been queuing up at the travel agents to get on the planes to come out to see that? Would that not have been a vital part of the tourism industry of Victoria? Would that not have been something we would have been so proud of? I recall Mr Brumby saying that often.

I have particularly fond memories because that played a pivotal role in my re-election at the 1996 election, when I was being challenged for the lower house seat of Tullamarine by a chap who at the time was a member of this place — a bloke called David White. Whilst I had been at the grand prix venue a couple of days earlier, on the day itself I was out doorknocking in preparation for the election campaign. You have to remember that the grand prix was actually held during that election campaign, and I was out doorknocking.

Mrs Peulich — It was very good timing.

Mr FINN — Lady Luck sometimes smiles upon you, and on this occasion she did. I had been out doorknocking in Westmeadows and Gladstone Park, and everywhere I went, at every house I went to — every single place — they answered the door and told me to go away very quickly because they were watching the grand prix. I could not believe it. I knew it was a popular event, but I did not realise just how popular the event was going to be. As the television ratings showed at the time, the grand prix rated its head off. I can vouch for that personally because, as I said, I was out doorknocking and nobody wanted to talk to me because they were watching it. I went home that evening and thought to myself, ‘What a wonderful event this is for Melbourne’. I wondered what would happen if John Brumby was to become Premier at the election in a couple of weeks time. Given that John Brumby had promised to remove the grand prix from Albert Park and that Bernie Ecclestone had said, ‘If you

remove the grand prix from Albert Park, I will remove it from Melbourne’, the grand prix we are experiencing today may well be the very last grand prix that we ever have in Melbourne — the first and the last’.

I thought it important that I take the responsibility upon myself to inform my constituents of this. So the next day I put out a brochure saying, ‘If you vote Labor this could be the last grand prix you will ever see’. I have to say to you that the reaction I got from that one brochure was probably as overwhelming as I have ever had from anything I have ever put out in my life, because the people of the Tullamarine electorate at that time — fanatical motor racing fans, so it seemed — were appalled at the prospect that they might lose their grand prix. I was inundated by messages from people who had always been Labor voters telling me that they would never vote Labor again as long as there was the prospect that voting Labor would mean they would lose their grand prix.

I have fond memories of the grand prix and that 1996 election. You might recall — and as a keen follower of such matters I am sure Mr Guy will recall very well — that at the 1996 election I actually doubled my majority for the seat of Tullamarine, which was a very pleasing result. I am sure the support that was shown by my constituents at that time — some of whom are in fact my constituents now, because it covers the area that I represent in this place now — for the grand prix had a huge impact on the fact that I not just retained my seat but retained it with an increased majority.

Mrs Peulich — You were more popular than Michael Schumacher.

Mr FINN — I was more popular than Michael Schumacher, indeed. I think it important when considering the context of the grand prix for us to consider where Victoria was 20 years ago. I am talking about 1992.

Mr Ondarchie — A good year.

Mr FINN — It was not, actually. In some ways it was a good year and in other ways it was not, because Victoria in 1992 was a basket case.

Mrs Peulich — The rust bucket.

Mr FINN — We were the rust bucket. I remember that throughout the western suburbs factory after factory after factory were empty. Unemployment was rife, and the sort of misery that I spoke about this morning when talking about the carbon tax was a way of life. We had Joan Kirner as Premier — God help us — and hundreds of thousands of people marched in

the streets demanding that she call an election so they could get rid of her.

Mrs Peulich — Whose personal popularity was very high!

Mr FINN — Amongst her colleagues, yes. We had hundreds of thousands of people marching in the streets to remove a government which had destroyed the fabric of Victoria. The morale of Victoria was in the toilet; it had been totally destroyed. We remember the jokes made by Sydney people. They asked, ‘What is the capital of Victoria?’, and the answer was, ‘About 17 cents’. Those sorts of jokes were common.

Mrs Peulich — How do you start a small business in Victoria?

Mr FINN — How do you start a small business in Victoria? You buy a bigger one, exactly, Mrs Peulich. All these jokes were being told about Victoria at the time, and it was crushing for Victorians from one end of the state to the other — from the Murray and the border right down to Port Phillip Bay. It was crushing for Victorians. The government that was elected on 3 October 1992, led by Jeff Kennett, came in not just with a mandate to fix up the economy; it came in with a mandate to give Victoria new life again — to put Victoria on the move, so to speak.

The grand prix was one of those events that did make Victoria proud again, and that is something we should take into consideration. This was not just a matter of dollars and cents and of how we sell Melbourne and Victoria to the world; this was a matter of making Victorians feel good about themselves again, and the grand prix was very much a part of that. I certainly remember going out and talking to people at that time and people were actually standing proud again. After years of a yoke of a Labor government, they stood proud again as Victorians, and the grand prix was certainly one of those events that caused that. I could go on for quite sometime about the economic disaster that befell Victoria under the Cain and Kirner governments.

An honourable member — The Socialist Left.

Mr FINN — Yes, the Socialist Left. How bad does a government have to be to replace a Premier with Joan Kirner? How bad does it have to be? But it was at that time. The whole psyche of Victoria — —

Hon. M. J. Guy — Candy was the chief of staff.

Mr FINN — Was she a chief of staff at the time? That tells you a lot, too. The whole psyche of the state was shattered. Certainly that all turned around over the

next three or four years. I remember only too well the comments of thousands of Victorians when it looked like we were going to get the grand prix from Adelaide — and weren’t the Adelaide people filthy about that? I have to say they still are, because they knew the value of the grand prix to Adelaide and they were dirty in the extreme over the fact that we had brought it to Melbourne. I recall going over to Adelaide at one stage and actually gloating about that, and I was very lucky to get out alive — —

Mr Leane interjected.

Mr FINN — Mr Leane, I was very lucky to get out alive because they were not happy campers at all about that.

The grand prix is a large component of our major events program. As Ms Crozier pointed out, the major events program here in Victoria is something that other states around Australia have copied. I do not think anybody can doubt that we have led the way in Australia with our major events program. It was put together by Jeff Kennett, by the then Minister for Tourism, Louise Asher, in her first term as tourism minister and indeed by Pat McNamara as the tourism minister before her. This just did not happen; it was something that was very deliberately put in place so that major events would bring people to Victoria in very large numbers, they would spend dollars in very large amounts and clearly it would be of benefit to Victoria directly.

Beyond that, we have things like the Australian Open Tennis Championships, the Spring Racing Carnival, the grand prix, the garden show and any number of events throughout the course of the year that expose Melbourne to the world. This is something that is more than just dollars in the pocket immediately; it exposes — —

Hon. M. J. Guy interjected.

Mr FINN — It is interesting that Mr Guy mentions the Melbourne international tram festival, because we remember that the trammies went on strike in the lead-up to the 1992 election. I think that pretty much finished off John Cain as Premier. I remember walking up the steps here, and all you could see down Bourke Street, as far as the eye could see, were trams parked end to end and across the way — —

Mr Leane — On a point of order, Acting President — —

Mr FINN — This is rich!

Mr Leane — On a point of order, Acting President, when I made my contribution on the motion the Acting President pulled me into line in relation to relevance to the motion. I think the speaker should be drawn back to being relevant to the motion, as I was during my contribution.

Mr FINN — On the point of order, Acting President, I think it is important that we gain some context for how the grand prix came about and for the feeling in Victoria at the time the grand prix was — —

The ACTING PRESIDENT (Mr Elasmr) — Order! Mr Finn knows he cannot debate the point of order.

Mr FINN — I am just informing you, Acting President, of why I am taking this course in my contribution to the debate.

The ACTING PRESIDENT (Mr Elasmr) — Order! I take Mr Leane's point. I ask Mr Finn to be relevant to the issue and to continue on the subject.

Mr FINN — Certainly, Acting President, I will refrain from mentioning the Melbourne international tram festival again. I think that probably initiated the major events calendar when people came from all over Australia to see hundreds of trams parked throughout the city of Melbourne. That started the major events program we have today. What a marvellous thing it was! It is one of the legacies of the Cain government that we can look back on and say, 'How did it get away with that?'. Thankfully, it did not.

Tourism is an extraordinarily important part of our economy in Victoria and Australia. When I go out and speak to people and they do not understand the importance of tourism, I feel like shaking them and saying, 'Don't you realise that it is tourism dollars in the pocket?'. That is what it is. Tourism is jobs; tourism is dollars. That is what it is all about. The tourism operators in Victoria that I have dealt with over a long period of time, because many years ago I was on the government's tourism committee — —

Mr P. Davis interjected.

Mr FINN — I think Mr Davis was on it with me. We went around and spoke to a good number of people — —

Mr P. Davis — George Cox was the chair.

Mr FINN — George Cox was the chair at the time, and then I think Graeme Stoney took over as chair. We went around and spoke to a good number of people

right around Victoria about the importance of tourism. The realisation came to me that this industry is more than just a hobby; it is more than just something you do on your day off. This is a real business that brings wealth and prosperity to people. It is something that hundreds of thousands of Victorians have made their living from over the last 20 years since we started to take tourism seriously. The grand prix is a very big part of taking tourism seriously.

I could go on and talk about Melbourne as the sporting capital of the world. We could talk about that, but sadly I am going to run out of time. I might leave it there and just say that the grand prix is more than just an event. I hope Ms Pennicuik will take the documents that she requests and that she will go back to Aughtie Drive, unfold her chair, sit under a tree and contemplate the great events of the grand prix since 1996 and contemplate more and more of those events to come.

Motion agreed to.

Business interrupted pursuant to standing orders.

STATEMENTS ON REPORTS AND PAPERS

Auditor-General: *Government Advertising and Communications*

Mr ONDARCHIE (Northern Metropolitan) — I rise tonight to make a statement on the Auditor-General's report entitled *Government Advertising and Communications*, dated February 2012. It is a damning report that starts with a very clear message that reads:

Government advertising and communications activities need to be accountable, to offer value for money and to avoid promoting the incumbent government.

The conclusions in the audit summary are interesting. They say that the former government's spending on advertising and communications had grown consistently since 2002 to an estimated \$257 million in 2009–10; transparency and accountability for government expenditure in this area was inadequate; public reporting was partial and inadequate; and there was inadequate oversight of government advertising activities. The estimated total expenditure was found to have exceeded the publicly reported costs by up to 97 per cent. The report states that:

The Department of Premier and Cabinet (DPC) has not adequately monitored and overseen advertising and communications activities across government.

The report also states that:

... departments and authorities are not complying with advertising and communications guidelines ...

It further states:

... DPC has not effectively managed major advertising and communications contracts. It has not been able to demonstrate that value for money has been achieved ...

During the last holidays I took two little children in my family down to Luna Park and we rode the Gravitron, which is something that spins very fast, but that was nothing compared to the spin of the previous Brumby government. When I think of spin kings, I think of Warnie, Murali, Jim Laker, Anil Kumble, Bishan Bedi and Richie Benaud, but they were nothing like the spin kings that Victoria got used to — the spin kings of Bracks, Brumby and Lenders. They were the real spin kings we saw in Victoria, the world-class spin kings.

Between July 2006 and December 2010, 11 departments and 5 agencies spent \$1 billion on advertising and communication. Annual expenditure for these entities was at least \$183 million in 2006–07, \$188 million in 2007–08, \$220 million in 2008–09, \$257 million in 2009–10 and \$152 million for the six months leading up to December 2010. The Brumby Labor government spent more money on advertising than any other state. It was the largest advertiser in the state and the seventh-largest advertiser in the country, ahead of some of Australia's major corporations.

But there is more to it. Between 2006–07 and 2009–10 less than 12 per cent of sponsorships by the 16 agencies were listed on the Department of Premier and Cabinet's sponsorship register. Six of the 11 departments and none of the statutory authorities had entries in the register. This is an unacceptable lack of accountability. This is taxpayers money.

But there is more to it than the abject waste of taxpayers money. The record clearly shows the failure of the Bracks and Brumby Labor governments in terms of spending taxpayers money. More than all of that, they insulted Victorians. I visited many train stations over that time. If you went to catch a train at Rosanna train station, you would find the trains were late, cancelled or full. If you got on at Flinders Street Station in the afternoon, the trains would be late. You would get home late and turn on the TV, having missed *Home and Away*, and get to watch a TV ad saying, 'We are doing a great job in public transport'. You cannot fool Victorians. Labor insulted them with this advertising.

During the entire period of the Bracks and Brumby Labor governments school classrooms were overcrowded and schools were run down. People would get home and turn on the TV to see messages from the

Bracks or Brumby government saying, 'We are doing a good job with schoolchildren. We are educating your children, and we are educating them well'. These TV ads were unacceptable.

The biggest one was Biggles Brumby flying in a helicopter over the proposed desalination plant. We should be cuing the sound of crickets across the other side of the chamber, because it was an abject failure — —

Mr Leane — On a point of order, Acting President, the terminology the member used to describe a previous Premier is unparliamentary, and I think he should withdraw it.

Mr Finn — On the point of order, Acting President, I am not sure what Mr Leane is referring to. Mr Ondarchie referred to Biggles, and I do not see how that could possibly be derogatory in any way.

The ACTING PRESIDENT (Mr Elasmr) — Order! I was listening to Mr Ondarchie's speech and I heard how he referred to the former Premier. It is my understanding that they are not parliamentary words, so I ask Mr Ondarchie to withdraw them.

Mr ONDARCHIE — I withdraw.

Members of the opposition should stand up and admit their mistakes, but more importantly they should apologise to all Victorians. The best way for opposition members to respond to this contribution is to stand up and say to Victorians, 'We are sorry. We are sorry we wasted your money, we are sorry we spent taxpayers money and we are sorry we tried to fool you with our inappropriate advertising'.

Victorian families statement

Ms PULFORD (Western Victoria) — I wish to make a statement on the government's *2011 Victorian Families Statement*. I do so because there is no 2012 Victorian families statement. I might start by quoting some remarks that the Premier, Ted Baillieu, made on 4 February 2010 when he was Leader of the Opposition. He said:

What Victorian families need and want is their story told.

A report that updates the Parliament about the position of Victorian families.

An audit of the conditions in which Victorians find themselves. A benchmarking of key issues for all Victorian families. A base on which to measure improvements in the future.

This is what a coalition government will deliver. An annual families statement.

Mr Baillieu then went on to talk about the cost of living. I imagine he meant things like the cost of vehicle registration, the cost of stamp duty on cars and his promise to provide stamp duty cuts for eligible young families buying their first property. That is the promise about which Victorian Farmers Federation Andrew Broad said, after seeing the detail:

I think every ... farmer feels betrayed by this government ...

Mr Baillieu talked about the economy. This is the same Mr Baillieu who has no plan for jobs. The government's *2011 Victorian Families Statement* refers to youth unemployment as being at 12.5 per cent. It is now in excess of 21 per cent.

Mr Baillieu was concerned about safety on public transport, but not concerned enough to keep the promise about having protective services officers on 13 regional train stations. Again the devil is in the detail. Now only four regional train stations will have protective services officers, and not until 2014.

Mr Baillieu was concerned about crime and its effects on families, but his government is cutting the staff that support police officers. The crime statistics are showing — certainly in some areas and with some types of crime — that crime is up. This government callously cut funding from an emergency alert system for people who have experienced and live with a very real threat of domestic violence in their own home.

Education was of great concern to Mr Baillieu both in 2010, when he promised an annual families statement, and in the 2011 families statement. His government policies have resulted in things like the Hamilton secondary school having to choose between offering a Victorian certificate of applied learning program to 25 or so students or offering 3 Victorian certificate of education classes. This is the same education approach that has people taking to the streets in Horsham.

Turning to hospitals, there are many more hospital beds, but of course the Minister for Health has been unable to indicate the baseline against which that will be measured and has consistently resisted the invitation from the opposition to do that.

A centrepiece of the government's *2011 Victorian Families Statement* was the families round table. To the best of my knowledge this round table has not met. It might be meeting in secret — —

Mr Leane — It could be at a square table.

Ms PULFORD — A square table? The thing is these are issues of importance being discussed — —

Mrs Peulich — A kitchen table.

Ms PULFORD — I thank Mrs Peulich very much. I was just about to talk about the conversations occurring around kitchen tables and dining tables right across Victoria — things like employment security, the Victorian certificate of applied learning, the impact of cutting Take a Break for those people needing occasional care, the 3600 families where the breadwinner is a public servant who will lose their job under the so-called sustainable government strategy and TAFE fees. I am also yet to see any evidence that the government has turned the curve on the cost of living.

In its *2011 Victorian Families Statement* the government attempts to define a family. It makes reference to same-sex relationships, yet it rolled back reforms to legal protection against discrimination for people in those relationships. Single families are also talked about in the statement. Just today I heard about a single mother who lost her job because the government ceased funding for the Take a Break program. This woman has worked in a neighbourhood house in various roles for 18 years, supporting families in her community throughout their lives. She has been doing this for 18 years and has seen babies grow up to become adults. She has supported young Victorians for their entire lives. What about her family — —

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

Transport Accident Commission: report 2011

Mrs COOTE (Southern Metropolitan) — I have great pleasure in speaking tonight on the 2011 annual report of the Transport Accident Commission. Page 20 talks about what TAC does. Most people in this chamber would understand what TAC does, but I think it is interesting to remind members exactly what its core business is:

The TAC supports people injured in transport accidents that are directly caused by the driving of a car, motorcycle, bus, train or tram.

The TAC administers a 'no-fault' scheme, which means that anyone injured in a transport accident within Victoria (or interstate in a Victorian registered vehicle) is eligible to receive support services, irrespective of who caused the crash. Where a person suffers a serious injury in a transport accident and the accident was someone else's fault, they may receive a lump sum payment and make a common-law claim.

On page 20, under the heading ‘What the TAC funds’, it states:

Hospital services and medical services, including surgery and visits to doctors or specialists

Pharmaceutical items for prescribed medicines to treat accident-related injuries

Therapy services, such as physiotherapy ... and psychology

Nursing services, such as home visits ...

It goes on and on.

There is a stark contrast between what happens if you are a TAC recipient and if you are born with or acquire a disability. Therefore it is very pleasing to see the debate on a national disability insurance scheme (NDIS). When the Productivity Commission brought down its inquiry report *Disability Care and Support* last year it was interesting to see the TAC scheme highlighted as a very successful example.

It is important to understand NDIS and what it is hoping to achieve. In the report overview the Productivity Commission stated that the disability sector in Australia is underfunded, crisis driven and unfair. It went on to state:

People would have much more choice in the proposed NDIS. Their support packages would be tailored to their individual needs. People could choose their own provider(s), ask an intermediary to assemble the best package on their behalf, cash out their funding allocation and direct the funding to areas of need (with appropriate probity controls and support), or choose a combination of these options.

It also stated that:

There should be a new national scheme — the national disability insurance scheme (NDIS) — that provides insurance cover for all Australians in the event of significant disability.

We currently do not have such a scheme.

It was interesting to hear during federal Labor’s crisis of leadership both Prime Minister Gillard and Kevin Rudd speak about NDIS as something that is important for Australia. However, we should listen very carefully to what they did not say. They did not speak about where this scheme will be funded from, and that is a major concern.

In an article published on 20 February on the ABC website ‘Ramp up’, Senator Mitch Fifield, the federal shadow Minister for Disability, Carers and the Voluntary Sector, wrote:

The coalition recognises that people with a disability, their carers and families deserve a better deal. Meeting the needs of

Australians with disability should be core government business. The release of the Productivity Commission’s final report into disability care and support was an important step towards improving the lives of Australians with a disability and their carers.

He went on to write:

... there is a great misconception at the heart of the current debate on an NDIS. And that is that the current government have already fully committed to fund and deliver an NDIS. They haven’t ...

The fact is:

... there is no money in the government’s forward estimates for an NDIS.

While the federal government, Prime Minister Gillard and Bill Shorten all go on about how important an NDIS is, the reality is that there is no funding. It is going to cost about \$8 billion a year in addition to the \$6.2 billion that is used to fund disabilities across this country. The reality is that the federal government has to put its money where its mouth is. As Mitch Fifield says in his article, ‘Show us the money.’ That is what I suggest.

We have a very good TAC program here in Victoria. I think we would all be in furious agreement that NDIS is something we need to implement as a matter of urgency in this country. However, this is a federal government issue; it has to come up with the funding. Let us see whether Prime Minister Gillard puts money forward for an NDIS. If she really believes in supporting people with a disability and their carers across this country, she will come up with that money. We will be able to see this in the budget that she brings down very shortly. We should all be watching carefully to make sure that that funding is there. I do not believe we will see a cent of it. It will be more rhetoric and spin by a government that does not really want to put its money where its mouth is.

Victorian families statement

Ms MIKAKOS (Northern Metropolitan) — Like Ms Pulford, I take this opportunity to remind members opposite of the existence of the government’s *2011 Victorian Families Statement* because it has clearly been more than a year since we have seen the much-vaunted and promised annual families statement. We are yet to see a 2012 families statement, and clearly that is because there is no good news to report to Victorian families.

Ms Pulford — It is embarrassed.

Ms MIKAKOS — Ms Pulford is right. Clearly the government is embarrassed because it has broken promise after promise. In fact families are suffering under this government. It clearly has nothing positive to report.

I refer to the government's *2011 Victorian Families Statement* which the Premier promised the coalition would 'promote a strong, competitive economy', yet in the recently released state budget update we see a revised economic growth forecast — from 3 per cent down to 2.25 per cent. Victoria's growth has come to a screeching halt — in fact it is going backwards, with 21 000 full-time jobs having evaporated since this government came to office. The unemployment rate in Victoria has risen to 5.4 per cent — higher than the national average. In addition a plan has been announced to sack 3600 public servants, so clearly the priority for Victorian families who have a public servant as a family member is to join the unemployment queue.

There has been a lack of action to support Victoria's manufacturing industry from a government that is happy to see more manufacturing jobs move overseas. Youth unemployment has gone up to 23.1 per cent. At the same time as this government is slashing the TAFE sector, apprenticeship fees are going up and funding for the Victorian certificate of advanced learning has been cut, so clearly there is no plan for supporting young people into jobs.

Early childhood is an important area that should be at the top of the government's list of priorities. So many programs have been cut, including the Young Readers program; the Reading Recovery in schools program, including those in my electorate; and free internet services for Victoria's kindergartens. There is no dedicated funding to establish new children's centres, and funding for the Take a Break occasional child-care program has been cut, which has resulted in six centres closing their programs so far, with another six scheduled to close their program. Some 16 per cent of providers have cut back their hours, and 71 per cent — 71 per cent! — have increased their fees. So much for caring about the cost of living.

The Minister for Children and Early Childhood Development, Minister Lovell, has continually berated the federal government for its implementation of universal access to 15 hours of kindergarten by 2013. She has continued to accept federal money for this implementation at the same time as attacking the federal government, when last year she had only budgeted \$15 million in the state budget for capital improvements to kindergartens. She can go on Channel 7, as she did last night, and claim that she

wants to delay implementation to 2016, but at this level of state government funding Victorian kinders will still not be ready to cater for universal access to 15 hours of kindergarten by 2016.

In relation to *Report of the Protecting Victoria's Vulnerable Children Inquiry* — an important report that would support vulnerable children and families — there has been a complete lack of commitment on the part of Minister Lovell to coming into this house and explaining what funding she will provide in her portfolio area to support those families. That report makes a number of recommendations around the need for increased investment to playgroups, to maternal child health services and to kindergartens. When I asked the minister about these issues yesterday in relation to support of the playgroup program, we got no commitment whatsoever.

Families have been slugged with an 8.6 per cent public transport fare increase, the fee for motor vehicle registration is going up by \$35 and the hospital system is being cut, with nurse-patient ratios being put at risk. The emergency rooms in our hospitals are getting worse under this government at a time when the government has slashed the Department of Health's budget.

It is no surprise that this government has failed to release a 2012 families statement, because there is nothing to report but bad news. The 2011 report is a 20-page document full of broken promises and rhetoric, and it has nothing positive for Victorian families.

Environment and Planning Legislation Committee: Environment Protection Amendment (Beverage Container Deposit and Recovery Scheme) Bill 2011

Mrs KRONBERG (Eastern Metropolitan) — I rise to report on the Legislative Council's Environment and Planning Legislation Committee's report of 1 February, being an inquiry into the Environment and Protection Amendment (Beverage Container Deposit and Recovery Scheme) Bill 2011. The notion of a container deposit scheme has been the subject of investigation and debate for decades. A scheme that I am personally acquainted with was introduced in South Australia in the 1970s, and I know the people who were the architects of that legislation and the spirit in which it was ushered in. I also know that that scheme became very effective all around and was supported by a number of schemes, businesses and enterprises that developed in response to this initiative. At the time it was a laudable scheme, but to try to replicate it here in Victoria is another thing altogether.

Since that time the South Australian recycling initiatives have been brought forward in other states, and many of them have been very successful and effective and economically sustainable, especially the Victorian ones. Their economic viability is critical to ongoing success, and that is what I always stress when we take off on schemes to protect the environment and embark on recycling and other measures that encourage people to do all the right things on a sustainability platform or to protect the environment; they always have to be viable and sustainable economically.

The provision of a parallel system, such as that proposed by the movers of the legislation, became a concern. Once the scheme was delved into, a host of complex policy implementation issues and obstacles bubbled to the surface. Here in Victoria our waste recovery and recycling practices are well established and supported ably by business and the community, and there is a high level of compliance.

A container deposit scheme would have a negative impact on revenue streams that local government depends on, thus bringing the potential of increased collection costs into focus and an additional burden for Victorian ratepayers to bear. It is important to stress that a host of state-based schemes with differing regulations and requirements for compliance may impose additional costs on industry, so the important thing to stress in our deliberations right now is that COAG — the Council of Australian Governments — is actively evaluating strategies for litter reduction, which include moving on the front of a national container deposit scheme. Clearly it would be inappropriate for a bill to proceed with the Victorian system whilst the COAG process — a nationally driven process — is under way. A national scheme would have obvious benefits, such as economies of scale for industry and a containment of administrative expenses for compliance. The current kerbside recycling and waste businesses and the programs that have been developed since the South Australian model scheme was implemented in the 1970s have basically seen compliance and had support from the community, and they are very successful.

On a personal note, when we talked about the reverse vending machines for the capture of containers and the dispensing of the deposits for the many and varied containers themselves I was very comfortable about the operational and health and safety impacts of those machines. If their proposed sitings are to be adjacent to shopping centres and outside the building envelope, then lighting, security and cleanliness of the equipment will require considerable investment and maintenance to provide hygienic and safe conditions. I also feel that such facilities could become a place where predators

could pose as compliant recyclers and interact with children who were keen to boost their pocket money. I feel that such facilities would soon need to be actively policed. An unfortunate and perhaps unintended consequence of the scheme is the fact that it would recycle only one form of litter, albeit broadly defined as 'containers', but it would still leave litter streams in situ as the containers would be selectively removed.

The proposed scheme that the legislation — —

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

Victorian families statement

Ms TIERNEY (Western Victoria) — I too will make a statement on the government's *2011 Victorian Families Statement*, and I will begin by talking about what matters to families. I am going to concentrate my remarks on two paragraphs that are contained in section 1. The report describes how families are quite different from each other under the heading 'Family life is central to many of the most important things we have in common'. The report states:

It is about the necessities of a roof over our heads and food on the table, but it is also about working in a secure job that uses our skills, educating our children, feeling safe on our streets, knowing our neighbours and having a quality of life that allows us to spend time with our loved ones.

I do not think there would be too many arguments in this house about that sentence. The problem I have is that the rhetoric is far from the reality and far from what Victorian families have faced since this statement has been in place. When it comes to things like a secure job, something that is mentioned in the statement, one only has to listen to the radio or read the newspaper. In terms of picking up just a few of the headlines in newspapers across my electorate, in the *Warrnambool Standard* of 14 March we have 'Workers lose out as DSE shrinks'. The *Geelong Advertiser* of 9 March carries the headline '400 jobs lost each day in Vic', and the *Ballarat Courier* has '300 jobs go across city'. The *Hamilton Spectator* of 1 March has a huge headline on its front page that reads 'DSE job cuts'. And today we have a subheading in the *Geelong Advertiser* that reads 'Premier won't guarantee 800 TAC positions in merger' accompanying the headline 'Crash course in job cuts'. This is set against a background in which, as Ms Mikakos has already stated, Victoria has a higher degree of unemployment than any other state.

I also wish to inform the house that Geelong has an unemployment rate that is higher than the state average.

We have all become quite aware of the threat of 600 jobs being lost at Alcoa's Point Henry site as well as the heavy maintenance workers at Qantas at Avalon being looked at very closely in terms of their ongoing employment. We also have the threatened loss of public sector jobs that I know is going to cause significant agony for the city and its future development. We talk about jobs being secure, but they are not; in fact we have seen significant job losses over the last 12 months, particularly in the last 6 months. It is almost like water going through our fingers. Jobs are being lost, and there does not seem to be any feeling for what is going on, let alone anyone rolling their sleeves up and getting a jobs plan together to make sure that Victorian families have a roof over their heads and food on the table.

When it comes to skills, we know there have been significant cuts to the VCAL (Victorian certificate of applied learning) program. The VCAL coordinators have gone, and we know that the VCAL program has been threatened. In relation to educating our children, all we can say about that is that \$481 million has been stripped out of the education budget and we know there is a growing list of schools that need to have classrooms redeveloped as well as a waiting list of schools that need to be built.

The statement talks about 'having a quality of life that allows us to spend time with our loved ones'. Members only have to go to the debacle we had in this chamber last year on the issue of working on Easter Sunday. If this government were serious about families being able to spend more time in each other's company, it would not have persisted with that piece of legislation. The next column on that page of the report goes on to state:

Household budgets will be front and centre — but important too, will be how we travel to where we need to go, how safe we are walking down the street, how we stay healthy or manage an illness or a disability, and how much time we get with our friends, partners, parents and children.

When we talk about household budgets we remember that it was this government that went to the November 2010 election promising families in this state that it would keep the cost of living — —

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

Auditor-General: Government Advertising and Communications

Mrs PEULICH (South Eastern Metropolitan) — I join members in making a comment on the Auditor-General's report entitled *Government Advertising and Communications*, tabled in February.

Mention was made today of the Labor Party's undertakings on the issue of government advertising back in 1999 in its policy document *Integrity in Public Life — Labor's Plan for Proper Standards*. The comment was made that all of the undertakings Labor gave back in 1999 were 180 degrees different to what it did in office. This is confirmed in the Auditor-General's report on government advertising and communications, which were audited to assess the levels of accountability in government advertising and communication expenditure and processes and whether selected campaigns complied with the relevant laws, guidelines and policies.

The audit looked at the expenditure of several departments and five agencies and estimated it at \$257 million for 2009–10. It reported that government spending on advertising and communications had grown significantly, with \$1 billion spent from July 2006 to December 2010 by 11 departments and 5 agencies. In 2009 and 2010 the then Labor government was the largest advertiser in this state and the seventh largest in Australia. It spent more than any other state government and some major commercial corporations.

Five campaigns, including the transport plan, were evaluated by the Auditor-General for compliance with the relevant guidelines. There is a very stark contrast when you look at the spend on the transport plan compared to what happened on the ground in terms of accessibility to public transport and roads. Also evaluated were the blueprint for regional Victoria campaign, the CityGT game, the locusts preparedness and response campaign, and the musculoskeletal disorders campaign. The level of transparency and accountability in relation to government advertising and communications expenditure at that time was reported to be grossly inadequate.

The Auditor-General found that the Department of Premier and Cabinet did not adequately monitor and oversee advertising and communications activities across government during the four years from July 2006 to December 2010. The report comments on the ineffectiveness of the leadership of the Department of Premier and Cabinet, the inability to provide adequate information on the breaches made by several departments and agencies, and the lack of framework — and this is the most important point — in place to monitor and enforce compliance pertaining to guidelines. There was a lack of communication, public reporting was partial and inaccurate, and the estimated total expenditure exceeded publicly reported costs by as much as 97 per cent. As I said, this was particularly

clear in terms of its ramifications for Victorians, in particular many of those I represent.

In a similar report on the same day — and they are linked — the Victorian Auditor-General found that the former state Labor government failed to manage the public transport network and instead wasted millions of dollars on promoting itself to local community. The Auditor-General found that the former government was not prepared to effectively manage the rapid growth in public transport patronage that happened between 2004 and 2009, but at the same time it spent millions of dollars promoting its transport plan, which was unfunded.

At the same time the Auditor-General found that satisfaction with all public transport modes deteriorated over the past decade, and in the past five years performance mostly fell short of government targets. The decline was the greatest for metropolitan trains. The response to this decline was partial and uncoordinated, with an incremental approach to changing timetables, where complete revamps were necessary if the drivers of poor performance were to be addressed.

The Auditor-General found that the public transport system has since improved, and I am very proud to be part of a government that is placing greater stringency on government advertising. Clearly that was a huge waste of taxpayers money, and the issues of waste and mismanagement are very important to Victorians. Certainly people across the South Eastern Metropolitan Region judged the former government very harshly and tossed it out of office. I look forward to a more prudent administration and the community benefiting from better services rather than more government self-promotion.

Protecting Victoria's Vulnerable Children Inquiry: report

Mr ELASMAR (Northern Metropolitan) — I rise to speak on *Report of the Protecting Victoria's Vulnerable Children Inquiry*. The report talks about investment and appropriate infrastructure for universal early childhood services. I am sure these are sentiments we all agree with, but I have to say that these recommendations will need proper resourcing and sufficient funding to implement improvements to the current system. My parliamentary colleagues have heard me speak often in this house of my own personal philosophy about the importance of education and giving all kids a good start in life. However, we elected representatives on this side of the house need to send the coalition government a strong message that if you keep making cuts to the

public service the recommendations in this report cannot be delivered to the most vulnerable people in our community — that is, children who are unable to defend or protect themselves.

It is our collective responsibility to ensure that there is adequate and proper protection, because in cutting the jobs of 3600 personnel the Baillieu government is setting itself up to fail in that responsibility. This important report contains recommendations that encompass a number of government departments — the Department of Human Services, the Department of Education and Early Childhood Development and the Victorian court system to name just a few that will suffer from these drastic cutbacks. In the last sitting week my colleague Jenny Mikakos, a member for Northern Metropolitan Region, said that an organisational restructure will mean that 500 jobs will be cut from the Department of Human Services. If it is the government's intention to spend up big in 2013–14 as we draw closer to the election date, it will be too late for these children.

The proposed hundreds of millions of dollars to be taken from the Department of Education and Early Childhood Development and the Department of Human Services will see the report's recommendations doomed to failure. We cannot invest too much in children's welfare or services. I call on the Baillieu government to provide funding and staffing to support the recommendations of this crucially important report.

Auditor-General: Melbourne Markets Redevelopment

Mr DRUM (Northern Victoria) — I rise to make a statement on the Auditor-General's report *Melbourne Markets Redevelopment*. The report's audit summary states:

The Melbourne Wholesale Fruit and Vegetable Market incorporating the National Flower Centre is an important part of the state's economic infrastructure, with an annual turnover in excess of \$1.6 billion.

That puts into perspective just how important this market is for Victoria. The audit summary goes on to state:

The market is being relocated from its current site in Footscray Road to a new site in Epping. The intention is to establish the new market within a modern, innovative and efficient fresh produce trading and distribution precinct. This is one of the largest infrastructure projects undertaken in Victoria in recent years.

However, the Auditor-General concluded that:

The initial project planning and governance arrangements for the relocation were sound. However, poor project implementation has adversely affected the project.

Would you believe it? Anything that the Labor Party gets its hands on is full of incompetence. Poor stakeholder management has led to significant delays. Surprise, surprise! Again a Labor Party project that has been significantly delayed. It was originally planned that the market would be moved to the new site in 2008. However, an operational market is still two years away, and here we are now in 2012. That is a six-year delay from a Labor government. That is not too bad, I suppose. It is about what we would all expect, considering Labor's inability to do anything of major importance. The Labor government's project came in a neat six years late. Delays have resulted in significant cost increases. The expected cost to government is more than double the \$230 million included in the 2004 business case. The Auditor-General has found that the resultant cost increases have more than doubled. This will have an adverse impact on tenant investment within the industry.

The Auditor-General's report also found that it is likely that the government paid more for the trading floor than it should have; stakeholder management was simply not effective; the project was not fully costed prior to seeking funding; and the price bid by the unsuccessful bidder was \$40 million less than that of the successful bidder. How does Labor keep making these mistakes when it is in government?

The Auditor-General found that a number of probity matters in relation to the trading floor procurement cast doubt on the fairness of the procurement process. Major Projects Victoria's practices showed that there was an inadequate understanding of the importance of demonstrating probity in public sector procurement. Here we go again. We have been talking about this issue all afternoon in relation to how integrity in government should work. That does not happen with the Labor Party. Major Project Victoria's practices also showed that there was a poor understanding of the identification and management of conflicts of interest. There was also a lack of commitment to transparency.

The Auditor-General has had a look at this project, and again he has effectively given the former government a clean swipe. Everything that possibly could have been done wrong the former government did do wrong. The former government cost Victorian taxpayers over \$230 million more than it should have. The time it took to complete this project was six years longer than it should have been, and there have been a range of major projects ministers who have their fingerprints all over this mess.

The market is such an important part of Victoria and what Victoria stands for. Victoria's producers are

relying on the government to provide a state-of-the-art, world-class market. Redeveloping the market and moving it to a greenfield site should have been, in a sense, a piece of cake, but the Labor Party did a world-class job of making an absolute mess of this project.

Western Health: report 2010–11

Mr EIDEH (Western Metropolitan) — As I began reading the Western Health annual report, the first thing I noticed was that what I had believed for so long was reaffirmed: firstly, that this health provider is essential to delivering high-quality care to the people in my electorate, and secondly, it desperately needs further funding from the government to continue to deliver these services.

I want to congratulate all the staff who work across the eight facilities that make up Western Health: Western Hospital in Footscray, the drug and alcohol services, Sunshine Hospital, Williamstown Hospital, Sunbury Day Hospital, Western Centre for Health Research and Education, Reg Geary House and Hazeldean Nursing Home. The number of facilities is testament to how important this organisation is to the west. From the cleaners to the CEO, it is the passion of the staff for their work and their desire to deliver the best possible care and facilities to the patients who visit these hospitals — whether in a planned or unexpected capacity — that makes Western Health what it is today. Approximately 5000 employees and 300 volunteers make up Western Health, and it is only with these staff members working tirelessly throughout the days, months and years that Western Health is able to provide 876 hospital beds to people regardless of where they come from or what language they speak.

Western Health has adopted a cultural responsiveness plan which aims to ensure that it continues to be responsive to the needs of the west's diverse communities. Amongst the initiatives that Western Health has embraced, this plan will be essential over the coming years due to an expected population rise of 33 per cent in my electorate over the next 15 years. It is a well-known fact that the west is booming, which is why it is puzzling that the government neglects my electorate and the many families that move into it each week.

Sunshine Hospital, which is recognised as a teaching hospital, also specialises in services, including women's and children's health care, surgical, medical, aged-care and rehabilitation services. Currently Sunshine Hospital's emergency department, which incorporates paediatric services, is one of the busiest general

emergency departments in the state. This unfortunately will only increase, and unless further funding is committed to open more beds and provide more facilities and machines that save lives, more Victorians will have to go without and their health will be compromised.

The second thing that struck me about this report was that the new developments, such as research centres, acute services, Sunbury Day Hospital and the radiation therapy centre, were all opened in 2011, which indicates they were not Liberal initiatives to help the west. These were Labor initiatives that my comrades and I delivered to begin the process of upgrades and planning for the population boom.

I say with regret for the poor families who watch a loved one on the long road to beat cancer that one in two people will suffer from the disease. But thanks to the people who sit on this side of the house the essential treatment of radiation therapy is now more accessible in the west through Sunshine Hospital. The \$40.5 million centre, a partnership between Western Health and Peter MacCallum Cancer Centre, will treat up to 900 people a year. A large majority of those people living in my electorate will be able to receive this treatment closer to home. This service caters for the most commonly diagnosed forms of cancer in the west — breast, bowel, prostate and lung cancer.

With these statistics, will the government commit more funding, or will it avoid the elephant in the room, as it did with the Olivia Newton-John Cancer and Wellness Centre? Western Health, more specifically Sunshine Hospital, is the third-busiest hospital for the delivery of the children of tomorrow. Its maternal health facilities are second to none, which is imperative in my electorate when you consider the birth rates. Each week 42 babies are born in Melton shire, which forms part of my electorate, and many of those babies are delivered in Sunshine. Midwives and nurses are fundamental to this ward and this specialisation, as are nurses throughout Western Health, and indeed hospitals around the state. What would hospitals be without nurses? Nothing. That is why Mr Baillieu must stop putting patients' lives at risk, and treat Victoria's nurses the way they deserve to be treated.

**Environment and Planning Legislation
Committee: Environment Protection
Amendment (Beverage Container Deposit and
Recovery Scheme) Bill 2011**

Mr ELSBURY (Western Metropolitan) — I rise this afternoon to speak to the Legislative Council's Environment and Planning Legislation Committee

report of February 2012 on the inquiry into the Environment Protection Amendment (Beverage Container Deposit and Recovery Scheme) Bill 2011.

I congratulate the chair of the committee, Mrs Peulich, on her work in guiding the committee through the proceedings. I was a member of the committee and I was very happy to work under the guidance of Mrs Peulich.

I have to say that I am a big supporter of reducing litter. As someone who believes in personal responsibility, I will throw my rubbish into a bin rather than just throw it on the ground and allow the wind to carry it wherever it is going to go. At the outset the bill that we were investigating for container deposit legislation seemed quite well put together. The document *Turning Rubbish into Community Money* was provided to us by Ms Hartland, who was the proponent of this particular bill, and it was quite an extensive document. However, once you scratched the surface of what we were discussing it became clear it was a lot more complex than the simple diagrams that we were shown.

As someone who has participated in Clean Up Australia Day for the last seven years — my last outing was only on 4 March — I could see that there were problems with this particular bill, in that it would be putting an artificial value on certain pieces of rubbish while leaving others completely to one side.

This was demonstrated by some evidence the committee received while it was meeting — a video which was shown to us of a gentleman picking up pieces of rubbish at the mouth of the Yarra River. The gentleman went through and picked up bottles, but he left the rest of the rubbish completely untouched; he left it to lie in the mouth of the Yarra River and keep doing whatever it was going to do — it was left to float off and perhaps end up in a turtle's mouth. He picked up several dozen bottles in a very short period of time, but he also picked up a polyvinyl chloride drinking container — something that this legislation does not cover. What would have happened to that bottle? Did he throw it away because it would have carried no value whatsoever in a container deposit scheme? What would happen to this sort of rubbish that would not have a cent value put onto it?

I would like to point out that we also received a submission from Keep Australia Beautiful Victoria, an organisation that I respect greatly. It said in its analysis of its national litter index, and I quote from the submission:

... the programs that Victoria is running means there is less litter in Victoria than in South Australia for each of the last

four years — both in the number of littered items and their volume.

Considering that the container deposit legislation was based on the fact that South Australia has already got container deposit legislation and a container deposit scheme, it seemed weird to me that we would be talking about the state that is being held up as being the poster child of container deposit legislation as possibly being one of the more dirty states in the country when it comes to litter on the ground.

There was the issue about people rummaging through bins to be able to get to the valued items that need to be dealt with. Another issue was that reverse vending machines played very highly in the particular evidence that we were receiving. The technology was found to be inadequate by several professionals in the field in South Australia, because if they thought it was of any use they would have 20 of them and they would probably put them in the mall.

Appendix H of this report is the Hansard transcript from the committee proceedings of 8 February 2012, and in the evidence gained there the proponent of the bill, Ms Hartland, said that several concessions were made, including that there was a federal scheme being discussed at the moment which would overtake any state scheme, and also that the management of the scheme could be changed in a way to make container companies more amenable to the idea. That was a very big concession, considering we have been looking at this bill for quite some time now. I could go on, but basically when the minority report — —

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

Victorian families statement

Mr LEANE (Eastern Metropolitan) — I wish to make a statement on the government's *2011 Victorian Families Statement*. The new government said it would annually present one of these families statements to the Parliament. It is overdue. I expect that perhaps the government is producing one as we speak, but we will wait and see.

When you look at this statement you see a lot of full-page photographs. There are two pages of text there, a full page, another full page, half a page, half a page, half a page, a bit of a page, half a page, half a page, half a page and half a page. We end up with about half a dozen pages, I suppose, around a statement about how the government was going to enrich the lives of Victorian families. Unfortunately that promise has not been fulfilled to any degree at all. One example we

could use is the 3600 public servants whose lives will be far from enriched. Whether you want to term them front line, back line, workers, whatever you want to term them, their lives will not be enriched at all because their livelihoods will be removed.

When you go into the statement, under the heading 'Creating safe and friendly neighbourhoods', there is discussion around a number of assaults over a period of time in Victoria and how the government is going to implement things that will overcome that and bring that down remarkably. But if you look at the last year you will see that crime reports will show that assaults have gone up.

Since this families statement was tabled, the Minister for Crime Prevention, Mr McIntosh, said that despite all the rhetoric around law and order prior to the election, it may take 20 years to see a difference. I do not think that was suggested pre-election. It is definitely not suggested in this particular report. On this page there is a photograph of a PSO (protective services officer) travelling on a train. Since this was tabled, it was revealed by the legislation that PSOs will not patrol trains. They will be located on train stations if there is a permanent toilet there. There was a lot of rhetoric pre-election about this policy. I looked at some of the contributions of members of this house in 2010 about the urgency of this policy. Mrs Coote and others spoke about the urgency to get two PSOs onto each railway station, but at the rate the government is delivering, it is going to take about 50 years to provide 940 PSOs.

All of a sudden there is no urgency. There is also no urgency in the contributions of the members who were sitting here prior to the election. Previously we heard from members who are now sitting on the government benches about how urgent it is and how scary it is out there. We heard members who are currently sitting over that side say that women should be scared to walk down the street. Mr Finn, in one of his contributions, actually said he was scared to go to an ATM across the road, which is a bit strange because PSOs patrol the front steps of Parliament House in Spring Street. It was a bit weird that he would say that. It seems a bit strange that there is this families statement, which is all about families being safe — —

An honourable member interjected.

Mr LEANE — Crime has gone up and assaults have gone up. All the pre-election rhetoric from Mr McIntosh was about how urgent this was and the coalition was going to fix the problem. After the election he said it could take 20 years to effect what coalition members view as this urgent action that needs

to happen. All of a sudden the urgency has gone and it seems that the rhetoric has gone. It seems that the only reason there is no more scaremongering is that these people are in government.

Business interrupted pursuant to sessional orders.

ADJOURNMENT

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

That the house do now adjourn.

Costerfield mine: ministerial visit

Mr LENDERS (Southern Metropolitan) — The matter I raise tonight is for the attention of the Minister for Environment and Climate Change. It is regarding the same issue I raised last night for the attention of the Minister for Agriculture and Food Security — the Costerfield mine, 50 kilometres east of Bendigo.

Last night I outlined to the house some of the issues that the community at Costerfield is facing, particularly the conflict between farmers and miners, and I urged the Minister for Agriculture and Food Security, Mr Walsh, to go to Costerfield with the member for Rodney in the Assembly to have a look. There is a lot of goodwill among the farmers in the area towards Mr Walsh, but they are quite disappointed that despite multiple items of correspondence to multiple ministers the first MPs to actually visit the site were Ms Darveniza and me last week.

Last night I asked Mr Walsh — —

Mr Drum — Where is this?

Mr LENDERS — For Mr Drum's information, it is Costerfield in his electorate, 50 kilometres east of Bendigo.

Mr Drum interjected.

Mr LENDERS — If Mr Drum had been there, I would congratulate him, but none of the farmers at Costerfield remembered him. They said to Ms Darveniza and me that we were the first MPs they had seen there. I congratulate Mr Drum, and perhaps he could go back with Mr Walsh and take him through the area. As I was saying to the house, there is goodwill towards Mr Walsh there. It would be good if he were to visit, because there is that residue of goodwill from his days as president of the Victorian Farmers Federation.

The matter I am raising tonight is for the attention of the Minister for Environment and Climate Change, Mr Ryan Smith. While there might be some goodwill for Mr Walsh, there is none for Mr Smith. Some of the people at Costerfield have raised issues that have arisen from the activities of the gold and antimony mine. There is a lot of dust around the mine, and there is anxiety that toxins from the evaporation ponds or the dust might be going into the two aquifers. There is a higher aquifer and a lower aquifer, and there have been a number of requests for the Environment Protection Authority (EPA) to monitor them and report back.

The farmers I spoke to at Costerfield felt there has been no particular response to their concerns. They also gave me a copy of a letter they had sent to a number of ministers on 12 February seeking action on a range of matters. They have had no response to those letters. The first response that the farmers at Costerfield have had was a visit from Ms Darveniza and me. Perhaps another member has visited the area, but clearly they have forgotten about him. It is a serious question though. If Mr Drum wishes to go to Costerfield with Mr Walsh, I urge him to do so because, as I said, there is that residue of goodwill for Mr Walsh in that community.

There are particular issues for the EPA. There is the issue of dust, and there is the issue of toxins that may be leaching into both of the aquifers. There is also the issue of the noise from the mine, which is driving some of the farmers quite crazy. They told me of their disappointment that although the noise will be turned off while the noise measurements are being taken, it will then come back on again. There have been promises of double glazing. A number of farmers have actually told me — —

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

Leadbeater's possum: habitat

Mr BARBER (Northern Metropolitan) — My adjournment matter is for Mr Walsh, the Minister for Agriculture and Food Security, in his capacity as the minister responsible for forests. His responsibilities seem only to go to woodchipping forests and not to protecting the animals that live in them, including our state faunal emblem, Leadbeater's possum. A group of courageous environmentalists has taken the government to court in an attempt to force it to properly protect this endangered species. Unfortunately today in their court judgement they have not received the full relief they were seeking. However, there has been a further definition of the habitat of Leadbeater's possum and how it is to be protected.

The court also noted in its judgement that the evidence brought by the environmentalists:

... demonstrates a strong case for the overall review of the adequacy of the reserve system intended to protect LBP habitat within the central highlands forest management area. The 2009 bushfires have materially changed the circumstances in which the existing system was planned and implemented and there is, on the evidence, an urgent need to review it.

An urgent review is exactly what I am asking for from the minister. In July 2009 I asked his predecessor, Mr Jennings, who then had responsibility for the environment, whether he would undertake such a review. Unfortunately a review has not been forthcoming or else there would have been demonstrated and locked into the laws governing logging requirements more protection of a species that now finds that the vast majority of its habitat has either been logged or burnt over the last 50 years.

Protection of endangered species is a critical part of the regional forest agreement. These forests are jointly regulated by both the state and federal governments. Frankly, if Tony Burke, the federal Minister for Sustainability, Environment, Water, Population and Communities, is not going to force the minister to undertake this review of habitat, then he is backing the state government's policies in this area. I do not recall the coalition saying at the last election that it was for the extinction of species, let alone one as high profile as our own state faunal emblem, Leadbeater's possum. One hundred years from now, whatever the fate of this species, historians will struggle to explain how people in the state of Victoria could name this as their faunal emblem yet continue to do those very things — notably woodchipping — that are pushing it closer and closer to extinction.

In my view it is integral to the rules under the regional forest agreement that the agreement be updated with the latest knowledge on the protection of endangered species, and I am calling on the minister, Mr Walsh, to do exactly that.

Floods: government response

Mrs PETROVICH (Northern Victoria) — My adjournment matter today is for the Minister for Environment and Climate Change, Mr Smith, and it relates to the involvement of the Department of Sustainability and Environment (DSE) in the response to the floods of recent times. As we all know, heavy rain in early March resulted in major flooding in the north-east and north central areas of Victoria. Subsequently heavy rain on 9 March in East Gippsland

also caused flooding, particularly of the Snowy and Mitchell rivers.

DSE and Parks Victoria have deployed personnel to assist in incident management and state coordination and to assist the State Emergency Service (SES) in works such as establishing and reinforcing levees, filling sandbags and general reconnaissance, including reading flood gauges. The numbers deployed have varied between 110 and 150, with about a third coming from Parks Victoria. Specialist roles have been filled by staff from DSE and Parks Victoria.

Most of the people being deployed are from the north-east of Victoria. In addition, aircraft have been deployed from the State Aircraft Unit to the Victorian floods and have been used for the transportation of personnel and equipment, sandbagging and information gathering, including infrared scanning to identify flooded areas. Helicopters have also been allocated for potential community relocation in the event that the levees protecting communities fail.

I commend the staff of DSE and Parks Victoria together with our great volunteers at the SES, who have been out there night and day assisting the communities affected by the floods, in particular those in northern Victoria. The action I seek is for Minister Smith to detail the partnership, and DSE support in particular, for those impacted by flood.

Rail: Marshall station

Ms TIERNEY (Western Victoria) — My adjournment matter is for the Minister for Public Transport, and it is in relation to the Marshall railway station, which is located south of Geelong. It is the last train station from Melbourne for services that do not continue through the south-west to Warrnambool via Colac. Each week 138 services stop at the Marshall station, with more than 1000 people using these services weekly. Each weekday morning, without fail, the station's car park is filled to capacity, and cars are parked outside homes on Marshalltown Road and Station Road in Marshall.

On the platform there is a small bus stop-type shelter, which is totally inadequate in offering any shelter from the rain. The only other cover provided is under the ticketing office, which provides shelter for only a handful of people when it rains. Commuters using other major stations such as South Geelong railway station, the Geelong railway station on Railway Terrace and the Lara railway station have the benefit of indoor seating areas and all-weather shelters in the event of poor weather. I welcome the increased patronage at the

Marshall railway station, a station funded and built by the previous Labor government. At the time it was ridiculed by then Liberal opposition members who stated that the station would attract poor patronage. With increased patronage, infrastructure and facilities must now be provided for the comfort and safety of public transport users. I call on the minister to act to ensure that funding for the construction of an appropriate all-weather shelter for the Marshall railway station is included in the 2012–13 budget.

Tourism: cruise ships

Mrs COOTE (Southern Metropolitan) — My adjournment matter this evening is for the Minister for Tourism and Major Events, Ms Asher. I welcomed the recent visit of the *Queen Mary 2* ocean liner that docked at Station Pier. My office is just around the corner, so I was able to see the *Queen Mary 2* while it was docked and when it departed, and I have to say it was truly majestic. Some of the ocean liner's statistics are very interesting, and I will read them again for everyone here tonight. There were 2500 people on the ship and 1200 crew, and the crew was made up of members of 50 different nationalities. It cost \$800 million to build the ship. It is 600 metres long and 23 storeys high, and when it was moored at Station Pier it looked absolutely enormous. It was fantastic. It is very interesting to note that it has three anchors, and each one of its anchors weighs 23 tonnes and is absolutely enormous.

It is the largest ship ever to dock at the historic Station Pier and, as those in this chamber know, Station Pier has seen many comings and goings over its long history. It was principally the first place of entry for migrants over decades and decades, so it has a very sentimental history and people are always pleased to visit it.

It is interesting to note that each person who disembarks from one of the ships moored at Station Pier spends an enormous amount of money in Melbourne. It is a great gateway to Melbourne via Port Melbourne and South Melbourne or anywhere around the vicinity. The light rail service works very well and carries people into the city where they spend a significant amount of money. I am led to believe that over \$1 million is spent per ship. That is an enormous injection into the economy and the coffers of Victoria every year, and it is very pleasing to see. I know that Melbourne looked its very best and Port Melbourne looked really good, and it was terrific for those of us who have businesses, offices and homes in the vicinity to be able to welcome this huge ship and all who were on board.

This evening I ask the minister if she will endeavour to encourage and attract more cruise ships to Victoria in the near future.

Government: gender diversity policy

Ms BROAD (Northern Victoria) — My adjournment is for the Minister for Women's Affairs, Mary Wooldridge. International Women's Day was celebrated around the world on 8 March to honour women's actions and achievements and to recognise the continuing challenges in achieving equity and fairness. Supporting women's economic empowerment was the United Nations Women Australia's theme for 2012. UN Women believes that women can continue to make a positive contribution to sustainable development and prosperous growth if they have access to economic participation.

Australia's largest companies are supporting women's economic empowerment in their own organisations because they are embracing the economic case for increasing women's participation in order to deliver better outcomes for business, consumers and government. For example, I draw the minister's attention to the requirement of the ASX Corporate Governance Council for all listed companies in Australia, under its new corporate governance principles and recommendations on diversity, to report at the end of the current financial year on whether they have done the following, and if not, why not: established a diversity policy which includes the board establishing measurable objectives for achieving gender diversity, and the board assessing annually the objectives and progress in achieving them; disclosed that diversity policy; disclosed the proportion of women employees, senior executives and board members in the corporation; and reported on the mix of skills and diversity the board is seeking to achieve in membership of the board.

Not only are Australian companies embracing the economic case for increasing female participation but they are setting targets and time lines for action and reporting progress. This is in stark contrast to the actions of the Baillieu government in abandoning targets for women on core government boards. In the Victorian Parliament there is a stark contrast between the gender diversity of the Labor Party, with 40.6 per cent women members, and the Liberal and The Nationals coalition with 24.2 per cent women members between them. The fact is Labor has achieved gender diversity in the Victorian Parliament by adopting exactly the approach that ASX is now requiring corporations to adopt.

The action I seek from the minister is that she institute a gender diversity policy for the Baillieu Liberal government that includes publicly disclosed targets, a timetable for implementation and measurement, and the reporting of progress against those targets.

Mental health: women's facilities

Mr ELSBURY (Western Metropolitan) — I rise this evening to raise a matter for the Minister for Mental Health, the Honourable Mary Wooldridge. My adjournment matter is to do with gender separation of mental health patients to ensure that women feel genuinely safe in the environment of a mental health facility. There are instances of women who not only do not feel safe but have experienced some form of attack in a mental health facility. This is something that needs to be addressed. I know that the government is working towards addressing these issues, because these concerns were acknowledged in the 2011–12 state budget, which included \$4 million in capital funding for modification works to improve conditions for women in mental health care.

I am also aware that the Alfred hospital last year received funding for the separation of genders in mental health wards. A media release from September last year says:

Women accessing services at the Alfred will feel safer and better supported in a newly refurbished ward catering exclusively to the needs of women.

It goes on to quote Ms Wooldridge as having said:

Women can feel vulnerable in mixed gender areas, where there are typically more males than females, an inability to lock rooms or protect belongings, and limited privacy.

This issue has impacts across our community. We have friends or family who at times have to have a little bit of help to get through the struggles of life. We need to ensure that services respect and are sensitive to women's needs and that their safety is a real concern. As I have mentioned, with mixed gender areas unfortunately rooms in mental health wards may need to be kept open, as you do not want people being able to lock themselves in and not receive the treatment that they deserve.

I call upon the minister to look at further expansion of this scheme by moving some services out into the western suburbs, which unfortunately have some of the highest rates of mental health issues in the state. We certainly have mental health facilities for women who are suffering from postnatal depression, but for those who fall outside of that I seek further services in the western suburbs.

Planning: Point Cook

Ms HARTLAND (Western Metropolitan) — Last night I raised an adjournment matter for the Minister for Planning, Mr Guy, regarding Point Cook, and I made a mistake in the figure, which I need to correct. I said that there were going to be 5800 new dwellings at Point Cook, and in fact it is 2000 dwellings at Point Cook.

Mental health: women's facilities

Mr ONDARCHIE (Northern Metropolitan) — I rise tonight with an adjournment matter for the Minister for Mental Health, the Honourable Mary Wooldridge. I note, as Mr Elsbury did, that a women-only mental health unit opened at the Alfred hospital on 8 September last year.

As this house well knows, I spent some time in my career as an executive director at the Royal Women's Hospital, and I have long demonstrated my care and concern for women's health issues. The safety of women in inpatient mental health care has been a persistent concern for people with a mental illness, their carers, their families, communities, health services and of course this government as well.

I am seeking some support from the Minister for Mental Health for women in my electorate of Northern Metropolitan Region, because ensuring that services respect and are sensitive to women's needs and safety is a real concern for this government. Women have the right to receive treatment and care for victimisation, violence, sexual assault and retraumatisation.

At this stage I think in particular about the Austin Hospital. It is a great hospital. I spent a lot of time there touring its emergency department, its wards and its specialist units, and I am a big fan of their work. In fact in 2011 the Austin Hospital did a good job looking after my son, about whom we were a bit worried at the time.

The Austin Hospital is a great candidate for consideration of gender-sensitive funding for women's health issues, and I call on the minister to consider the Austin Hospital for funding associated with women's health issues.

City of Kingston: green wedge

Mr TEE (Eastern Metropolitan) — I am pleased to see that the Minister for Planning is in the chamber this evening, because my matter is for the minister. It is a reasonably simple matter that relates to green wedges, and in particular it relates to what can only be described as somewhat unusual conduct at the City of Kingston.

I have copies of the minutes of the council meeting of 27 February, and it appears from those minutes that at 11.41 p.m. — 20 minutes short of midnight and sort of in the dead of night — Cr Peulich moved:

That ... the meeting be closed to members of the public for the consideration of confidential items.

There is then a reference to 'green wedge as it relates to a matter that could involve proposed developments and would prejudice the council and the persons involved'. I am not privy to the matter from which Cr Peulich moved at nearly midnight to exclude the public, nor do I know what developments are being proposed, and indeed the community does not know what developments have been proposed or considered for the green wedge, but I can say that this secrecy is causing concern in the community.

The community is concerned that this is an attempt to chop up the green wedge behind closed doors. We know that the minister's review of the green wedge has already caused some consternation among members of the community, and they are worried that here we are seeing another blow — this time from behind closed doors.

Therefore I raise the issue for the attention of the Minister for Planning, and I ask the minister, as the responsible authority for oversight of the green wedge, to be very wary of any proposal that emerges as a result of this secret process. I ask the minister to take this opportunity tonight to assure the Parliament and the community that he will not be party to anything that emerges from secret meetings and that he will ensure that any proposal that comes out of this closed-door process is properly scrutinised and that it will be a proper, transparent and accountable process — and a process that involves full public consultation.

I urge the minister to act in a way that discourages secret discussions. The green wedge is the legacy we leave our children. It is the future that we are bartering. We need to ensure the highest standards of openness and propriety and to discourage anything that creates a perception that the process is not above board.

Responses

Hon. M. J. GUY (Minister for Planning) — I will first of all refer Mr Lenders's issue in relation to the Costerfield mine to the Minister for Environment and Climate Change, Ryan Smith, and I note that his request for action was for him to do something.

Mr Barber's request was to the Minister for Agriculture and Food Security, Mr Walsh, with regard to impacts

upon Leadbeater's possum in certain areas. I will refer that to the minister for his attention and response.

Mrs Petrovich raised a matter for the Minister for Environment and Climate Change, Mr Smith, in relationship to support partnerships for flood victims, which I will pass on to him.

Ms Tierney raised an issue for the Minister for Public Transport in relation to the Marshall railway station and funding for an all-weather shelter. I noticed that in her presentation — and I notice a lot of this sort of thing from the other side — Ms Tierney stated that the Labor Party had built the station at Marshall, which is south of Geelong. I have done some early research for Minister Mulder's benefit, which I will put into *Hansard*. I can find online that the Marshall railway station was in fact opened in 1879, so the Labor Party claiming credit for the station is unique.

Ms Tierney interjected.

Hon. M. J. GUY — I note that the then Premier, Sir Graham Berry, was known as one of the most radical and colourful figures in the politics of colonial Victoria and made the most determined efforts to break the power of the Legislative Council at the time. Maybe there was something in it: he was a radical, and I gather that Ms Tierney's side of politics is. Certainly she has taken credit for a station that was opened in 1879, which is unique. I will pass the matter on to Minister Mulder for Ms Tierney, and I will look forward with interest to hearing what he has to say in relation to claiming credit for a railway station that was in existence in 1879.

Mrs Coote raised a matter for the Minister for Tourism and Major Events in relation to the visit of the *Queen Mary 2*. She asked whether the minister will attract more cruise ships to Melbourne, which is a very sensible and worthy thing to ask, given the amount of tourism dollars the *Queen Mary 2* brought to Melbourne, and I will pass the matter on to the minister.

Ms Broad raised an issue for the Minister for Women's Affairs in relation to International Women's Day, which I will pass on to her for comment and reply.

Mr Elsbury asked a question for the Minister for Mental Health in relation to the gender separation of mental health patients, which is exceedingly important.

Ms Hartland raised an issue for me in relation to Point Cook just to correct a matter, a substantive point, that she had raised. I will provide an answer for her in relation to Point Cook, which I understand is of keen interest to all upper house members in the west.

Mr Ondarchie raised a matter for the Minister for Mental Health in relation to funding for selected health services to improve facilities for women who are mental health patients, particularly in the Northern Metropolitan Region, which he and I represent.

Finally, Mr Tee raised an issue for me in relation to the City of Kingston, and I gather from the material he presented it is in relation to the manner in which a vote was taking place to consider matters in and around the green wedge. While I think this is a matter for the Minister for Local Government, I note that in his presentation Mr Tee said I am the minister who is the responsible authority for oversighting the green wedge. That is not factually correct; the council is the responsible authority for oversighting the green wedge. Yet again I advise Mr Tee to get his facts right, which he does not do very often. I am not the responsible authority for oversighting the green wedge; a council is.

Mr Tee interjected.

Hon. M. J. GUY — Mr Tee can try to move on to another point, but the fact is that he has made a claim which is massively factually incorrect. I am simply saying that if Mr Tee wants me to answer a question, he needs to get the facts right in what he is asking me to do. Having said that, I will take on board what he has put to me and no doubt give him the colourful response he asks for.

I have written responses to adjournment debate matters raised by Mr Eideh, Ms Mikakos and Mr Leane on 9 February.

The ACTING PRESIDENT (Mr Elasmr) — Order! The house now stands adjourned.

House adjourned 6.59 p.m.